



Right-To-Know Response Form

October 14, 2015

Mr. Joseph Dolinsky
The Times Leader
15 N. Main Street
Wilkes-Barre, PA 18711

RTK REQUEST #15-160

Dear Mr. Dolinsky,

Thank you for writing to Luzerne County with your request for information pursuant to the Pennsylvania Right-To-Know law.

Today the Luzerne County Office of Law received a request for documents from you described in the attached Right-To-Know request. Your request is partially denied and partially granted for the following reasons pursuant to the Pennsylvania Right to Know Law ("RTKL").

Section 708(b)(18)(i) of the RTKL states "The following are exempt from access by a requestor under this Act...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." §67.708(b)(18)(i). As such, pursuant to the exemption, Luzerne County 911 does not release transcripts of calls, audio recordings of calls or other such information except time response logs absent a court order or subpoena.

Your request for call response logs is granted. Attached hereto as a separate pdf are the response logs for January 1, 2014 through October 14, 2015 for weapons related calls for Hughestown Borough.

911 records indicate there is no correspondence from Hughestown Borough officials to 911 related to the aforesaid, therefore, your request for that information is denied pursuant to §705 of the RTKL. §705 of the RTKL states that "when responding to a request for access, an agency shall not be 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".

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.

If you choose to file an appeal 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 that this correspondence will serve to close this request with our office as permitted by law.

Respectfully,

Shannon Crake Lapsansky, Esq.
Luzerne County

Open Records Officer
200 North River Street
Wilkes-Barre, PA 18711