

**REQUEST
2020-221**

Board Of Elections
RTK Office
20 N Pennsylvania Avenue
Wilkes-Barre, PA 18701

December 17, 2020

This is a follow up to a previous request:

To Whom It May Concern:

I wanted to follow up on the following Pennsylvania Right to Know Act request, copied below, and originally submitted on Sept. 24, 2020. Please let me know when I can expect to receive a response.

Thanks for your help, and let me know if further clarification is needed.

Filed via MuckRock.com

E-mail (Preferred): 102738-02258076@requests.muckrock.com

Upload documents

directly: https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fboard-of-elections-22813%252Fshelby-watchilla-emails-102738%252F%253Femail%253Delections%252540luzernecounty.org&url_auth_token=AACX8NhnXakX7Qlv36hueViwpoU%3A1kpg5U%3Aasa-bz-2eQDSBmYhgV64KJeBDHMM

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News

DEPT MR 102738

411A Highland Ave

Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.



Right-To-Know Response Form

December 18, 2020

Russell Neiss
MuckRock News
DEPT MR 102738
411A Highland Ave
Somerville, MA 02144-2516
Via email only to 102738-02258076@requests.muckrock.com

RTK REQUEST #2020-221

Dear Mr. Neiss:

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 at this time, there is an outstanding investigation which would preclude release of any information pursuant to Pennsylvania Act 3 of 2008, Chapter 7 Section 708 (17) A record of an agency relating to a noncriminal investigation, including:

- (i) Complaints submitted to an agency.
- (ii) Investigative materials, notes, correspondence and reports.
- (vi) A record that, if disclosed, would do any of the following:
 - (A) Reveal the institution, progress or result of an agency investigation, except the imposition of a fine or civil penalty, the suspension, modification or revocation of a license, permit, registration, certification or similar authorization issued by an agency or an executed settlement agreement unless the agreement is determined to be confidential by a court.
 - (B) Deprive a person of the right to an impartial adjudication.
 - (C) Constitute an unwarranted invasion of privacy.
 - (D) Hinder an agency's ability to secure an administrative or civil sanction.
 - (E) Endanger the life or physical safety of an individual.

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, 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 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