



SOUTHERN CHESTER COUNTY REGIONAL POLICE DEPARTMENT

8934 GAP NEWPORT PIKE
LANDENBERG, PA 19350
610-268-2907

Right-To-Know Response

11/15/2019

Nicholas Marritz
MuckRock News
DEPT MR 82886
411A Highland Ave
Somerville, MA 02144-2516

Dear Mr. Marritz or to whom it may concern at MuckRock News,

I am acknowledging receipt of your emails dated 11/5/2019 and 11/13/2019 respectively, in which you request the following:

This is a request for records under Pennsylvania's Right-To-Know Law.

In 2018, a Kennett Square woman's peacock, Gemini, escaped from an enclosure and pooped on a sidewalk at the entrance to Bancroft Elementary School. The owner, Winden Rowe, was charged with disorderly conduct. The incident was widely reported in local and even national news media, including the Washington Post (<https://www.washingtonpost.com/science/2018/12/06/her-peacock-pooped-she-was-charged-with-disorderly-conduct/>).

I request all records related to this incident (including records related to subsequent media inquiries, etc.). "Records" includes all writings, video recordings, or audio recordings. All responsive records will be made available to the general public online for free, and this request is not being made for commercial purposes. In the event that there are fees, please inform me of the total charges before fulfilling my request. With regard to the form of production, I would prefer that this request be filled electronically, by e-mail attachment if available or on CD-ROM if not.

Your request is denied for the following reasons:

1. A written request, either on our agency's official Right-to-Know Request Form (available at www.sccrprd.org or the Standard Right-to-Know Request Form available at <https://www.openrecords.pa.gov/> is the only recognized form in which to make a request. An email request to a general department email account is not acceptable.
2. Further, A "Good Request" under the Pennsylvania Right-to-Know Law must be sufficiently specific and your request for "*all records related to this incident*" is not, despite you including the definition of a "Record".
3. Notwithstanding the above two reasons, as permitted by Section 708 of the RTKL, the withheld information is exempt from disclosure under **Sections 708 (b)16 and 17 of the RTKL**.

Any criminal charges filed by this agency would have been done through Magisterial District Court 15-4-04, located at 914 West Cypress Street, Kennett Square, PA 19348.

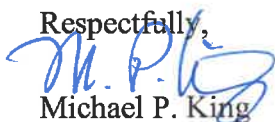
You have a right to appeal this denial in writing to: Office of Open Records, 333 Market St., 16th Floor, Harrisburg, PA 17101-2234. Appeals can also be filed online at the Office of Open Records website, <https://www.openrecords.pa.gov>.

For denials of criminal records of a local agency: You have a right to appeal this denial in writing to Michael Noone, (Acting) District Attorney, 201 W. Market St., Suite 4450, West Chester, PA 19380-09089.

If you choose to file an appeal you must do so within 15 business days of the mailing date of the agency's response. See 65 P.S. § 67.1101. Please note that a copy of your original Right-to-Know request and this denial letter must be included when filing an appeal. More information about how to file an appeal under the Right-to-Know Law is available at the Office of Open Records website, <https://www.openrecords.pa.gov>.

If you have additional questions, please contact myself, Deputy Chief Michael P. King. This correspondence will serve to close this record with our office as permitted by law.

Respectfully,



Michael P. King

Deputy Chief

Southern Chester County Regional Police Department

8934 Gap Newport Pike

Landenberg, PA 19350

610-268-2907 x102

"UNITED TO SERVE OUR COMMUNITIES WITH EXCELLENCE."