

## Freyvogel, Christine

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**From:** Humes, Kevin  
**Sent:** Tuesday, April 1, 2025 10:21 AM  
**To:** Bessey, Adam; DeWind, Peter; Freyvogel, Christine  
**Subject:** Fw: [EXTERNAL] [EXTERNAL] Appeal Letter for Case# 9NPTL4J634F9

Good Morning

I received an appeal request this morning.

### **Kevin A. Humes**

Tioga County Treasurer's Office  
Paralegal  
56 Main Street  
Owego, New York 13827  
Direct Line: (607) 687-8677

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**From:** Nick Vanzile [REDACTED]  
**Sent:** Monday, March 31, 2025 5:30 PM  
**To:** FOIL <foil@tiogacountyny.gov>  
**Subject:** [EXTERNAL] [EXTERNAL] Appeal Letter for Case# 9NPTL4J634F9

You don't often get email from [REDACTED] [Learn why this is important](#)

To Whom It May Concern:

I am writing to appeal the decision for the denial of the foil request I submitted on January 22, 2025. I asked for a full up to date report of all information that can be released to be released to me for case# 9NPTL4J634F9. Accident date of 06/23/2024. I am requesting the full report to get more clarity and closure and to obtain a copy for my records. Thank you in advance.

Lisa Collins

Address is: [REDACTED]

Sent from Yahoo Mail for iPhone

**Freyvogel, Christine**

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**From:** Bessey, Adam  
**Sent:** Friday, March 28, 2025 8:27 AM  
**To:** Nick Vanzile  
**Subject:** Re: [EXTERNAL] FOIL Request  
**Attachments:** Lisa Collins - 24T-06114 records.pdf

*Your FOIL request has been denied, please see the attachment.*

**Lt. Adam Bessey**  
**Tioga County Sheriff's Office**  
**Communications & Records Divisions**  
**103 Corporate Drive**  
**Owego, New York 13827**  
**PH. 607-687-1010 (opt. 1)**  
**FAX 607-687-6755**  
**E-MAIL: besseya@tiogacountyny.gov**

This message and any accompanying documents are covered by the NYS Police Emergency Act and Electronic Communications Privacy Act, 18 U.S.C. Sections 2510-2521, and contain information intended for the specified individual(s) only. This information is confidential. If you are not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, copying, or the taking of any action based on the contents of this information is strictly prohibited. If you have received this communication in error, please notify us immediately by e-mail and delete the original message.

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**From:** Bessey, Adam <BesseyA@tiogacountyny.gov>  
**Sent:** Thursday, January 23, 2025 12:10 PM  
**To:** Nick Vanzile [REDACTED]  
**Subject:** Re: [EXTERNAL] FOIL Request

I have received your FOIL request and will begin processing it. I will reach out to you and advise what, if any, information is available for release. Please note that processing of information can be lengthy and costly.

**Lt. Adam Bessey**  
**Tioga County Sheriff's Office**  
**Communications & Records Divisions**  
**103 Corporate Drive**  
**Owego, New York 13827**

**PH. 607-687-1010 (opt. 1)**

**FAX 607-687-6755**

**E-MAIL: [besseya@tiogacountyny.gov](mailto:besseya@tiogacountyny.gov)**

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**From:** Nick Vanzile <[REDACTED]>

**Sent:** Wednesday, January 22, 2025 11:22 AM

**To:** Bessey, Adam <[BesseyA@tiogacountyny.gov](mailto:BesseyA@tiogacountyny.gov)>

**Subject:** [EXTERNAL] FOIL Request

Sent from Yahoo Mail for iPhone

### Freedom of Information Request

TO: Tioga County Sheriff's Office  
Attn: FOIL Officer  
103 Corporate Drive  
Owego, New York 13827

Date: 01/22' /2025

or email to: BesseyA@tiogacountyny.gov

I hereby apply to inspect the following record(s): *(describe records to include specific date(s) and document titles 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:

The full up to date report of all information, including statements from all parties, that can be released at this time for case# 9NPTL4J634F9. Accident date of 06/23/2024.

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.

Lisa Collins

Requestors Name (Type or Print)

[Redacted]

Requestors Mailing Address

[Redacted]

Requestors E-Mail Address

Lisa Collins

Requestors Signature

[Redacted]

Requestors Phone Number

SUBMIT

**\*FOR OFFICIAL USE ONLY\***

     Approved

- Denied (Reason for denial is marked below)
  - Unwarranted invasion of privacy
  - Record cannot be found
  - Record is not maintained by this agency
  - Exempted by statute other than the Freedom of Information Act
  - Part of an investigatory file(s)
  - Other (Specify) SEE ATTACHMENTS

[Signature]  
Signature

KT  
Title

03/26/25  
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, 56 Main Street, Owego, New York 13827 or by email to: [foil@tiogacountyny.gov](mailto:foil@tiogacountyny.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.

122# 25T-0403

# Tioga County Sheriff's Office



GARY W. HOWARD  
*Sheriff*

103 Corporate Dr., Owego, N.Y. 13827  
(607) 687-1010 – Owego  
(607) 754-2515 – Endicott  
(607) 565-2213 – Waverly  
(607) 687-6755 - Fax  
Website: [www.tiogacountysheriff.com](http://www.tiogacountysheriff.com)

RICHARD E. HALLETT  
*Undersheriff*

March 28, 2025

Lisa Collins

Ms. Collins,

Your FOIL request dated January 22, 2025 requesting the full up to date report of all information, including statements from all parties that can be released at this time for accident report number 9NPTL4J634F9 dated June 23, 2024 has been denied.

**The reason for denial is defined in Public Officers Law, Article 6, Freedom of Information Law Section 87-2(a) which covers records specifically exempted from disclosure by state or federal statute and the New York State Family Court Act Article 3, Part 8, Section 381.3. I have included excerpts from those law sections for your review.**

Sincerely,

A handwritten signature in black ink, appearing to read "Lt. Adam Bessey", with a long horizontal line extending to the right.

Lt. Adam Bessey

**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, 56 Main Street, Owego, New York 13827 or by email to: [foil@co.tioga.ny.us](mailto:foil@co.tioga.ny.us)) 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.

03/20/2025 02:34PM, the Laws database is current through 2025 Chapters 1-49, 61-112  
Public Officers

§ 87. Access to agency records. 1. (a) Within sixty days after the effective date of this article, the governing body of each public corporation shall promulgate uniform rules and regulations for all agencies in such public corporation pursuant to such general rules and regulations as may be promulgated by the committee on open government in conformity with the provisions of this article, pertaining to the administration of this article.

(b) Each agency shall promulgate rules and regulations, in conformity with this article and applicable rules and regulations promulgated pursuant to the provisions of paragraph (a) of this subdivision, and pursuant to such general rules and regulations as may be promulgated by the committee on open government in conformity with the provisions of this article, pertaining to the availability of records and procedures to be followed, including, but not limited to:

i. the times and places such records are available;

ii. the persons from whom such records may be obtained, and

iii. except when a different fee is otherwise prescribed by statute:

(1) the fees for paper copies of records shall not exceed twenty-five cents per photocopy not in excess of nine inches by fourteen inches, or the actual cost of reproducing any other record in accordance with the provisions of paragraph (c) of this subdivision.

(2) In the case where an identical record has been prepared for a previous request within the past 6 months and an electronic copy is available, an agency shall not charge a fee for the reproduction of such record, except for the actual cost of a storage device or media if one is provided to the requester in complying with such request.

(c) In determining the actual cost of reproducing a record, an agency may include only:

i. an amount equal to the hourly salary attributed to the lowest paid agency employee who has the necessary skill required to prepare a copy of the requested record;

ii. the actual cost of the storage devices or media provided to the person making the request in complying with such request;

iii. the actual cost to the agency of engaging an outside professional service to prepare a copy of a record, but only when an agency's information technology equipment is inadequate to prepare a copy, if such service is used to prepare the copy; and

iv. preparing a copy shall not include search time or administrative costs, and no fee shall be charged unless at least two hours of agency employee time is needed to prepare a copy of the record requested. A person requesting a record shall be informed of the estimated cost of preparing a copy of the record if more than two hours of an agency employee's time is needed, or if an outside professional service would be retained to prepare a copy of the record.

2. Each agency shall, in accordance with its published rules, make available for public inspection and copying all records, except those records or portions thereof that may be withheld pursuant to the exceptions of rights of access appearing in this subdivision. A denial of access shall not be based solely on the category or type of such record and shall be valid only when there is a particularized and specific justification for such denial. Each agency shall, in accordance with its published rules, make available for public inspection and copying all records, except that such agency may deny access to records or portions thereof that:

(a) are specifically exempted from disclosure by state or federal statute;

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**Family Court**

§ 381.3. Use of police records. 1. All police records relating to the arrest and disposition of any person under this article shall be kept in files separate and apart from the arrests of adults and shall be withheld from public inspection.

2. Notwithstanding the provisions of subdivision one, the family court in the county in which the petition was adjudicated may, upon motion and for good cause shown, order such records open:

(a) to the respondent or his parent or person responsible for his care; or

(b) if the respondent is subsequently convicted of a crime, to a judge of the court in which he was convicted, unless such record has been sealed pursuant to section 375.1.

3. An order issued under subdivision two must be in writing.