



DEPARTMENT OF THE NAVY
HEADQUARTERS
NAVAL CRIMINAL INVESTIGATIVE SERVICE
27130 TELEGRAPH ROAD
QUANTICO VA 22134-2253

5720 2017-010048
SER00LJF/18U0745
April 13, 2018

Mr. John Greenewald, Jr.
27305 W. Live Oak Road, Suite #1203
Castaic, CA 91384

Dear Mr. Greenewald:

This responds to your August 25, 2017 electronic Freedom of Information Act (FOIA) request seeking a copy of the Naval Criminal Investigative Service report cited as Case Control Number: 19MAY16-SWLA-0061-6XCR.

Please be advised that due to an administrative oversight, an initial response to your request was not provided.

The processing of the aforementioned report has been completed. Our review of these documents reveals that they contain personal identifiers (such as names and social security numbers) of third parties, the release of which would constitute an unwarranted invasion of personal privacy. Accordingly, we must partially deny your request and withhold this information pursuant to the FOIA provisions 5 U.S.C. § 552(b)(6) and (b)(7)(C). All releasable information is provided to you at enclosure (1). We have also provided an enclosure explaining the various exemptions of the FOIA.

As the official responsible for the partial denial of your request, I am advising you of your right to appeal this determination. Your appeal must be postmarked within 90 calendar days from the date of this letter and should be addressed to the Secretary of the Navy's designee: Office of the Judge Advocate General, (Code 14), 1322 Patterson Avenue, S.E., Suite 3000, Washington Navy Yard, D.C. 20374-5066. The envelope and letter must bear the annotation "FOIA Appeal". A copy of your initial request and a copy of this partial denial letter must accompany the appeal.

If you choose not to appeal, you have the right to seek dispute resolution services. You may contact the Department of the Navy's FOIA public liaison, Mr. Chris Julka, at christopher.a.julka@navy.mil or (703) 697-0031 or the Office of Government Information Services (<https://ogis.archives.gov/>).

There are no assessable fees associated with the processing of your request. We apologize for any inconvenience this delayed response may have caused. If you have any questions, please contact us (571)305-9092 or via email at ncis_foia@ncis.navy.mil.

Sincerely,

A handwritten signature in black ink, appearing to read "Karen Richman", is positioned above the typed name.

KAREN RICHMAN
CDR, JAGC, USN

Encl:
(1) Documents

This document is made available through the declassification efforts
and research of John Greenewald, Jr., creator of:

The Black Vault



The Black Vault is the largest online Freedom of Information Act (FOIA) document clearinghouse in the world. The research efforts here are responsible for the declassification of hundreds of thousands of pages released by the U.S. Government & Military.

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Explanation of the Nine FOIA Exemptions

The following is a list of FOIA exemptions which apply to Government information in accordance with 5 U.S.C. § 552(b):

(b)(1) EXEMPTION – Protects Classified Matters of National Defense or Foreign Policy.

This exemption protects from disclosure national security information concerning the national defense or foreign policy, provided that it has been properly classified in accordance with the substantive and procedural requirements of an executive order.

(b)(2) EXEMPTION – Internal Personnel Rules and Practices.

This exemption exempts from mandatory disclosure records “related solely to the internal personnel rules and practices of an agency.” Courts have interpreted the exemption to encompass two distinct categories of information:

- (a) Internal matters of a relatively trivial nature – sometimes referred to as “low2” information: and

(b)(3) EXEMPTION – Information Specifically Exempted by Other Statutes:

This exemption incorporates the disclosure prohibitions that are contained in various other federal statutes. As originally enacted in 1966, Exemption 3 was broadly phrased so as to simply cover information “specifically exempted from disclosure by statute.” The new Exemption 3 statute prohibits agencies from releasing under the FOIA proposals, “unless that proposal” is set forth or incorporated by reference in a contract entered into between the agency and the contractor that submitted the proposal.”

(b)(4) EXEMPTION – Trade Secrets Commercial or Financial Information.

This exemption protects “trade secrets and commercial or financial information obtained from a person (this is) privileged or confidential.” This exemption is intended to protect the interest of both the government and submitter of information.

(b)(5) EXEMPTION – Privileged Interagency or Intra-Agency Memoranda or Letters.

This exemption protects “inter-agency or intra-agency memorandums of letters which would not be available by law to a party... in litigation with the agency.” As such, it has been construed to “exempt those documents, and only those documents, normally privileged in the civil discovery context.”

(b)(6) EXEMPTION- Personal Information Affecting an Individual’s Privacy.

This exemption permits the government to withhold all information about individuals in “personnel and medical files and similar files” when the disclosure of such information “would constitute a clearly unwarranted invasion of personal privacy.” This exemption cannot be invoked to withhold from a requester information pertaining to the requester.

(b)(7) EXEMPTION – Investigatory Records Compiled for Law Enforcement Purposes.

As amended, this exemption protects from disclosure “records or information compiled for law enforcement purposes.

EXEMPTION 7(A) Records of information that could reasonably be expected to interfere with enforcement proceedings. This exemption authorizes the withholding of “records or information compiled for law enforcement purposes, but only to the extent that production of such law enforcement records or information... could reasonably be expected to interfere with enforcement proceedings.”

EXEMPTION 7(B) Disclosure which would deprive a person of a fair trial or an impartial adjudication. Records that would prevent prejudicial pretrial publicity that could impair a proceeding, protect “records of information compiled for law enforcement purposes (the disclosure of which) would deprive a person of the right to a fair trial or an impartial adjudication.”

EXEMPTION 7(C) Personal Information in Law Enforcement Records. This exemption provides protection for personal information in law enforcement records. This exemption is the law enforcement counterpart to Exemption 6, providing protection for law enforcement information the disclosure of which “could reasonably be expected to constitute an unwarranted invasion of personal privacy.”

EXEMPTION 7(D) Identity of a Confidential Source. This exemption provides protection for “records or information compiled for law enforcement purposes (which) could reasonably be expected to disclose the identity of a confidential source – including a State, local or foreign agency or authority or any private institution which furnished information on a confidential basis – and, in the case of a record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source.”

EXEMPTION 7(E) Circumvention of the Law. This exemption affords protection to all law enforcement information which “would disclose techniques and procedures for law enforcement investigation or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law.”

EXEMPTION 7(F) Physical Safety to Protect a wide Range of individuals. This exemption permits the withholding of information necessary to protect the physical safety of a wide range of individuals. Whereas Exemption 7(F) previously protected records that “would... endanger the life or physical safety of law enforcement personnel.” The amended exemption provides protection to “any individual when disclosure of information about him or her “could reasonably be expected to endanger (his/her) life or physical safety.”

(b)(8) EXEMPTION – Records of Financial Institutions.

This exemption covers matters that are “contained in or related to examinations, operating, or condition reported prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions.”

(b)(9) EXEMPTION – Geographical and Geophysical Information Concerning Wells.

This exemption covers “geological and geophysical information and data, including maps concerning wells.”

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INFO)

19MAY16

SPECIAL INQUIRY (II)

CONTROL: 19MAY16-SWLA-0061-6XCR

I/NAVAL SURFACE WARFARE CENTER CORONA, CA/SUSPICIOUS DRONE FLIGHT OVER
NAVAL SURFACE WARFARE CENTER CORONA, CA AND SURROUNDING AREA

COMMAND/NAVAL SURFACE WARFARE CENTER CORONA CA/41164

MADE AT/SWLA/RESIDENT AGENCY LOS ANGELES (b)(6), (b)(7)(C) SPECIAL AGENT

NARRATIVE

1. On 17May16, NCISRA Los Angeles was notified by (b)(6), (b)(7)(C) Deputy Chief of Police Naval Surface Warfare Center Corona (NSWC-COR), CA regarding an incident that took place on 15May16.

2. (b)(6), (b)(7)(C) advised that on 15May16 from between 2130-2230 an unidentified flying object later identified as a privately owned drone was seen flying over the installation as well as the neighboring State run correction facility. A base police officer was dispatched to meet with a Riverside County Sherriff's (RSO) Deputy and a California Rehabilitation Center (CRC) officer at the Beacon Hill Plaza north of the NSWC-COR 5th Street Gate in Norco, CA. The plaza parking, located outside the base property, was where the operator of the drone was stopped and fully identified.

3. The RSO deputy identified the operator as (b)(6), (b)(7)(C) DOB (b)(6), (b)(7)(C) with California DL (b)(6), (b)(7)(C) was described as a (b)(6), (b)(7)(C) male, (b)(6), (b)(7)(C) inches tall with (b)(6), (b)(7)(C) hair and (b)(6), (b)(7)(C) eyes. (b)(6), (b)(7)(C) provided his home address and cellular phone number. The deputy also recorded his vehicle information, a black Jeep Patriot with CA License (b)(6), (b)(7)(C). As background, (b)(6), (b)(7)(C) was discovered as a CRC officer observed the drone flying over the CRC and followed it until it landed at the Plaza parking area. (b)(6), (b)(7)(C) was cooperative and willing to speak with the deputy, CRC Officer and NSWC-COR police. (b)(6), (b)(7)(C) stated he flew his drones as a hobby and had earlier in the day directed his personal drone over NSWC-COR and the CRC facility. (b)(6), (b)(7)(C) claimed he could maintain control of his drone up to 2.5 miles away using a hand-held device. All videos and photos taken by (b)(6), (b)(7)(C) were shown to the police officers. The officers were shown all footages taken by the drone that day which included the CRC and NSWC-COR as well as other surrounding areas. (b)(6), (b)(7)(C) of his own free will, opted to erase all videos and photographs of NSWC-COR and the CRC facility. (b)(6), (b)(7)(C) was warned by the deputy not to fly over the facilities again. RSO ran a Wants and Warrants check for (b)(6), (b)(7)(C) found no derogatory results and released him with no incident.

4. Subsequent to the notification made by (b)(6), (b)(7)(C) Reporting Agent (RA) notified the Joint Regional Intelligence Center (JRIC), a fusion center In the NCISRA Los Angeles AOR with collaboration between federal, state, and local law enforcement and public safety agencies to integrate criminal and terrorism threat intelligence and provide intake, analysis, and

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL:19MAY16-SWLA-0061-6XCR

19MAY16

dissemination of that information. The JRIC provided RA a case tracking number (b)(6), (b)(7)(C) for the information provided.

5. This report is being generated for informational purposes only.

DISTRIBUTION

NCISHQ:023B/23B4

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PAGE 2 LAST (b)(6), (b)(7)(C) LNN

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