



CITY OF ITHACA
108 East Green Street Ithaca, New York 14850-5690

OFFICE OF THE CITY ATTORNEY

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April 22, 2021

By Email: info@muckrock.com

Re: FOIL request # 20200503

Please be advised that the responsive records provided are current through at least June 2020 and concern officers presently employed by the Ithaca Police Department. The City is continuing to identify and process former-officer records in response to your request and will provide responsive records or an updated timeline for release on or before July 30, 2021.

Please be further advised that of the responsive records provided in this preliminary response, certain records have been redacted or withheld in their entirety as their disclosure would constitute an unwarranted invasion of personal privacy as defined under Public Officers Law 89 (2)(b) and (2-b). This exemption pertains to for example, officers' health insurance or personal identification documents, but also personal identification of individuals mentioned in the reports.

Certain records have also been withheld pursuant to Public Officers Law 89(2-c) as they pertain to technical infractions that were not administered in furtherance of a law enforcement disciplinary proceeding.

Please be advised that certain training test questions and responses have also been withheld under Public Officers Law 87(2)(h).

Pursuant to New York Public Officers Law § 87(2)(g), which states that an agency may deny access to intra-agency materials that are reflective of opinion, advice, and/or non-final recommendations, portions of the records have been withheld which are reflective of non-final intra-agency material.

Please be further advised that pursuant to Section 87(2)(a), a record can be withheld if it is exempt from public disclosure pursuant to a separate statute. In this regard, certain records or portions thereof have been withheld to preserve attorney-client privileged material in accordance with the CPLR, to protect the identities of sex offense victims in accordance with Civil Rights Law 50-b, because the record pertains to a sealed record, or to protect the identity of a juvenile pursuant to Section 784 of the Family Court Act.

Please be advised that there may be additional audio or video recordings, photographs or other supporting documentation referenced in the responsive documents, but not produced in response to your request. To the extent you request specific reference records, please identify the records you request in a new FOIL request specifying the date and/or case to which they pertain.

Due to the volume of responsive records, which the City e-mail system is unable to send, the responsive records will be provided to you on a thumb drive at a cost of \$5.00. Please send a check in the amount of \$5.00, payable to the City of Ithaca, to the City Attorney's Office, 108 East Green Street, Ithaca, New York 14850 and the records will be copied and mailed to you.

Please contact Mrs. Jody Andrew, Executive Assistant, at (607) 274-6504 or jandrew@cityofithaca.org to make arrangements ahead of time, if you wish to pay for and pick up the records in person.

If you wish to appeal a FOIL decision, you may do so in writing to the Mayor within thirty (30) days at 108 East Green Street, Ithaca, New York 14850. Please be advised that the City accepts FOIL appeals in hard copy only, delivered to the mayor's office in person or regular mail, and will not process appeals sent via email.