



Right-To-Know Response Form

November 3, 2014

Ms. Jennifer Lee
101 Gittis Student Center-North
1755 N. 13th Street
Philadelphia, PA 19122
Via email
RTK REQUEST #14-176

Dear Ms. Lee,

On or around October 27, 2014 the Luzerne County Office of Law received a request for documents from you described in the attached Right-To-Know request. This request was forwarded to us by the Luzerne County District Attorney's Office. Generally, you had requested Luzerne County's policies, procedures or mandates related to ICE detainees.

Luzerne County, either county-wide or jail-specific, does not have a formal written policy, procedure or mandate with regards to ICE detainees. As such, your request is denied pursuant to the Right to Know Act, §67.705, which states in relevant part "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." That being said, the Luzerne County Correctional Facility has indicated that they follow the instructions identified on the Department of Homeland Security's detainer that they receive regarding a particular individual. A sample detainer is attached hereto with identifying information redacted.

You have a right to appeal this denial of 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. 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