

Rec 2/16
due 2/23

Shannon Crake Lapsansky

From: Crocamo, Romilda <Romilda.Crocamo@luzernecounty.org>
Sent: Sunday, February 14, 2021 8:10 PM
To: Shannon Crake Lapsansky
Cc: Dennis, Laura
Subject: Fwd: [EXTERNAL]: RTK request from The Citizens' Voice

FYI
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From: Eric Mark <emark@citizensvoice.com>
Sent: Sunday, February 14, 2021 7:18 PM
To: Dennis, Laura
Cc: Crocamo, Romilda
Subject: [EXTERNAL]: RTK request from The Citizens' Voice

WARNING: This message is from an external email address. Do not click any links or open any attachments unless you recognize the sender **AND** you know that the contents of the email are safe to open.

Hi Laura.

The Citizens' Voice respectfully requests that the county release the name of the temporary worker in the county bureau of elections who opened and discarded military ballots during the week of Sept. 14-18, 2020.

We also request the name of the employment agency (if any) through which the temporary worker was hired.

Please note that the county denied a similar request last October, citing an ongoing federal investigation into the incident. That investigation is now concluded.

Thank you.

Regards,
Eric Mark
The Citizens' Voice
75 N. Washington St., Apt. 134S
Wilkes-Barre, PA 18701
570-821-2117

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The Citizens' Voice
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Right-To-Know Response Form

Eric Mark

Via email only to: **emark@citizensvoice.com**

RTK REQUEST #2021-_____

Dear Mr. Mark:

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 in a Right To Know request. Please note that your request is denied.

There is no employment agency through which any temporary worker was hired. As such, 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".

Regarding the name of the temporary worker in County Bureau of Elections, The request that you have submitted is not discoverable pursuant to the RTKL Statute §708 (b) (17) A record of an agency relating to a noncriminal investigation, including:

- (vi) A record that, if disclosed, would do any of the following:
 - (C) Constitute an unwarranted invasion of privacy
 - (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,

Shannon Crake-Lapsansky, Esq.
Luzerne County
Open Records Officer
200 North River Street
Wilkes-Barre, PA 18711