Michael Siudzinski, Assistant Deputy Counsel
FOIL Appeals Officer
c/o ████████████████████████
25 Beaver Street, 10th Floor
New York, NY 10004

May 30, 2024

RE: FOIL Appeal, Criminal Cases Case-level Data

Dear Counsel,

This letter constitutes an administrative appeal pursuant to the New York Freedom of Information Law ("FOIL"), POL §89(4)(a). Scrutinize, through its counsel, appeals the sufficiency of the Office of Court Administration's ("OCA") response to Scrutinize's request for Criminal Cases Case-level Data dated January 25, 2024 ("the Request").

On January 25, 2024, Scrutinize, through its counsel, filed the Request.[1] with OCA seeking the various records. On May 2, 2024 OCA denied the Request.[2] Scrutinize appeals OCA's response to all items, as set out below.

Request 1

Scrutinize requested, "1) Any databases created or maintained by OCA pursuant to the agency's statutory obligations under N.Y. Judiciary Law § 216(5)/N.Y. Exec. Law § 837-U."

OCA responded, "Please note in response to your first request, please visit Court Data and Statistics | NYCOURTS.GOV) and specifically, Pretrial Release Data | NYCOURTS.GOV and OCA-STAT Act | NYCOURTS.GOV."

OCA's response is not responsive. As an initial matter, OCA did not certify that it conducted a diligent search for responsive records. Second, the response OCA did offer, which directed Scrutinize to the OCA website, is insufficient to satisfy the agency's FOIL obligations. The Request doesnot just seek the dataset that is published online pursuant to N.Y. Judiciary Law § 216(5)/N.Y. Exec. Law § 837-U. Rather, the Request seeks "any" databases created and/or maintained by OC, in itsown systems, "pursuant to the agency's obligations" under this new law. The dataset made publicly available online must be created, if not maintained, by OCA on its systems before being published. The Request

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[1] *See* Attachment A.
[2] *See* Attachment B.

encompasses any and all responsivedatabases, including any versions of the online database, which are not publicly available.

Moreover, the public data OCA's response references are incomplete. OCA has attempted to avoid its duty to conduct a diligent search by pointing Scrutinize to the OCA website, which contains some data on criminal case disposition. The Appellate Division recently rejected a similar contention in *Goldstein v. Mamaroneck*.[3] In that case, the defendant argued that "maintaining a public website . . . containing much of the information sought by the petitioner" was sufficient to discharge its duty under the FOIL.[4] The court rejected this narrow construction of the FOIL, explaining that "posting information online is something an agency does independent of its FOIL obligations."[5] Here, as in *Goldstein*, the publicly available data is incomplete. For example, the OCA supplemental dataset for 2019[6] lacks critical information, such as the names of judges and failures to appear extending beyond five years. Similarly, the OCA data for 2020 to 2023[7] does not include failures to appear for the prior 2-year and 5-year periods, even though these fields are available in the 2019 data.

Request 2

Scrutinize requested, "2) The following datasets, which are created, maintained, otherwise possessed by OCA:

a. The dataset known as the "Si Gordon File," which has been provided by OCA to third party vendors and researchers that are under contract with OCA.
b. The dataset provided by OCA to the Data Collaborative for Justice ("DCJ") in connection with the report titled 'Bail Reform in Action: Pretrial Release Outcomes in New York State, 2019-2020'
c. The dataset provided by OCA to researchers in connection with the research paper titled 'Equal Protection Under Algorithms: A New Statistical and Legal Framework'
d. The dataset provided by OCA to the Center for Court Innovation in connection with the report titled 'Projecting the Impact of New York's Amended Bail Reform on the Pretrial Jail Population.'"

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[3] *See Goldstein v. Inc. Vill. of Mamaroneck*, 221 A.D.3d 111 (2023).
[4] *Id*. at 123.
[5] *Id*. at 125; *see also id*. at 127 ("Holding that an agency satisfies a FOIL request for reproduction of records merely by referring the requestor to a public website does not adequately safeguard the public right of all of this State's citizens.").
[6] *See* Criminal Justice Statistics, Pretrial Release, DIVISION OF CRIMINAL JUSTICE SERVICES, *available at* https://www.criminaljustice.ny.gov/crimnet/ojsa/stats.htm#prd.
[7] *See* Division of Technology & Court Research, Pretrial Release Data, NEW YORK STATE UNIFIED COURT SYSTEM, *available at* https://ww2.nycourts.gov/pretrial-release-data-33136.

OCA responded, "In response to your second request, points a, b, and d, records that respond to your request are exempt from disclosure pursuant to Public Officers Law § 87(2)(b) because, if disclosed, would 'constitute an unwarranted invasion of personal privacy.' However, please note that such raw, underlying data is may be produced through a bulk data request ([Bulk Data Application - NY Courts Forms](#)) and any external entity that receives such information would be required to sign a legal agreement before disclosure. Please note, OCA only maintains the raw data and the entities that have been provided with it have created their own datasets which we do not have access to. In response to your second request, point c, please note that such final dataset was provided by DCJS and you may wish to subject a FOIL request to them."

OCA response regarding points a, b, and d, seeks to avoid its disclosure duty. OCA's response suggests that the datasets provided to third parties contain personally identifiable information. Assuming that is the case, it is still not a sufficient reason to withhold the datasets in their entirety. When a public record contains exempt, private information, the appropriate response is redaction, not withholding.[8] OCA does not suggest that redaction would be unduly burdensome—as indeed it should not, when the requested records are stored as structured data. The datasets sought by Scrutinize would have been turned over to the respective third parties after being anonymized to protect private information. Therefore, disclosure to Scrutinize would not constitute any more or less of an invasion of personal privacy than the initial disclosure to third parties.

Moreover, Scrutinize clarified in its Request that it "does not seek confidential information from any applicable database or dataset" and that such confidential information, where it exists, should be provided in a "pseudonymized, hashed, or otherwise 'scrambled' format." The Second Circuit recently approved such an approach in the analogous federal Freedom of Information Act context.[9] This approach maintains the integrity of the records while removing any private information, and thus "obviates concerns about personal privacy."[10]

Finally, as to point c, OCA states that the "final dataset" was provided by another agency. However, the Requests seeks "[t]he dataset provided by OCA," regardless of whether it was the "final" version. Therefore, whatever dataset OCA provided to the researchers, either directly or through DCJS, and regardless of its format—raw data or otherwise—is responsive to the request and must be disclosed.

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[8] *See Goldstein*, 221 A.D.3d at 123 n.4; *see also Brown v. Goord*, 45 A.D.3d 930, 933 (2007); *Beyah v. Goord*, 309 A.D.2d 1049, 1052 (2003).

[9] See *Am. C.L. Union Immigrants' Rts. Project v. United States Immigr. & Customs Enf't*, 58 F.4th 643 (2d Cir. 2023) (requiring agency to replace exempt personally identifiable information with anonymized unique identifiers in response to FOIA request).

[10] *Collins v. New York City Police Dep't*, 55 Misc. 3d 1214(A) (N.Y. Sup. Ct. 2017) (rejecting agency's argument that police records could be withheld in full under privacy exemption).

Request 3

Scrutinize requested, "3) Any databases or datasets created, maintained, or otherwise possessed by OCA that contain case-level data from criminal cases arraigned or disposed in criminal courts across New York State anytime between January 1, 2008, and January 25, 2024, and that include at least all of the following variables/fields:

   a. The name of the judge who presided over the arraignment or the unique identification value for that judge;
   b. The defendant's non-identifying demographic information;
   c. The top criminal charge on which the defendant was arraigned;
   d. The defendant's criminal history or lack thereof;
   e. The outcome of arraignment, including but not limited to whether the defendant was released and, if so, the conditions of release, and the amount of any bail set."

OCA responded, "In response to your third request, points a-d, please note that OCA does not maintain any datasets with this information going back to 2008. However, much of what you requested is available on our public site OCA-STAT Act | NYCOURTS.GOV, that was developed pursuant to Judiciary Law §212(2)(u-1 & (v-1) and in Pretrial Release Data | NYCOURTS.GOV."

As an initial matter, OCA failed to address point e of Request 3 at all. More significantly, OCA misconstrues the plain language of the Request 3. The Request seeks data from "anytime between January 1, 2008, and January 25, 2024." The ordinary meaning of this wording encompasses *any* dataset that contains information from any period within those two dates. OCA, however, has read this to mean only datasets that contain information covering the *entire* span of time. OCA's reading of the Request is implausible and does not address the Request.

Moreover, the response is likely incorrect: OCA maintains the NYS Criminal Inquiry System ("CIS") database. That database includes case-level information, including several of the data sought by points a-e, going back to 2008. A search of that database would yield responsive information. Accordingly, the websites referenced by OCA are not fully responsive to the Request, as both provide data only from 2019 onward. A partially-responsive public webpage is not substitute for a search.[11]

Additionally, Request 3 seeks "databases or datasets" that include certain fields, but is not limited to those fields. In other words, the Request seeks not just the five enumerated categories of data, but all fields from any database or dataset that contains such information. The full databases or datasets, subject to the appropriate anonymization to

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[11] *See supra* note 3.

protect private data, should be disclosed. OCA's reference to public datasets is therefore nonresponsive, not only because it fails to address the timeframe of data sought, but also because those datasets include only some, but not all, of the fields maintained by OCA in CIS and other databases.

Request 4

Scrutinize requested, "4) For any database responsive to [R]equests (1), (2) or (3) that only maintains a unique identification code for the presiding judge rather than the judge's name, please separately provide the name of the judge that corresponds with the unique identification code in the database."

OCA responded, "In response to your fourth request, please note that the [Pretrial Release Data | NYCOURTS.GOV](#) provides the judge name at the arraignment as required by the statute. The monthly pretrial detention and OCA Stat Act extracts do not contain this information as this is not required by statute."

As with Request 3, OCA refers Scrutinize to partial datasets containing limited information from 2019-2023, even though it maintains databases that are responsive to the Request and contains more data from a longer time frame.

Request 5

Scrutinize requested, "5) Any lookup tables, codebooks, data extract information, data dictionaries, database schemas, or other explanation files that accompany databases responsive to (1), (2), and (3)."

OCA responded, "Finally, in response to your last request, please note that all extracts mentioned above on our public website include documentation and data dictionaries."

Again, OCA points to documentation for "extracts" that are publicly available. However, just as these extracts are not fully responsive to Requests 1 through 3, the publicly available data dictionaries are not fully responsive to Request 5.

Conclusion

For the reasons stated above, Scrutinize appeals the denial of its Request. Scrutinize asks that your office order OCA to conduct a diligent search for all responsive records—not just those that are already published—and respond by either producing the records, identifying a specific basis for withholding, or certifying that the records could not be found.

If you have any questions about this appeal, please contact counsel for Scrutinize:

- Veronica Salama, ███████████, ████████████
- Mason Kortz, ███████████████, ██████████

Thank you for your prompt attention to this matter.

<div style="text-align: right">

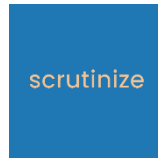Sincerely,

/s/ Oded Oren
Oded Oren
Scrutinize

By their Counsel

/s/ Mason Kortz
Mason Kortz
Harvard Law School Cyberlaw Clinic

/s/ Veronica R. Salama
Veronica R. Salama
New York Civil Liberties Union Foundation

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Attachment A

Scrutinize FOIL Request

January 25, 2024

VIA Electronic Mail
Records Access Officer
New York State Office of Court Administration
c/o ██████████████
Counsel's Office
25 Beaver St, 11th floor,
New York, New York 10004

Re: Request under the Freedom of Information Law, Criminal Cases Case-level Data

Dear Records Access Officer:

Scrutinize, through its undersigned counsel, submits this request for records pursuant to the New York Freedom of Information Law, N.Y. Pub. Off. Law § 85, et seq. for access to and electronic copies of records collected or maintained by the New York State Office Court Administration ("OCA") as described below:

1) Any databases[1] created or maintained by OCA pursuant to the agency's statutory obligations under N.Y. Judiciary Law § 216(5)/N.Y. Exec. Law § 837-U.

2) The following datasets,[2] which are created, maintained, otherwise possessed by OCA:
   a. The dataset known as the "Si Gordon File," which has been provided by OCA to third party vendors and researchers that are under contract with OCA.

   b. The dataset provided by OCA to the Data Collaborative for Justice ("DCJ") in connection with the report titled "Bail Reform in Action: Pretrial Release Outcomes in New York State, 2019-2020"

   c. The dataset provided by OCA to researchers in connection with the research paper titled "Equal Protection Under Algorithms: A New Statistical and Legal Framework"

   d. The dataset provided by OCA to the Center for Court Innovation in connection with the report titled "Projecting the Impact of New York's Amended Bail Reform on the Pretrial Jail Population."

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[1] For purposes of clarification, a "database" refers to any tabulated, electronic records.

[2] A "dataset" refers to a collection of tabulated, electronic records in OCA's possession or control. The terms "database" and "data set" are used interchangeably in this request.

3) Any databases or datasets created, maintained, or otherwise possessed by OCA that contain case-level data from criminal cases arraigned or disposed in criminal courts[3] across New York State anytime between January 1, 2008, and January 25, 2024, and that include at least all of the following variables/fields:

    a. The name of the judge who presided over the arraignment or the unique identification value for that judge;
    b. The defendant's non-identifying demographic information;
    c. The top criminal charge on which the defendant was arraigned;
    d. The defendant's criminal history or lack thereof;
    e. The outcome of arraignment, including but not limited to whether the defendant was released and, if so, the conditions of release, and the amount of any bail set.

4) For any database responsive to requests (1), (2) or (3) that only maintains a unique identification code for the presiding judge rather than the judge's name, please separately provide the name of the judge that corresponds with the unique identification code in the database.

5) Any lookup tables, codebooks, data extract information,[4] data dictionaries,[5] database schemas, or other explanation files that accompany databases responsive to (1), (2), and (3).

The variables in each responsive database or dataset should be produced in the same way they are maintained as part of the related file. For example, if a criminal case's docket number is maintained in a pseudonymized, hashed, or otherwise "scrambled" format in a responsive database, then it should be produced in the same manner. For clarity, this request does not seek confidential information from any applicable database or dataset. Confidential information that is used as a primary key or otherwise uniquely identifies a database entry should be pseudonymized through a one-way hash or similar cryptographic function.[6]

To the extent that the electronic records are available in electronic spreadsheet or comma-separated format (Excel or CSV), we request that they be provided in that format.

The requested documents will be made available to the public, and this request is not being made for commercial purposes. If all or part of this request is denied, please cite each specific

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[3] For purposes of clarification, "criminal courts" refer to any trial-level courts that handle criminal cases, as described in OCA's Criminal Courts flow chart, available at https://www.nycourts.gov/courthelp/pdfs/NYSCriminalCourts.pdf.

[4] An example of Data Extract Information provided by OCA's Division of Technology and Court Research, in the context of Landlord-tenant case level data, is available here: https://www.nycourts.gov/legacypdfs/court-research/City%20and%20District%20Court%20Deidentified%20LT%20Data%20Extract%20Information.docx.

[5] See, e.g., OCA-STAT ACT Extract Data Dictionary, NYCourts.gov (OCA-STAT act (nycourts.gov)); see also UCE Dockets and Dictionaries - Documentation and Downloads KA-01078 · Customer Self-Service (nycourts.gov).

[6] See Am. C.L. Union Immigrants' Rts. Project v. United States Immigr. & Customs Enf't, 58 F.4th 643 (2d Cir. 2023) (responding agency was required to replace exempt identifying numbers for non-U.S. citizens with anonymized unique identifiers in its response to FOIA request).

applicable FOIL exemption. To the extent that you determine that certain portions of a record cannot be disclosed, please redact only that information that you consider to be protected, identify the applicable exemption, state the justification for each redaction, and provide us with the remaining information. As you are aware, pursuant to Public Officers Law 84-90(9), "when records maintained electronically include items of information that would be available under this article, as well as items of information that may be withheld, an agency in designing its information retrieval methods, whenever practicable and reasonable, shall do so in a manner that permits the segregation and retrieval of available items in order to provide maximum public access."

If any records are unavailable within five business days of receipt of the request, and responsive records exist, we seek a description of such records and a timeline of when access to the records will be provided. If you determine that certain parts of this request may be more easily produced than others, we are happy to discuss a production schedule for records that will require additional time for review/redaction/production. We request to be notified of any fees over $100.00.

Please send all responsive records by email to:
- Veronica Salama, ███████████; and
- Mason Kortz, ████████████████.

Or by mail to:
New York Civil Liberties Union
Attn: Veronica Salama
125 Broad Street, 19th Fl
New York, NY 10004

If you have any questions about this request, please do not hesitate to contact us at:
- Veronica Salama, ████████, ████████, ext. 377;
- Mason Kortz, ██████████████, ██████████.

Thank you for your prompt attention to this matter.

Sincerely,

/s/ Oded Oren
Oded Oren
Scrutinize

By their Counsel

/s/ Veronica R. Salama
Veronica R. Salama
New York Civil Liberties Union Foundation

/s/ Mason Kortz
Mason Kortz
Harvard Law School Cyberlaw Clinic

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Attachment B

OCA Response

Kortz, Mason

This e-mail responds to your correspondence dated 1/24/24 which pursuant to FOIL, requested:

1) Any databases[1] created or maintained by OCA pursuant to the agency's statutory obligations under N.Y. Judiciary Law § 216(5)/N.Y. Exec. Law § 837-U.
2) The following datasets,[2] which are created, maintained, otherwise possessed by OCA:
a. The dataset known as the "Si Gordon File," which has been provided by OCA to third party vendors and researchers that are under contract with OCA.
b. The dataset provided by OCA to the Data Collaborative for Justice ("DCJ") in connection with the report titled "Bail Reform in Action: Pretrial Release Outcomes in New York State, 2019-2020"
c. The dataset provided by OCA to researchers in connection with the research paper titled "Equal Protection Under Algorithms: A New Statistical and Legal Framework"
d. The dataset provided by OCA to the Center for Court Innovation in connection with the report titled "Projecting the Impact of New York's Amended Bail Reform on the Pretrial Jail Population
3) Any databases or datasets created, maintained, or otherwise possessed by OCA that contain case-level data from criminal cases arraigned or disposed in criminal courts[3] across New York State anytime between January 1, 2008, and January 25, 2024, and that include at
least all of the following variables/fields:
a. The name of the judge who presided over the arraignment or the unique identification value for that judge; b. The defendant's non-identifying demographic information; c. The top criminal charge on which the defendant was arraigned; d. The defendant's criminal history or lack thereof; e. The outcome of arraignment, including but not limited to whether the defendant was released and, if so, the conditions of release, and the amount of any bail set.
4) For any database responsive to requests (1), (2) or (3) that only maintains a unique identification code for the presiding judge rather than the judge's name, please separately provide the name of the judge that corresponds with the unique identification code in the database.
5) Any lookup tables, codebooks, data extract information,[4] data dictionaries,[5] database schemas, or other explanation files that accompany databases responsive to (1), (2), and (3).

Please note in response to your first request, please visit Court Data and Statistics | NYCOURTS.GOV) and specifically, Pretrial Release Data | NYCOURTS.GOV and OCA-STAT Act | NYCOURTS.GOV.

In response to your second request, points a, b, and d, records that respond to your request are exempt from disclosure pursuant to Public Officers Law § 87(2)(b) because, if disclosed, would "constitute an unwarranted invasion of personal privacy." However, please note that such raw, underlying data is may be produced through a bulk data request (Bulk Data Application - NY Courts Forms) and any external entity that receives such information would be required to sign a legal agreement before disclosure. Please note, OCA only maintains the raw data and the entities that have been provided with it have created their own datasets which we do not have access to.

In response to your second request, point c, please note that such final dataset was provided by DCJS and you may wish to subject a FOIL request to them.

In response to your third request, points a-d, please note that OCA does not maintain any datasets with this information going back to 2008. However, much of what you requested is available on our public site OCA-STAT Act | NYCOURTS.GOV, that was developed pursuant to Judiciary Law §212(2)(u-1 & (v-1) and in Pretrial Release Data | NYCOURTS.GOV.

In response to your fourth request, please note that the Pretrial Release Data | NYCOURTS.GOV provides the judge name at the arraignment as required by the statute. The monthly pretrial detention and OCA Stat Act extracts do not contain this information as this is not required by statute.

Finally, in response to your last request, please note that all extracts mentioned above on our public website include documentation and data dictionaries.

Pursuant to Public Officers Law § 89(4)(a), you have thirty (30) days to take a written appeal of this determination. You may appeal by writing:

Michael Siudzinski, Assistant Deputy Counsel
FOIL Appeals Officer
25 Beaver Street, 10th Floor
New York, NY 10004

Or, you may submit such appeal by email to: ███████████████████

From: FOIL
Sent: Monday, April 1, 2024 5:10 PM
To: 'Veronica Salama' <████████████████>
Cc: 'Kortz, Mason' <██████████████████>
Subject: RE: Scrutinize Request to OCA under the Freedom of Information Law: Criminal Cases Case-level Data

Please be advised that we require additional time to complete our response to your FOIL request. We will provide you with a status update on or before April 29, 2024, if we have not completed our response by then.

Thank you for your courtesy in this matter.

From: FOIL
Sent: Monday, March 4, 2024 4:58 PM
To: 'Veronica Salama' <████████████████>
Cc: 'Kortz, Mason' <██████████████████>
Subject: RE: Scrutinize Request to OCA under the Freedom of Information Law: Criminal Cases Case-level Data

Please be advised that we require additional time to complete our response to your FOIL request. We will provide you with a status update on or before April 1, 2024, if we have not completed our response by then.

Thank you for your courtesy in this matter

From: FOIL
Sent: Thursday, February 1, 2024 4:47 PM
To: 'Veronica Salama' <████████████████>
Cc: Kortz, Mason <██████████████████>
Subject: RE: Scrutinize Request to OCA under the Freedom of Information Law: Criminal Cases Case-level Data

The Office of Court Administration acknowledges receipt of your FOIL request dated 1/25/24, seeking:

1) Any databases1 created or maintained by OCA pursuant to the agency's statutory obligations under N.Y. Judiciary Law § 216(5)/N.Y. Exec. Law § 837-U.

2) The following datasets,2 which are created, maintained, otherwise possessed by OCA:

a. The dataset known as the "Si Gordon File," which has been provided by OCA to third party vendors and researchers that are under contract with OCA.

b. The dataset provided by OCA to the Data Collaborative for Justice ("DCJ") in connection with the report titled "Bail Reform in Action: Pretrial Release Outcomes in New York State, 2019-2020"

c. The dataset provided by OCA to researchers in connection with the research paper titled "Equal Protection Under Algorithms: A New Statistical and Legal Framework"

d. The dataset provided by OCA to the Center for Court Innovation in connection with the report titled "Projecting the Impact of New York's Amended Bail Reform on the Pretrial Jail Population

3) Any databases or datasets created, maintained, or otherwise possessed by OCA that contain case-level data from criminal cases arraigned or disposed in criminal courts3 across New York State anytime between January 1, 2008, and January 25, 2024, and that include at
least all of the following variables/fields:

a. The name of the judge who presided over the arraignment or the unique identification value for that judge; b. The defendant's non-identifying demographic information; c. The top criminal charge on which the defendant was arraigned; d. The defendant's criminal history or lack thereof; e. The outcome of arraignment, including but not limited to whether the defendant was released and, if so, the conditions of release, and the amount of any bail set.

4) For any database responsive to requests (1), (2) or (3) that only maintains a unique identification code for the presiding judge rather than the judge's name, please separately provide the name of the judge that corresponds with the unique identification code in the database.

5) Any lookup tables, codebooks, data extract information,4 data dictionaries,5 database schemas, or other explanation files that accompany databases responsive to (1), (2), and (3).

We have begun to process your request and we will provide you with a status update on or before March 4, 2024.

From: Veronica Salama <⬛⬛⬛⬛⬛⬛⬛>
Sent: Thursday, January 25, 2024 3:26 PM
To: FOIL <⬛⬛⬛⬛⬛⬛⬛⬛>
Cc: Kortz, Mason <⬛⬛⬛⬛⬛⬛⬛⬛⬛>
Subject: Scrutinize Request to OCA under the Freedom of Information Law: Criminal Cases Case-level Data

Dear Records Access Officer:

Scrutinize, through its undersigned counsel, the New York Civil Liberties Union ("NYCLU") and the Harvard Law School Cyberlaw Clinic, submits this request for records pursuant to the New York Freedom of Information Law, N.Y. Pub. Off. Law § 85, et seq. for access to and electronic copies of records collected or maintained by the New York State Office Court Administration ("OCA") as described in the attached PDF.

If all or part of this request is denied, please cite each specific applicable FOIL exemption. To the extent that you determine that certain portions of a record cannot be disclosed, please redact only that information that you consider to be protected, identify the applicable exemption, state the justification for each redaction, and provide us with the remaining information. As you are aware, pursuant to Public Officers Law 84-90(9), "when records maintained electronically include items of information that would be available under this article, as well as items of information that may be withheld, an agency in designing its information retrieval methods, whenever

practicable and reasonable, shall do so in a manner that permits the segregation and retrieval of available items in order to provide maximum public access."

If any records are unavailable within five business days of receipt of the request, and responsive records exist, we seek a description of such records and a timeline of when access to the records will be provided. If you determine that certain parts of this request may be more easily produced than others, we are happy to discuss a production schedule for records that will require additional time for review/redaction/production. We request to be notified of any fees over $100.00.

Please send all responsive records to us by email at █████████████ and ████████████████, or by mail to:

New York Civil Liberties Union
Attn: Veronica Salama
125 Broad Street, 19th Fl
New York, NY 10004

If you have any questions about this request, please do not hesitate to contact us at:

- Veronica Salama, ████████████, █████████, ext. 377;
- Mason Kortz, █████████████████, ███████.

Thank you for your prompt attention to this matter.

Respectfully,
Veronica Salama (NYCLU) and Mason Kortz (Harvard Law School Cyberlaw Clinic)

Veronica R Salama

Staff Attorney

Pronouns: she, her, hers

New York Civil Liberties Union

125 Broad St., New York, NY 10004

██████████, ext. 377 | ████████████████

NYCLU
ACLU of New York