

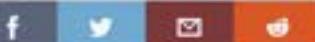
Request for Records on NYPD Mounted Unit Horses

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Jordan Lassiter filed this request with the New York City Police Department of New York City, NY.

Tracking #	FOIL-2023-056-09276
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Submitted	April 21, 2023
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Est. Completion	Oct. 26, 2023	Edit
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STATUS	Edit
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Awaiting Appeal	
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TAGS	Edit
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No tags. Add some!

From: Jordan Lassiter

04/23/2023

Subject: New York Freedom of Information Law Request: Request for Records on NYPD Mounted Unit Horses

[Portal](#)

To Whom It May Concern:

Pursuant to the New York Freedom of Information Law, I hereby request the following records:

Any and all records, including but not limited to emails, memos, physical documents, standing orders and any other records, related to NYPD police horses from January 1st, 2020, to the present date.

Please provide the following information for each NYPD police horse during the aforementioned timeframe:

Name and badge number of the horse

Breed and sex of the horse

Dates of service for the horse

Any complaints or disciplinary actions against the horse or its handler(s)

Additionally, please provide any records related to court cases or legal proceedings involving NYPD police horses during the aforementioned timeframe.

Please note that the requested records do not hinder any police techniques or investigations. Also, please do not withhold, redact, or delete any responsive records, as I will take legal action to compel their disclosure, and will file a complaint with the appropriate authorities.

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 5 business days, as the statute requires.

Sincerely,

Jordan Lassiter

From: New York City Police Department

04/23/2023

[Portal](#)

Subject: [OpenRecords] Request FOIL-2023-056-09276 Submitted to New York City Police Department (NYPD)

Your request FOIL-2023-056-09276 has been successfully submitted to the New York City Police Department (NYPD).

The details of your request are shown below:

Request Title: Request for Records on NYPD Mounted Unit Horses

Request Description: Other Request

Request Type: Other Request

Other Request

Type of Request:

Report #:

Date:

Time:

Precinct:

Location:

Description:

To Whom It May Concern:

Pursuant to the New York Freedom of Information Law, I hereby request the following records:

Any and all records, including but not limited to emails, memos, physical documents, standing orders and any other records, related to NYPD police horses from January 1st, 2020, to the present date.

Please provide the following information for each NYPD police horse during the aforementioned timeframe:

Name and badge number of the horse
Breed and sex of the horse
Dates of service for the horse
Any complaints or disciplinary actions against the horse or its handler(s)
Additionally, please provide any records related to court cases or legal proceedings involving NYPD police horses during the aforementioned timeframe.

Please note that the requested records do not hinder any police techniques or investigations. Also, please do not withhold, redact, or delete any responsive records, as I will take legal action to compel their disclosure, and will file a complaint with the appropriate authorities.

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Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 5 business days, as the statute requires.

Sincerely,

Jordan Lassiter

Upload documents directly: <https://www.muckrock.com/>

Requester's Contact Information

Name:
Jordan Lassiter

Title:
Not provided

Organization:
Not provided

Email:
requests@muckrock.com (<mailto:requests@muckrock.com>)

Phone Number:
Not provided

Fax Number:
Not provided

Street Address (line 1):
Not provided

Street Address (line 2):
Not provided

City:
Not provided

State:
Not provided

Zip Code:
Not provided

You can view the request and take any necessary action at the following webpage: <https://a860-openrecords.nyc.gov/request/view/FOIL-2023-056-09276>, (<https://a860-openrecords.nyc.gov/request/view/FOIL-2023-056-09276>)

From: New York City Police Department

04/27/2023

Subject: [OpenRecords] Request FOIL-2023-056-09276 Acknowledged

The New York City Police Department (NYPD) has acknowledged your FOIL request FOIL-2023-056-09276. (<https://a860-openrecords.nyc.gov/request/view/FOIL-2023-056-09276>) You can expect a response on or about Thursday, September 7, 2023. Additional Information: Your request has been assigned to Police Officer Lao (646-610-6430).

Please visit FOIL-2023-056-09276 to view additional information and take any necessary action. (<https://a860-openrecords.nyc.gov/request/view/FOIL-2023-056-09276>)

From: Muckrock Staff

09/25/2023

From: New York City Police Department

09/26/2023

Subject: [OpenRecords] Request FOIL-2023-056-09276 Extended

[Email]

The New York City Police Department (NYPD) has extended the time to respond to your FOIL request FOIL-2023-056-09276 for the following reasons: (<https://a860-openrecords.nyc.gov/request/view/FOIL-2023-056-09276>) You can expect a response on or about Thursday, October 26, 2023.

Additional Information:

This office is currently waiting for responses from the custodian of records.

Please visit [FOIL-2023-056-09276](https://a860-openrecords.nyc.gov/request/view/FOIL-2023-056-09276) to view additional information and take any necessary action. (<https://a860-openrecords.nyc.gov/request/view/FOIL-2023-056-09276>)

From: New York City Police Department

10/25/2023

[Email]

Subject: [OpenRecords] Request FOIL-2023-056-09276 Closed

The New York City Police Department (NYPD) has closed your FOIL request FOIL-2023-056-09276 for the following reasons: (<https://a860-openrecords.nyc.gov/request/view/FOIL-2023-056-09276>)

In regard to the document(s) which you requested, I must deny access to these records on the basis of Public Officers Law Section 87(2)(e)(iv) as such information, if disclosed, would reveal non-routine techniques and procedures. - Each NYPD police horse during the aforementioned timeframe. In regard to the document(s) which you requested, I must deny access to the records on the basis that your request is too broad in nature and does not describe a specific document. - Any and all records, including but not limited to emails, memos, physical documents, standing orders and any other records, related to NYPD police horses from January 1st, 2020, to the present date. - Any complaints or disciplinary actions against the horse or its handler(s). In regard to the document(s) which you requested, I am unable to provide access to these records, for these records are not in the possession, custody, or control of this Department. It appears the document(s) you requested may be available from: NYS Unified Court System - Any records related to court cases or legal proceedings involving NYPD police horses during the aforementioned timeframe.

You may appeal the decision to deny access to material that was redacted in part or withheld in entirety by contacting the agency's FOIL Appeals Officer: foilappeals@nypd.org within 30 days. (<mailto:foilappeals@nypd.org?subject=FOIL-2023-056-09276%20-%20Appeal>)

From: Jordan Lassiter

10/26/2023

[Email]

Subject: RE: New York Freedom of Information Law Request #FOIL-2023-056-09276

From: Jordan Lassiter

To Whom It May Concern:

I am writing to appeal the decision regarding my New York Freedom of Information Law (FOIL) request, specifically FOIL-2023-056-09276, which was submitted to the New York City Police Department (NYPD). I understand that my initial request was denied based on the following grounds:

1. Denial under Public Officers Law Section 87(2)(e)(iv) due to the potential revelation of non-routine techniques and procedures regarding each NYPD police horse during the requested timeframe.
2. Denial based on the assertion that my request was too broad and did not describe a specific document. This denial pertained to my request for any and all records related to NYPD police horses from January 1st, 2020, to the present date.
3. Denial due to the claim that the records I sought were not in the possession, custody, or control of the NYPD and may be available from the NYS Unified Court System. This denial related to my request for records concerning court cases or legal proceedings involving NYPD police horses during the mentioned timeframe.

I respectfully appeal these denials and request a reevaluation of my FOIL request, addressing each point separately:

Point 1: Denial under Public Officers Law Section 87(2)(e)(iv)

Regarding the denial under Public Officers Law Section 87(2)(e)(iv): My request did not seek sensitive information that would reveal non-routine techniques and procedures. It was a general request for records about NYPD police horses and their activities, which is a matter of public interest. The denial on these grounds should be reconsidered.

- Case law supporting my appeal:

- Matter of X v. New York City Police Department, 152 A.D.3d 176 (1st Dept. 2017): This case established that FOIL exemptions should be narrowly construed, and the denial should be based on a genuine concern for non-disclosure of specific techniques or procedures.

Point 2: Denial based on Request Being Too Broad

Concerning the assertion that my request was too broad: I believe that my request was appropriately scoped to obtain information about NYPD police horses during the specified timeframe. It was not overly broad, and the denial on these grounds should be reconsidered.

- Case law supporting my appeal:

- Matter of Capital Newspapers v. Whalen, 69 N.Y.2d 246 (1987): This case emphasized the need for a liberal interpretation of FOIL in favor

of disclosure and that broad requests for government records should not be unduly restricted.

****Point 3: Denial Based on Lack of Possession, Custody, or Control****

In response to the denial based on the lack of possession, custody, or control: It is my understanding that the NYPD should have records related to police horses, and therefore, my request should fall under their purview. If these records are available from the NYS Unified Court System, the NYPD should have transferred or referred my request to the appropriate agency, as required by FOIL.

- Case law supporting my appeal:

- Matter of Williams v. New York City Police Department, 101 A.D.3d 797 (1st Dept. 2012): This case affirmed that an agency must make a reasonable effort to locate and provide responsive records, even if they may exist elsewhere.

I kindly request that the NYPD reevaluates my FOIL request and provides access to the requested records, taking into account the legal precedents and principles outlined above. This information is vital for maintaining government transparency and accountability.

As a journalist and researcher, I am committed to promoting open and accessible government records and complying with FOIL requirements. I am willing to discuss any specific concerns or conditions related to the release of these records to address any potential issues raised by the NYPD.

If this appeal is denied, I request a detailed explanation of the specific legal grounds for denial and the basis for withholding any responsive records.

I appreciate your prompt attention to this matter and look forward to a favorable response within the required time frame.

Sincerely,

Jordan Lassiter

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You may follow up manually with the agency or [appeal](#) their decision. If you appeal, MuckRock staff can review the rejection and help write an appeal.

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