

Name of Agency Official: Tioga County Legislature

Kevin Humes

56 Main Street

Owego, NY 13827

(607)-687-8253

Re: Freedom of Information Law Appeal

Dear: Tioga County Legislature

I hereby appeal the denial of access regarding my request, which was made on April 16, 2024 and sent to Adam Bessey (Tioga County Sheriff's Office at 103 Corporate Drive, Owego, NY 13827).

The records that were denied include: The incident # [REDACTED] reporting officer Jordan Zelesnlkar, report date/time 11/06/2023, at approximately 1900 hours. I, Dakota Steigler requested body camera footage "from the moment Officer Zelesnlkar showed up at laundromat all the way to until Officer Zelesnlkar placed me in the police car". I am the Defendent in this Investigation and requesting a copy of the body camera recording that was denied by Tioga County Sheriff's Office(FOIL). My Attorney was given the Discovery package and my attorney stated that he does not have body camera footage of me being arrested. It is part of my discovery disclosure of my arrest. The denial letter **ADMITS** that I can have a copy and therefore asking Tioga County Legislature to overturn the Denial decision.

As required by the Freedom of Information Law, the head or governing body of an agency, or whomever is designated to determine appeals, is required to respond within 10 business days of the receipt of an appeal. If the records are denied on appeal, please explain the reasons for the denial fully in writing as required by law and please provide section code of New York Law of your denial.

In addition, please be advised that the Freedom of Information Law directs agencies to send all appeals and the determinations that follow to the Committee on Open Government, Department of State, One Commerce Plaza, 99 Washington Ave., Albany, New York 12231.

Sincerely,

Dakota Steigler [REDACTED]

[REDACTED]

[REDACTED]

Freedom of Information Request

Date: 4/16/24

To: Tioga County Sheriff's Office
Attn: FOI Officer
101 Corporate Drive
Owego, New York 13827

or E-mail to: foia@tiogacounty.ny.gov

I hereby apply to inspect the following record(s) (describe records to include specific dates and discussion dates if known. Also include specific time periods of records. If no time period is specified, we reserve the right to deny the request as too broad or burdensome to comply with).
I am requesting a copy of:

[Redacted]

- Body Cam Footage

from the moment he showed up at laundry mat all the way until he placed me in the car

Note: If requesting by email, the typing of your name shall constitute a valid and legal signature for submission of your request. Tioga County and the Sheriff's Office has the right to rely upon the information submitted and shall assume no obligation to verify the "signature" provided. Any submission not utilizing the proper and legal name of the individual requesting the information is subject to denial and/or prosecution.

X Parvata Brich
Requestor name (type or print)

X [Signature]
Requestor signature

X [Redacted]
Requestor street address

X [Redacted]
Requestor phone number

X [Redacted]
Requestor city/state/zip code

X [Redacted]
Requestor E-Mail address

FOR OFFICIAL USE ONLY - DO NOT WRITE BELOW THIS LINE

Approved (standard redaction may apply)

Reason(s) for denial:

✓ Denied (see reason)

- Unwarranted invasion of privacy
- Record(s) cannot be found
- Record is not maintained by this agency
- ✓ Open investigation/prosecution
- Exempted by statute other than Freedom of Information Act
- ✓ Other DEFENSE ATT. HAS BEEN PROVIDED WITH REQ. INFO

[Signature]
Title/signature - FOI officer or designee

04/19/24
Date

NOTICE: You have the right to appeal the decision of the Freedom of Information Officer, whose decision will be in writing and will state the reason for the denial. Your request will be approved, denied, or acknowledged within (5) business days from the date the request was received. A written appeal should be submitted to the Tioga County Legislature (C/O Freedom of Information Officer, County of Tioga, 66 Main Street, Owego, New York 13827 or by email to: foia@tiogacounty.ny.gov) within thirty days of the date of denial and must contain the following information: the date and location of a request for records, the records which were denied, and the name and address of the appellant.

Fees: Electronic records (documents only) = no charge Copies (50.25/page) = \$ CD/Memory stick: (\$5.00/ea.) = \$

Body Cam Footage hrs x \$22.69/hr = \$ Postage \$ Total for this FOI = \$

Note: The processing of body camera footage can be time consuming depending on content to be redacted. If processing takes more than two hours, this office will charge the above rate for time greater than two hours. Total # of hrs. to process footage: