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Tompkins County police records are public, but exemptions limit disclosure of details

PM, Mar 21, 2014 | Comments

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Cornell University Police post their activity log on their website. / SIMON WHEELER/Staff Photo

Written by
David Hill

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On Feb. 23, someone reported to the Ithaca Police Department that a South Geneva Street residence had been burglarized.

That was in the incident log of Feb. 24, published only by the Ithaca Police Department. What, if anything, was taken and the address where it occurred weren't included. Nor was it reported whether there was a suspect.

Finding information about police and criminal activity in Tompkins County is murky, and depends on the agencies and subjective

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interpretation of state Freedom of Information Laws.

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[Cayuga Heights Public information log1](#)

Incident Address: E STATE ST, C ITHACA, C ITHACA
ITHACA NY 14850

Time Reported: 03:00:36

Time Occurred Between: 03:00:32 02/23/14+03:00:32 02/23/14

02:28:29 02/24/2014 - E CRIME
OFFENSE OCCURRED IN AREA'S OFFICER WITH A BURGLARY, BUT NO INTRUSION WAS OBSERVED BEFORE ARRIVAL.

Burglary

Incident Address: S GENEVA ST, C ITHACA
ITHACA NY 14850

Time Reported: 02:44:40

Time Occurred Between: 02:44:40 02/23/14+02:44:40 02/23/14

02:44:19 02/23/2014 - E CRIME
Report made of a non/initial burglary.

Traffic Officer

Incident Address: CHESTNUT ST, C ITHACA

ZOOM

Ithaca Police Department report of burglary call Feb. 23 at a South Geneva Street residence.

FOIL and police

- The New York Freedom of Information Law presumes records of police activity are public and subject to disclosure, but allows agencies to deny access to records or portions thereof that:
 - “(e) are compiled for law enforcement purposes and which, if disclosed, would:
 - i. interfere with law enforcement investigations or judicial proceedings;
 - ii. deprive a person of a right to a fair trial or impartial adjudication;
 - iii. identify a confidential source or disclose confidential information relating to a criminal investigation; or
 - iv. reveal criminal investigative techniques or procedures, except routine techniques and procedures.”
- The law gives agencies great discretion in deciding when to apply the exemptions. When denying access, agencies are to specify the basis for the denial.
- Agencies are not required to maintain a log of reported incidents or cases or reported crimes, but if they do, such logs or blotters are public. Information that would meet the exemption criteria may be redacted or withheld from them.

Responses at area agencies

Reporters from the Journal visited nine agencies in Tompkins County. Here are the instructions we received at each agency.

• Cayuga Heights Police Department:

No public information log of police activity is available online. A hard copy of the public information log is available by requesting it from Police Chief James Steinmetz. The village website does not offer information on how to submit a FOIL request. There is a section of the site dedicated to FOIL requests, but it simply lists FOIL requests that opponents of the village's deer population control program submitted. The unredacted FOIL requests include personally identifying and contact information for the people who submitted the FOIL

When The Ithaca Journal visited nine police agency headquarters in Tompkins County and asked for a log of events or incidents, reporters were met with various responses.

The [Ithaca department's daily incident log](#), where the Geneva Street incident can be found, is the real-world equivalent of the police blotter in many police dramas. In reality, it's hard to find a walk-up police blotter anymore.

For agencies that have a log of incidents or reports, reporters were referred to the online versions. Those include the New York State Police, Ithaca Police Department, Ithaca College Public Safety and Cornell University police.

The same was true when reporters sought records of specific incidents. Reporters sought to go through the normal channels they would as citizens, not through the news releases agencies often provide about major felony arrests or incidents. Instead, the reporters filed paper or online forms provided by the agencies when citizens seek information under the state Freedom of Information Law, or FOIL.

New York's [Freedom of Information Law](#) can open up a world of information about state and local government for its citizens, but when it comes to the law enforcement part of government, the law is not always as helpful.

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requests.

• **Cornell Police Department:**

A daily crime log is available online at dailycrimelog.cupolice.cornell.edu. A hard copy is not regularly kept at the police station at Barton Hall. A clerk told the Journal any information beyond what is in the crime log can be obtained only by making a FOIL request through Cornell's Office of University Counsel.

• **Dryden Police Department:**

No public information log of police activity is available online. Dryden Police do have a website, dryden-ny.org/POLICE.htm; however, it's not up to date, with the most recent item entered from January 2013. A hard copy of the public information log is available by requesting it at the police station. The police department's records provided a police blotter. Additional information on the police activity was available by filling out a FOIL request in the station.

• **Groton Police Department:**

No public information log of police activity is available online. A hard copy of the public information log is available by requesting it at the police station. The police department's blotter is available only when the public information officer is in the office, scheduled regularly on Tuesdays and Thursdays. The officer was out of the office during the first Tuesday and Thursday that The Ithaca Journal sought records. The officer was available later, and he provided a police blotter. Additional information on the police activity was available by filling out a FOIL request in the station.

• **Ithaca College's Office of Public Safety and Emergency Management:**

A daily crime and fire log is available online at ithaca.edu/sacl/safety/dailylogs, and a hard copy is also available for public inspection during normal business hours at the Public Safety office. Public Safety provided basic information from a DWI arrest report to a Journal reporter, and said the public also can direct information questions to Megan Christopher at the Office of Marketing Communications at mchristopher@ithaca.edu.

• **Ithaca Police Department:** The IPD maintains a daily activity log on its website, ci.ithaca.ny.us/departments/ipd/index.cfm. Additional information may be obtained through a FOIL request. A link to a FOIL form can be found on the website. A specific request made by the Journal was denied by the City Attorney's Office on the grounds that the case was still under investigation.

• **New York State Police:** The Journal was referred to the daily activity log and selected media releases on a website, https://www.nyspnews.com/section_display.cfm?section_id=23. The site provides a link to FOIL requests.

• **Tompkins County Sheriff's Office:** The Journal was told that no daily activity log is kept by the sheriff's office. Selected arrests are posted on a website, tomkinscountyny.gov/sheriff. A search for FOIL provides a link to a county administration FOIL form.

• **Trumansburg Police Department:**
The department does not have a crime log at the station or online, although news releases for arrests are available on the department’s website, trumansburgpolice.com. A Journal reporter was told that any requests for paperwork must be handled through Police Chief Thomas Ferretti, who requested a FOIL form be submitted.

Journal reporters Andrew Casler and David Nutt contributed to this report

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GAS PRICES

Gas Watch			
3 lowest reported gas prices in Ithaca			
Price	Station	City	Time
3.68	BJ's 40 Graham Rd West near Triphammer	Ithaca	Mar 21, 12:18 PM



Alcoholics Anonymous
Ithaca Community Recovery Center Ithaca, NY

Beginner Bird Walk
Cornell Lab of Ornithology Ithaca, NY

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Tuesday, Mar. 18
Monday, Mar. 17
Sunday, Mar. 16
Saturday, Mar. 15

See our [paid archives](#) for news older than a week.

3.69	Kwik Fill 176 Main St near Groton West Cortland St	Mar 22, 7:57 AM
3.69	Valero 1321 Dryden Rd Ithaca & NY-13	Mar 21, 3:27 PM
New York Gas Prices provided by GasBuddy.com More Local Gas Prices		

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