



**POLICE DEPARTMENT  
LEGAL BUREAU  
F.O.I.L. Unit, Room 110C  
One Police Plaza  
New York, New York 10038**

October 27, 2015

Shawn Musgrave  
MuckRock News  
DEPT MR 15845  
P.O. Box 55819  
Boston, MA 02205

**RE: FREEDOM OF INFORMATION LAW  
REQUEST: LBF #15PL1411**

Dear Mr. Musgrave:

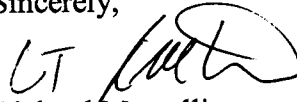
This letter is in further response to your letter dated February 4, 2015, requesting disclosure, pursuant to the Freedom of Information Law ("FOIL"), of "all 24-hour and 90-day shooting incident reports completed from January 1, 2010 through December 31, 2014." This letter is also pursuant to the remand of this matter to the undersigned as noted in the Records Access Appeals Officer's (RAAO's) October 8, 2015 appeal determination.

Your request is granted to the extent that the requested records will be disclosed subject to redaction and withholding of material that is exempt from disclosure under FOIL. The requested records contain identifying details regarding shooting incidents that are exempt from disclosure pursuant to Public Officers Law (POL) Section 87(2)(f) because disclosure thereof could endanger the safety of any person, and pursuant to POL Section 87(2)(b) because disclosure thereof would create an unwarranted invasion of privacy. Also, disclosure of some of the requested material would interfere with ongoing investigations and/or judicial proceedings, and, therefore, is exempt from disclosure pursuant to POL Section 87(2)(e). In addition, some of the requested material is used to evaluate the performance of a police officer in connection with continued employment or promotion, and, therefore, barred from disclosure by Civil Rights Law Section 50-a. Moreover, some of the requested material is exempt from disclosure pursuant to POL Section 87(2)(g) because the information is non-final, intra-agency, and pre-decisional, and pursuant to POL Section 87(2)(e)(iv) to the extent that disclosure thereof would reveal non-routine criminal investigative techniques or procedures.

It is estimated that the copying fee for preparation of the requested copies, including redaction and copying thereof, is \$42,000. Preparation of the copies will commence upon receipt of payment of in the form of a check or money order in the amount of \$42,000, payable to *New York City Police Department*. Payment should be mailed to Records Access Officer, One Police Plaza, Room 110C, New York, New York 10038. Please note the file number, 15PL1411, on your payment.

You may appeal this decision in writing, within thirty (30) days of the date of this letter. Any appeal should be addressed to Mr. Jonathan David, Records Access Appeals Officer, NYPD, One Police Plaza, Room 1406, New York, NY 10038-1497.

Sincerely,

A handwritten signature in black ink, appearing to read "LT Mantello", written over the printed name.

Richard Mantellino  
Lieutenant  
Records Access Officer