



COUNTY of LUZERNE
P E N N S Y L V A N I A
ESTABLISHED 1 7 8 6

Right-To-Know Response Form

January 15, 2015

William Cech
Panowicz Law Offices
8 West Market Street
Suite 1100
Wilkes-Barre, PA 18701
Via e-mail

Dear Mr. Cech,

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

On December 8, 2014, we received from you a request for documents, namely, various records from the Luzerne County Correctional Facility related to an inmate by the name of Daniel Rosser Williams IV. Your request for information via Right to Know request is denied for the following reasons pursuant to the Right to Know Law ("RTKL").

The documents requested are exempt from disclosure pursuant to the following sections of the RTKL. Section 708(b)(5) exempts from disclosure "a record of an individual's medical, psychiatric or psychological history or disability status, including an evaluation, consultation, prescription, diagnosis or treatment; results of tests, including drug tests; enrollment in a health care program or program designed for participation by persons with disabilities, including vocation rehabilitation, workers' compensation and unemployment compensation; or related information that would disclose individually identifiable health information."

The RTKL further exempts from disclosure, pursuant to section 708(b)(17), "a record of an agency relating to a noncriminal investigation, including: (ii) Investigative materials, notes, correspondence and reports."

Finally, the Criminal History Record Information Act, Title 18 Chapter 91, exempts from disclosure such criminal history information maintained by the Luzerne County Correctional Facility.

You have a right to appeal this response to your request for information in writing to Terry Mutchler, Executive Director, 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 call Shannon Crake Lapsansky, Esq. Please be advised that this correspondence will serve to close this record 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
(570)825-1598