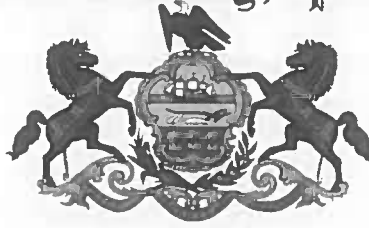


OFFICE OF THE CORONER
Washington County, Pennsylvania

S. TIMOTHY WARCO
CORONER
TELEPHONE
(724) 228-6785
FAX
(724) 228-6745

www.co.washington.pa.us/coroner



95 West Beau Street, Suite 110
Washington, Pennsylvania 15301

MATTHEW YANCOSEK
CHIEF DEPUTY CORONER

STEVE TOPRANI
SOLICITOR

Tuesday, April 19, 2022

Mr. T.W. [REDACTED] Brock
[REDACTED]

RE: Right-To-Know Request, ORO Tracking No. RTK 2022-005

Mr. [REDACTED] Brock:

Thank you for writing to the Office of Open Records. We are in receipt of your letter dated April 15, 2022; received in this office on Monday, April 25, 2022. We have assigned your request the tracking number 2022-005.

In your letter, you request "all the original documents associated with the Washington County Coroner's Office into the investigation of the death of Mr. William B. Brock who died on January 8, 1983. I would like copies of all police reports, coroner's reports, and documents associated with the autopsy performed, regarding his death," and "copies of all documentation pertaining to that investigation."

Your request is partially denied.

Autopsy Reports, Coroner's Reports, and Toxicology Reports are specifically exempted from the Open Records Act:

65 Pa. Stat, § 67.708, Exceptions for Public Records:

(b) Exceptions.--Except as provided in subsections (c) and (d), the following are exempt from access by a requester under this act:

(20) An autopsy record of a coroner or medical examiner and any audiotape of a postmortem examination or autopsy, or a copy, reproduction or facsimile of an autopsy report, a photograph, negative or print, including a photograph or videotape of the body or any portion of the body of a deceased person at the scene of death or in the course of a postmortem examination or autopsy taken or made by or caused to be taken or made by the coroner or medical examiner. This exception shall not limit the reporting of the name of the deceased individual and the cause and manner of death.

OFFICE OF THE CORONER
Washington County, Pennsylvania

S. TIMOTHY WARCO
CORONER
TELEPHONE
(724) 228-6785
FAX
(724) 228-6745

www.co.washington.pa.us/coroner



MATTHEW YANCOSEK
CHIEF DEPUTY CORONER

STEVE TOPRANI
SOLICITOR

95 West Beau Street, Suite 110
Washington, Pennsylvania 15301

Per the above, cause and manner, referred to as the View of Body or View of Form, is public record and pursuant to law, deposited with the Office of the Prothonotary within 30 days of the close of the year in which death occurred. The record may be inspected there, during usual business hours.

Further, § 3101.1 of the Open Records Act provides that if the Open Records Act is in conflict with any other Federal or State laws, the Act shall not apply.

Personally identifiable information is protected by the Federal privacy Act, the Federal and State substance abuse acts and HIPAA prohibit the release in a personally identifiable manner as personal health information. These statutes apply even if the person is deceased. (42U.S.C. § 1320d-1320d-7, 42 C.F.R § 2.20, 45 C.F.R. § 160.203, and 45 C.F.R. § 164.514).

"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."

It should also be noted that it is not the practice of this office to request or maintain reports generated by outside agencies, such as medical records or police reports.

I can recommend one of the following:

- View the *View of Form* record deposited with the prothonotary, limited to cause, manner, date, and place of death.
- The autopsy report is can be made available for your inspection at our office, and we welcome you to visit and review the information contained therein. Please note, duplication is prohibited.
- Provide proof in the manner of a court order, issued by the Court of Common Pleas, Washington County, that you are the sole legal inheritor to the named decedent's property and therefore inherit the right of kinship as it relates to PHI, and directing us to release the autopsy report to you.

OFFICE OF THE CORONER
Washington County, Pennsylvania

S. TIMOTHY WARCO
CORONER
TELEPHONE
(724) 228-6785
FAX
(724) 228-6745

www.co.washington.pa.us/coroner



95 West Beau Street, Suite 110
Washington, Pennsylvania 15301

MATTHEW YANCOSEK
CHIEF DEPUTY CORONER

STEVE TOPRANI
SOLICITOR

If you are not the sole inheritor of the deceased, you must give all interested parties (any spouses of the deceased, or all children of the deceased in that order) a chance to object to the release of personally identifying information.

Finally, if you choose to interpret this as a denial, you have the right to appeal this decision in writing to the Office of Open Records, Commonwealth of Pennsylvania; 333 Market Street, 16th Floor, Harrisburg, PA 17101.

You must do so within 15 days of the mailing of this agency's response, as outlined in Section 1101. An appeal must be submitted in writing. Allow this correspondence to close your request.

Thank you for writing to the office of open records.

Please allow this correspondence to close your request.

Sincerely,

A handwritten signature in black ink, appearing to read 'Matthew Yancosek', written over a horizontal line.

Matthew Yancosek
Right-to-Know Officer
Washington County Coroner's Office

CC: Steven Toprani, Solicitor
Tim Warco, Coroner

Washington County Coroner
95 Beau Street, Suite 110
Washington, PA 15301

April 15, 2022

RECEIVED
4-25-22 

 COPY

To: Timothy Warco:

The following correspondence is a Freedom of Information Act (FOIA) request for a release of copies of ALL the original documents associated with the Washington County coroner's office into the investigation of the death of **Mr. William B. Brock** who died on **January 8th, 1983**, I would like copies of all Police Reports, Coroner's Reports, and documents associated with the Autopsy performed, regarding his death. In addition, I'd like copies all documentation pertaining to that investigation. **Mr. Brock** was shot in his residence at **785 Duncan Ave. Washington, Pa. 15301**

Sincerely,



TW  Brock

TW  Brock





Standard Right-to-Know Law Request Form

Good communication is vital in the RTKL process. Complete this form thoroughly and retain a copy; it may be required if an appeal is filed. You have 15 business days to appeal after a request is denied or deemed denied.

SUBMITTED TO AGENCY NAME: Washington County District Attorney (Attn: AORO)

Date of Request: 04/15/22 Submitted via: Email U.S. Mail Fax In Person

PERSON MAKING REQUEST:

Name: TW [redacted] Brack Company (if applicable): _____

Mailing Address: [redacted]

City: [redacted] Email: [redacted]

Telephone: [redacted] Fax: _____

How do you prefer to be contacted if the agency has questions? Telephone Email U.S. Mail

RECORDS REQUESTED: Be clear and concise. Provide as much specific detail as possible, ideally including subject matter, time frame, and type of record or party names. RTKL requests should seek records, not ask questions. Requesters are not required to explain why the records are sought or the intended use of the records unless otherwise required by law. Use additional pages if necessary.



DO YOU WANT COPIES? Yes, printed copies (default if none are checked)
 Yes, electronic copies preferred if available
 No, in-person inspection of records preferred (may request copies later)
Do you want certified copies? Yes (may be subject to additional costs) No
RTKL requests may require payment or prepayment of fees. See the Official RTKL Fee Schedule for more details.
Please notify me if fees associated with this request will be more than \$100 (or) \$_____.

ITEMS BELOW THIS LINE FOR AGENCY USE ONLY

Tracking: 005 Date Received: 4-25-22 Response Due (5 bus. days): 4-30-22

30-Day Ext.? Yes No (If Yes, Final Due Date: 4-30-22) Actual Response Date: 4-25-22

Request was: Granted Partially Granted & Denied Denied Cost to Requester: \$_____

Appropriate third parties notified and given an opportunity to object to the release of requested records.