



NEW YORK STATE
DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES

Andrew M. Cuomo, Governor

Jerome M. Hauer, Commissioner

Via email only to 1983-25630156@requests.muckrock.com

March 4, 2013

Mr. Shawn Musgrave
MuckRock News
DEPT MR 1983
PO Box 55819
Boston, MA 02205-5819

RE: FOIL Request No.DHSES-12-19

Dear Mr. Musgrave:

This letter is in response to your recent Freedom of Information (FOIL) request to the New York State Division of Homeland Security and Emergency Services (DHSES), in which you request certain records, including:

1. *any requests for proposals, proposals submitted by vendors, contracts, budgets or cost allocations for the purchase and/or use of aerial drones, UAs, UAVs, and UASs (hereinafter "drones");*
2. *any policies, guidelines, manuals and/or instructions on department use of drones, including on the legal process required (such as a warrant or court order), if any, before operating a drone;*
3. *any departmental records concerning this department's use of drones now or plans to use drones in the future including:*
 - a. *the types of investigations or instances in which this department is using or plans to use drones, or how it plans to support, manage or oversee the usage of drones by another department or office;*
 - b. *policies, guidelines, manuals and/or instructions on storage requirements or procedures for video or static images obtained through use of drones, including retention times;*
 - c. *the altitude at which drones can or do fly;*
 - d. *drones' ability to carry weapons.*

Your request has been reviewed and processed in accordance with Article 6 of the New York State Public Officers Law (POL), including §89(5), if applicable. The documents responsive to your request are hereby attached with redactions made pursuant to Public Officers Law §87(2)(b), (d) and (g). Other documents have been withheld in their entirety pursuant to Public Officers Law §87(2)(g).

Please be advised that, in accordance with Article 6, section 89(4)(a) of the New York State Public Officers Law, you have the right to appeal denial decisions in writing to: FOIL Appeals Officer, New York State



NEW YORK STATE
DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES

Andrew M. Cuomo, Governor

Jerome M. Hauer, Commissioner

Division of Homeland Security and Emergency Services, Public Access to Records Appeal, 633 Third Avenue, 32nd Floor, New York, New York 10017. Your appeal must contain the following information: the date and location of the request for records; the identification of records to which the requesting party was denied access; the name and return address of the requesting party; and the reason(s) for the denial. Your appeal must be made no later than thirty (30) days from the date you are advised of the denial. This thirty (30) day time limitation shall be computed from the postmarked date of the written notification. Your failure to comply with the above may result in your failing to perfect your appeal.

Thank you.

Sincerely,

Linda Messina
Assistant Counsel &
Records Access Officer