



May 11, 2020

Laura Dennis, Esquire  
Luzerne County Office of Law  
200 North River Street  
Wilkes-Barre, PA 18711  
Via email: [Laura.Dennis@luzernecounty.org](mailto:Laura.Dennis@luzernecounty.org)

To the records custodian:

Under the Pennsylvania Right to Know Law, 65 §66.1 et seq., I am requesting copies of all correspondence, including emails, related to the coronavirus and the meatpacking industry since Jan. 1, 2020. Please note that I am not only seeking correspondence related to reports of cases and the response but preparation as well. In addition, please include all emails with the following keywords: Cargill and meatpacking since Jan. 1, 2020. (That includes emails to and from people at that company as well as emails with those words.)

I am interested in records from the following employees: any health officials or county employees who have worked on the county's response to COVID-19.

Please note that we would like to receive the information in **electronic** format. With all responsive records, please include any email attachments and all email messages contained in the thread with the responsive record.

If there are any questions about this request or if I can clarify anything, please don't hesitate to contact me at 319-541-0574 or [claire.perlman@propublica.org](mailto:claire.perlman@propublica.org).

Providing electronic copies should reduce any copying or labor costs. But if the cost will be greater than \$50.00, please notify me and provide an invoice breaking down the costs. I would also like to request a waiver of all fees in that the disclosure of the requested information is in the public interest and will contribute significantly to the public's understanding of the COVID-19 outbreak. I am a member of the news media with the essential mission of providing critical information to the public amid this crisis. ProPublica is a nonprofit, and the information is not being sought for commercial purposes.

The Pennsylvania Right to Know Law requires a response time within five business days. Because COVID-19 represents a life-threatening public health risk to the citizens of Pennsylvania and the United States and the compelling and urgent need for transparency, I ask that our request for records be expedited to any extent possible. Such information will also be critical to informing the public in other parts of the country about when and how to reopen businesses.

If portions of this request may take longer than others, I ask that you release those portions as soon as they become available on a rolling basis, rather than waiting until all records have been processed as a package. If you deny this request, please provide a written explanation for the denial including a reference to the specific statutory exemption(s) upon which you rely, along with the procedures for appeal. Also, please provide all segregable portions of otherwise exempt material.

Thank you for your assistance.

Sincerely,

Claire Perlman

ProPublica

Phone: (319) 541-0574

Email: [claire.perlman@propublica.org](mailto:claire.perlman@propublica.org)



## **Right-To-Know Response Form**

**July 2, 2020**

Claire Perlman

Via email only to [Claire.Perlman@propublic.org](mailto:Claire.Perlman@propublic.org)

RTK REQUEST #2020-079

Dear Ms. Perlman:

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

Recently, the Luzerne County Office of Law received a request for documents from you described in the attached Right To Know request. Your request is denied because Luzerne County does not maintain these documents. §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".

To further assist you, I would offer that we have completed a search of our email system and we did not prepare or otherwise create any lists, reports or emails having to do with Cargill or meatpacking.

You have a right to appeal this denial of information in writing to Executive Director, Office of Open Records, Commonwealth Keystone Building, 400 North Street, 4<sup>th</sup> 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 Laura C. Dennis. Please be advised that this correspondence will serve to close this record with our office as permitted by law.

Respectfully,

Laura C. Dennis, Esq.  
Luzerne County  
Open Records Officer  
200 North River Street  
Wilkes-Barre, PA 18711