



LUZERNE COUNTY
OFFICE OF LAW
ROMILDA P. CROCAMO, ESQUIRE
CHIEF COUNTY SOLICITOR

LUZERNE COUNTY
COUNTY MANAGER
C. DAVID PEDRI, ESQUIRE

COUNTY of LUZERNE
P E N N S Y L V A N I A
ESTABLISHED 1786

November 28, 2017

Karl J. Munshower
103 Fern Way
Clarks Summit, PA 18411
Email: kandcm@att.net
RE: RTK Request # 17-222

Dear Mr. Munshower:

Thank you for writing to Luzerne County with your request for information pursuant to the Pennsylvania Right-To-Know Law. My email is Jackie.Carroll@luzernecounty.org.

On November 28, 2017, I received a request for documents from you described in the attached Right to Know request. Your request is denied.

Pursuant to the Pennsylvania Right To Know Law ("RTKL"), §703 Written Requests, "A written request should identify or describe the records sought with sufficient specificity to enable the agency to ascertain which records are being requested ..." Your reference to "all documentation" is not sufficient enough.

Further, pursuant to Pennsylvania Right To Know Law ("RTKL") §708(b) Exceptions, "Except as provided in Subsections (c) and (d), the following are exempt from access by a requester under this act: (18)(i) Records or parts of records, except time response logs, pertaining to audio recordings, telephone or radio transmissions received by emergency dispatch personnel, including 911 recordings." The only records which may be released are 911 time response logs.

As for paramedic reports, Luzerne County does not keep these records. You would have to contact Wilkes-Barre City's Right To Know Officer in order to make your request.

You have a right to appeal this denial of information in writing to Office of Open Records, Commonwealth Keystone building, 400 North Street, 4th Floor, Harrisburg, PA 17120.

Page Two
November 28, 2017

If you choose to file an appeal for any reason, you must do so within 15 business days of the mailing date of the agency's response. Section 1101. If you have further questions, please contact me. Please be advised this correspondence will serve to close this request with our office as permitted by law.

Very truly yours,


JACQUELINE MUSTO CARROLL, ESQUIRE
Luzerne County – Open Records Officer

RTK REQUEST NUMBER

DATE RECEIVED

5 DAY RESPONSE DATE



COUNTY OF LUZERNE

RIGHT TO KNOW LAW REQUEST FORM

NAME OF REQUESTER: Munshower Karl J
(PLEASE PRINT CLEARLY) LAST FIRST MI

MAILING ADDRESS: 103 Fern Way
STREET / P.O. BOX
Clarks Summit PA 18411
CITY STATE ZIP CODE

PHONE # 570-881-0225 FAX# _____

EMAIL ADDRESS: kandem@att.net

SIGNATURE [Signature] DATE: 11/27/17

RECORDS REQUESTED - Requesters MUST specify the document(s) sought. Please use additional pages if necessary.

All documentation regarding Emergency Services were dialed 911 from Baker Tilly in W/B on 10/13/17 including paramedic report. Thank You.

PLEASE CHECK ONE OF THE FOLLOWING:

- I AM ONLY REQUESTING ACCESS TO THE DOCUMENT(S)
- I AM REQUESTING A HARD COPY OF THE DOCUMENT(S) (PAPER, CD, etc...)
- I AM REQUESTING AN E-FILE OF THE DOCUMENT(S) (IF AVAILABLE) (PDF, EXCEL SPRDSHT, etc...)

PLEASE NOTE: LUZERNE COUNTY IS NOT REQUIRED TO CREATE A RECORD WHICH DOES NOT CURRENTLY EXIST OR TO COMPILE, MAINTAIN, FORMAT OR ORGANIZE A RECORD IN A MANNER IN WHICH THE AGENCY DOES NOT CURRENTLY COMPILE, MAINTAIN, FORMAT OR ORGANIZE THE RECORD