

From: Watson, Cherise (DOS) <Cherise.Watson@dos.ny.gov>
Sent: Tuesday, November 5, 2019 4:59 PM
To: elena@judgewatch.org

Subject: Response to FOIL: F2019-1264

Attachments: [response documents, F2019-1264.pdf](#)

Dear Ms. Sassower:

This is in response to your request dated September 9, 2019, under New York's Freedom of Information Law (FOIL) in which you seek:

All records establishing the date and time the following entries were posted:

“8-21-2019”: “Meeting of the New York State Public Campaign Financing Commission – Broadcast at 1 p.m. via Facebook” –

which links directly to a Department of State Facebook page:

<https://www.facebook.com/NewYorkDepartmentOfState/>

“8-21-2019” “New York State Public Campaign Financing Commission Announces Public Hearings”—posting a “Media Advisory”:

<https://www.dos.ny.gov/press/2019/Campaign-Hearings-8-19.html>;

“9-04-2019”: “New York State Public Campaign Financing Commission Announces September 10 Public Hearing in Manhattan” – posting a “Media Advisory”:

<https://www.dos.ny.gov/press/2019/Campaign-Hearings-9-4-19.html>;

All records reflecting why the hyperlink in the “9-04-2019” “Media Advisory” pertaining to “the general public comment hearing taking place at 4 p.m. at BMCC” is to the SAME “9-04-2019” “Media Advisory”;

All records establishing what, if any, dissemination/notification of the above three entries was made by the Department of State to the media – and records reflecting which media and/or journalists;

All records reflecting why the New York State Public Campaign Financing and Election Commission, established pursuant to Chapter 59, Part XXX, of the Laws of 2019 (Part XXX of Revenue Budget Bill #S.1509-C/A.2009-C), does not have its own website – and reflecting approvals by the Department of State and/or the Committee on Open Government: <https://www.dos.ny.gov/coog/> as to the propriety of its utilizing the Department of State's website;

All records pertaining to the procedures by which entities such as the Public Campaign Financing and Election Commission would establish websites for themselves – and the terms and conditions for same.

Disclosable records are provided herewith.

Inter-agency or intra-agency materials which are not “statistical or factual tabulations or data; instructions to staff that affect the public; final agency policy or determinations; or external audits” are exempt from disclosure. (New York Public Officers Law § 87(2)(g)). Such materials include, but are not limited to, “opinions, ideas, or advice exchanged as part of the consultative or deliberative process of government decision making” (*Matter of the New York Times Co. v City of New York Fire Dept.*, 4 NY3d 477, 487 [2005] [*quoting Matter of Gould v. New York City Police Dept.*, 89 NY2d 267, 277 [1996]]). Accordingly, certain intra-agency emails and correspondence have been withheld from disclosure.

Certain information has been redacted from the disclosed document pursuant to FOIL and the Personal Privacy Protection Law. If disclosure of personal identifying information would constitute an unwarranted invasion of personal privacy, that information must be excepted from disclosure. (Public Officers Law §§ 87(2)(b), 89(2), and 96(1)). Accordingly, personal e-mail addresses and certain intra and inter agency emails and correspondence have been redacted from the disclosed records.

If any document has been withheld, or if any information has been redacted, or if you believe that you have not been provided all disclosable records responsive to your request, you have the right to treat this response as a partial denial. Pursuant to Public Officers Law § 89(4) you have the right to submit an appeal within thirty (30) calendar days of the date of this correspondence. Any such appeal must be in writing and addressed to: Records Appeals Officer, NYS Department of State, One Commerce Plaza , 99 Washington Avenue. Suite 1120, Albany, New York 12231-0001.

Sincerely,

Cherise A. Watson
Assistant Records Access Officer
New York State Department of State

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>

Sent: Monday, September 09, 2019 11:01 AM

To: Watson, Cherise (DOS) <Cherise.Watson@dos.ny.gov>

Subject: FOIL Request: Postings on the Dept. of State's website for the Public Campaign Financing and Election Commission (Chapter 59, Part XXX, of the Laws of 2019 -- Part XXX of Revenue Budget Bill #S.1509-C/A.2009-C)

TO: Department of State/FOIL Officer Cherise Watson

Following up our phone conversation earlier this morning, this is to request, pursuant to FOIL (Public Officers Law VI), the following pertaining to the Department of State's webpage of "Newsroom and Webcasts": <https://www.dos.ny.gov/about/newsroom.html>:

- **All records establishing the date and time the following entries were posted:**

“8-21-2019”: “Meeting of the New York State Public Campaign Financing Commission – Broadcast at 1 p.m. via Facebook” –

which links directly to a Department of State Facebook page:

<https://www.facebook.com/NewYorkDepartmentOfState/>

“8-21-2019” “New York State Public Campaign Financing Commission Announces Public Hearings” – posting a “Media Advisory”:

<https://www.dos.ny.gov/press/2019/Campaign-Hearings-8-19.html>;

“9-04-2019”: “New York State Public Campaign Financing Commission Announces September 10 Public Hearing in Manhattan” – posting a “Media Advisory”:

<https://www.dos.ny.gov/press/2019/Campaign-Hearings-9-4-19.html>;

- **All records reflecting why the hyperlink in the “9-04-2019” “Media Advisory” pertaining to “the general public comment hearing taking place at 4 p.m. at BMCC” is to the SAME “9-04-2019” “Media Advisory”;**
- **All records establishing what, if any, dissemination/notification of the above three entries was made by the Department of State to the media – and records reflecting which media and/or journalists;**
- **All records reflecting why the New York State Public Campaign Financing and Election Commission, established pursuant to Chapter 59, Part XXX, of the Laws of 2019 (Part XXX of Revenue Budget Bill #S.1509-C/A.2009-C), does not have its own website – and reflecting approvals by the Department of State and/or the Committee on Open Government: <https://www.dos.ny.gov/coog/> as to the propriety of its utilizing the Department of State’s website;**
- **All records pertaining to the procedures by which entities such as the Public Campaign Financing and Election Commission would establish websites for themselves – and the terms and conditions for same.**

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
www.judgewatch.org
914-421-1200