



United States Department of the Interior

NATIONAL PARK SERVICE

PO Box 168
Yellowstone National Park
Wyoming 82190

IN REPLY REFER TO:

A7221(YELL)

VIA EMAIL – NO HARD COPY TO FOLLOW

September 5, 2019

Ms. Rachel Ahn
Inside Edition
100 Corporate Pointe, Suite 340
Culver City, California 90230
rachel.ahn@cbs.com

Dear Ms. Ahn:

This letter is in response to your Freedom of Information Act (FOIA) request dated and received July 30, 2019, in which you requested "...a copy of the incident report and any other documents or 911 calls available from the 7/22/19 incident in which a bull bison near Observation Point Train in the Old Faithful Geyser area charged and tossed into the air a nine-year-old girl from Odessa, FL." Your request has been assigned FOIA control number NPS-2019-01367.

It is the policy of the National Park Service (NPS) to: (1) make records of the NPS available to the public to the greatest extent possible in keeping with the spirit of the FOIA; (2) make documents requested under the FOIA available at the earliest possible date while, at the same time, protecting the rights of the individuals involved and the administrative processes surrounding such rights; and (3) withhold documents falling within one of the FOIA exemptions only if disclosure is prohibited by statute or Executive Order (EO). For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552(c) (2006 & Supp. IV (2010)). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

Your request is being processed under the provisions of the Freedom of Information Act (5 United States Code 552); United States Department of the Interior ("Department") implementing regulations found at 43 Code of Federal Regulations Part 2, Subparts A through E, beginning at 2.1; and the Privacy Act of 1974 (5 United States Code 552a). Please be advised that additional FOIA and/or Privacy Act guidance/regulations may also be found at either the Department's web site, www.doi.gov/foia, or the United States Department of Justice web site, www.usdoj.gov.

Your request has been denied, in part, pursuant to the Privacy Act of 1974 (P.L. 93-579), insofar as certain items of personal information will have been redacted from these files. Even though this personal information may be available to you through other sources, we are prohibited from providing it to you as a matter of United States Law.

This information is therefore also exempt from release under provisions of 5 U.S.C. § 552(b)(6). Exemption 6 requires redactions of certain information located in "...personnel and medical and similar files..." that if otherwise provided would clearly constitute "...an unwarranted invasion of personal privacy." The National Park Service classifies case incident reports as "similar files" for FOIA purposes.

The deleted material is also exempt from release under 5 U.S.C. (b)(7)(c) as it pertains to records or information compiled for law enforcement purposes, but only to the extent that the release of this information could reasonably be expected to constitute an unwarranted invasion of personal privacy. Though the information may be known to you through other sources or available to you through other proceedings, this release is consistent with both the FOIA and the Privacy Act and the National Park Service has no discretion in this matter. The deletion of this personal information does not otherwise affect the basic integrity of the material found in these files.

One (1) document totaling 6 pages has been released with redactions made under Exemptions (b)(6), (b)(7)(c), and the Privacy Act as cited above:

1. August 21, 2019 – IMARS Incident NP19109508 (6 pp.)

The National Park Service consulted with Dana Jacobsen, Attorney, Office of the Solicitor, Rocky Mountain Region, United States Department of the Interior, Lakewood, Colorado, in connection with this FOIA response.

In accordance with Department regulations found at 43 C.F.R. 2.24(d), the following individuals are responsible for the partial denial of your request:

- Chip Jenkins, Acting Director, Intermountain Region, National Park Service, Denver, Colorado
- Charis Wilson, Freedom of Information Act Officer, National Park Service, Denver, Colorado

You may appeal this response to the Department's FOIA/Privacy Act Appeals Officer. If you choose to appeal, the FOIA/Privacy Act Appeals Officer must receive your FOIA appeal no later than 90 workdays from the date of this letter. Appeals arriving or delivered after 5:00 p.m. Eastern Time, Monday through Friday, will be deemed received on the next workday.

Your appeal must be made in writing. You may submit your appeal and accompanying materials to the FOIA/Privacy Act Appeals Officer by mail, courier service, fax, or email. All communications concerning your appeal should be clearly marked with the words: "FREEDOM OF INFORMATION APPEAL." You must include an explanation of why you believe the National Park Service's response is in error. You must also include with your appeal copies of all correspondence between you and Yellowstone National Park concerning your FOIA request, including your original FOIA request and the Bureau's response. Failure to include with your appeal all correspondence between you and the Bureau will result in the Department's rejection of your appeal, unless the FOIA/Privacy Act Appeals Officer determines (in the FOIA/Privacy Act Appeals Officer's sole discretion) that good cause exists to accept the defective appeal.

Please include your name and daytime telephone number (or the name and telephone number of an appropriate contact), email address and fax number (if available) in case the FOIA/Privacy Act Appeals Officer needs additional information or clarification of your appeal.

DOI FOIA/Privacy Act Appeals Office Contact Information
Department of the Interior
Office of the Solicitor

1849 C Street, N.W.
MS-6556 MIB
Washington, D.C. 20240
Attn: FOIA/Privacy Act Appeals Office

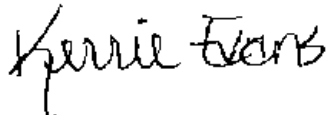
Telephone: (202) 208-5339
Fax: (202) 208-6677
Email: FOIA.Appeals@sol.doi.gov

As part of the 2007 FOIA amendments, the Office of Government Information Services (OGIS) was created to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. If you are requesting access to your own records (which is considered a Privacy Act request), you should know that OGIS does not have the authority to handle requests made under the Privacy Act of 1974. You may contact OGIS in any of the following ways:

Office of Government Information Services
National Archives and Records Administration
(OGIS) 8601 Adelphi Road
College Park, MD 20740-6001
E-mail: ogis@nara.gov
Web: <https://ogis.archives.gov>
Telephone: 202-741-5770
Facsimile: 202-741-5769
Toll-free: 1-877-684-6448

Fee waivers are determined on a case-by-case basis. All fees have been waived. This letter completes Yellowstone National Park's response to you for this request. If you have questions concerning this FOIA response, please contact me at (307) 344-2002.

Sincerely,



Kerrie Evans
Freedom of Information Act Officer

Enclosure



UNITED STATES
DEPARTMENT OF THE INTERIOR
National Park Service
Incident Details



Printed: 08/21/2019 09:39 by 1687
Incident: NP19109508

Incident details:

Report no.: NP19109508
Dispatch type:
Incident type: EMS (Medical Injury/Illness/Death)
Incident time: 07/22/2019 16:56 -
Reported time: 07/22/2019 16:56
Place of offence: YNP YELLOWSTONE NATIONAL PARK, TETON WY USA 82190 (UPPER GEYSER BASIN) (Region: IMR, State/Zone: WY, Area: YELL, Site: OLDFAITFUL)
Source:
Priority:
Clearance status: Closed - Incident only
Concluded: No
Concluded date:
Summary: YELL - - EMS - ALS, TRANSPORT (OF CLINIC) and CLOSURE VIOLATIONS / Approximately 20 - 50 visitors were within 5 - 10 feet of a bull Bison near Observation Point Trail. After approximately 20 minutes the Bison charged at a family walking up the Observation Point Trail and honed in on a 9 YOF who got thrown in the air.

Remarks:

Associated occurrences:

- Same event; Same person / NP19109474 / EMS (Medical Injury/Illness/Death) / 07/22/2019 16:51 / 20190722 16:51:20:000 / This case number is the same incident/event as NP19109508, as shown in tab labeled "related." All documents pertaining to this incident are in the aforementioned case number.

Involved persons:

- (b)6, (b)7c, PA / Witness / Gender: (b)6, (b)7c, PA
(Cellular phone) (b)6, (b)7c, PA
- (b)6, (b)7c, PA / Witness / DOB: (b)6, (b)7c, PA Gender: (b)6, (b)7c, PA
(Cellular phone) (b)6, (b)7c, PA
- (b)6, (b)7c, PA / Involved persons (other than above) / Gender: (b)6, (b)7c, PA
(Voice) (b)6, (b)7c, PA
- (b)6, (b)7c, PA / Victim (medical) / Gender: Female (b)6, (b)7c, PA ODESSA, FL USA (b)6, (b)7c, PA
- (b)6, (b)7c, PA / Involved persons (other than above) / DOB: (b)6, (b)7c, PA Gender: (b)6, (b)7c, PA
(Cellular phone) (b)6, (b)7c, PA

Involved addresses:

- YNP / Dispatch address; Incident address / YELLOWSTONE NATIONAL PARK, Wyoming, USA 82190 (UPPER GEYSER BASIN) (Region: IMR, State/Zone: WY, Area: YELL, Site: OLDFAITFUL)

Involved comm addresses:

Involved vehicles:Involved officers:

- Reporting officer / POWELL, S. / #1217 / NPS / Police Officer / NPS YELL / #1489 PIKE, J. / 08/18/2019

Involved property:

- Photograph : Other / Evidence / WITNESS VIDEO [REDACTED] / In / [QNAPS] OLDFAITHFUL:CHECKIN / P19008741 / VPNB7803 (Witness Video, [REDACTED].MOV
- Photograph : Other / Evidence / WITNESS VIDEO (b)(6), (b)(7)c, PA / In / [QNAPS] OLDFAITHFUL:CHECKIN / P19008740 / IMG_2301 (Witness Video, [REDACTED].MOV

Modus operandi:Reports:General report:

Incident: NP19109508 EMS (Medical Injury/Illness/Death) @07/22/2019 16:56 (YNP YELLOWSTONE NATIONAL PARK, TETON WY USA 82190 (UPPER GEYSER BASIN) (Region: IMR, State/Zone: WY, Area: YELL, Site: OLDFAITHFUL)) (YELL -- EMS - ALS, TRANSPORT (OF CLINIC) and CLOSURE VI

Task: T190264239 [FYI - Closed] Due: 07/27/2019 18:30 CAD INTERFACE ->#1217 POWELL, S. [Med] Import of CAD event into IMARS incident NP19109508 EMS (Medical Injury/Illness/Death) @07/22/2019 16:56 (YNP YELLOWSTONE NATIONAL PARK, TETON WY USA 82190 (UPPER GEYSER

Author: #1217 POWELL, S.

Report time: 08/18/2019 20:24

Entered by: #1217 POWELL, S.

Entered time: 08/18/2019 20:24

Remarks: Main Report

Narrative:

Summary

At approximately 16:50 on July 22nd, 2019, I received a radio report from Yellowstone National Park Dispatch of a park visitor being injured by a Bison near Geyser Hill. Visitor was found outside Old Faithful Lodge and was transported to Old Faithful Clinic by ambulance.

Initial Report and Response

At approximately 16:50 on July 22nd, 2019, I received a radio report from Yellowstone National Park Dispatch of an agitated Bison and injured park visitor near Doublet Pool. Doublet Pool, which is on Geyser Hill, is most easily accessed by going on to the park's boardwalk system near Castle Geyser. Old Faithful Ambulance 18, with a crew of two, and I responded to Castle Geyser to access the area.

Just as we arrived at Castle Geyser, approximately 17:00, we received a second radio report from Yellowstone Dispatch that a child, (b)(6) (b)(7)c PA, and her parents were now at Old Faithful Lodge.

At approximately 17:05, Old Faithful Ambulance 18 and I arrived on scene at Old Faithful Lodge.

Initial Observations

Upon arrival I observed a young girl, (b)(6) (b)(7)c PA, sitting with her mother (b)(6) (b)(7)c PA, on a bench outside Old Faithful Lodge; (b)(6) (b)(7)c PA appeared dirty and had a grimaced look on her face. EMS responders on Old Faithful Ambulance 18 made contact with (b)(6) (b)(7)c PA.

Within a minute of being at Old Faithful Lodge I was contacted by a female, later identified as (b)(6) (b)(7)c PA who stated she had video of the Bison running at (b)(6) (b)(7)c PA.

Interview

█████ stated she was with her family, approximately 15 people total, on Geyser Hill walking path around 16:30 when they first saw a Bison standing near the trail behind a wooden fence. At that time, █████ stated there were approximately 15 visitors in the area, not including her family. █████ showed me a photo, which was taken as a selfie, with her and some of her family members; the Bison was behind a wooden fence and █████ and her family appeared to be approximately 15 feet from the animal. █████ stated all visitors in the area were within the same proximity of the Bison as they were.

After approximately 20 minutes █████ stated there were "at least 30 people (not including her family)" in close proximity to the Bison behind the fence. One of █████ family members estimated the number of visitors in the area was closer to 50, not including their family. █████ stated she saw the █████ family prior to the Bison charging. █████ stated the family was taking photos behind the fence just as the other visitors in the area were doing.

Although she couldn't specifically describe the Bison's actions, █████ stated the Bison appeared to be "agitated" which she attributed to the large group of visitors and noise in the area.

Approximately one minute after observing the Bison being agitated, █████ stated she observed the █████ group walking on the Observation Point trail. As she was taking a photo of the Bison it charged at the group, honing in on the girl and throwing her into the air. █████ estimated the Bison threw the girl 10 – 15 feet into the air. After the Bison charged, █████ stated she heard someone yell at the Bison and it ran away from people into the woods.

I asked █████ if she observed any visitors touching or petting the Bison, to which she stated, "no." █████ stated she heard rumors of the Bison being touched but never saw anyone doing so.

█████ showed me the photo of the incident which was a "live photo" taken by an Apple iPhone. Live photos when transferred from an iPhone become a video. The video was slightly zoomed in on the front half of a bull Bison with the top rail of the wooden fence visible at the bottom of the frame. The Bison has its head lowered towards the ground and takes two steps forward. Approximately 1 – 2 seconds into the video the entire Bison can be seen. I observed the Bison's tail moving side to side as it is lifted into the air, parallel with the ground. At this point the Bison moves forward at a quicker pace until reaching a run. As the Bison is running, I observed the tail swinging side to side as it is lifted perpendicular to the ground. As the Bison runs forward two males and █████ come into view, all of which are running up Observation Point Trail; one male wearing a white shirt, later identified as █████, is first, a male wearing a red shirt is a couple feet behind (b)(6), (b)(7)(c), PA is last approximately 10 feet behind. The Bison appears to be running towards the two males but quickly hones in on (b)(6), (b)(7)(c), PA turns her back towards the Bison as it continues to run closer. Approximately 4 seconds into the video the image starts to pan down and away from the incident showing the wooden fence and eventually ending on the feet of a child.

█████ shared the photo with me and asked me to pass it along to the █████ family so they could see it.

Old Faithful Lodge Events

At approximately 17:11, medics loaded █████ into Old Faithful Ambulance 18 and took her to the Old Faithful Clinic, arriving at approximately 17:16.

No one else in the Old Faithful Lodge area witnessed or had information regarding the incident. I cleared Old Faithful Lodge at approximately 17:20.

Old Faithful Clinic

At approximately 17:30, I contacted █████ and one of his relatives; █████ had puffy rings around his eyes and defeated look on his face. █████ provided me his information, as well as information regarding █████, who he stated was 9 years old, and █████. I asked █████ if he was comfortable describing the incident to me, to which he replied, "yes."

Interview

█████ stated him and his family, approximately 10 total, wanted to go on a hike and heard about Observation Point trail. █████ stated they walked from Old Faithful Lodge on the boardwalk and footpath towards Geyser Hill. █████ stated they observed a Bison near the footpath just as they crossed the footbridge over Firehole River. █████ stated there were several people, approximately 20 – 30 standing near the Bison taking photos. █████ stated they all stayed in the area to watch and take photos of the Bison for a while. █████ showed me a photo, taken as a selfie, with (b)(6), (b)(7)(c), PA himself and the Bison behind them; the Bison was behind

the wooden fence and approximately 10 – 15 feet from them. [REDACTED] stated all the visitors in the area were in the same proximity to the animal as they were when the photo was taken.

Wanting to continue with their hike, [REDACTED] stated him and his family walked up the footpath to Observation Point trail. As they walked up trail, [REDACTED] stated he was first, followed by another family member and [REDACTED], the rest of the family was ahead of them. As they walked up trail [REDACTED] stated he saw the Bison run at them. [REDACTED] stated him and the other family member ran up trail, away from the Bison, with [REDACTED] behind them. [REDACTED] stated he turned around to see [REDACTED] get thrown approximately 15 feet into the air. [REDACTED] stated he ran towards the Bison and yelled causing the Bison to move away from him and the trail into trees.

[REDACTED] stated he tended to [REDACTED] and got her out of the area with the rest of the family. [REDACTED] stated they waited at Old Faithful Lodge for EMS to respond.

I asked [REDACTED] if anyone from their family touched the Bison, to which he replied, "no." [REDACTED] stated he heard visitors had been touching or petting the Bison earlier but never saw anyone closer than the wooden fence would allow.

[REDACTED] and his family left Old Faithful Clinic once [REDACTED] was released.

Report from Old Faithful Interpretive Staff

At approximately 19:00, Old Faithful Interpretive Ranger Gloria Chen came to my office reporting another witness to the Bison incident. Ranger Chen provided me a written statement from (b)(6), (b)(7)(C), PA. The statement provides a brief account of the incident which provided information similar to [REDACTED] statement.

Ranger Chen stated [REDACTED] also shared a "live photo" with her. Ranger Chen showed and transferred the video to me.

The video from [REDACTED] starts out showing two children, one female and one male, standing next to a wooden fence. In the background [REDACTED] and a male wearing a red shirt are visible with the Bison behind them, tail raised. Approximately 1 second into the video [REDACTED] and the male wearing a red shirt leave the frame running as the Bison is running up hill towards the trail. Approximately 1.5 seconds into the video the Bison is running with a lowered head. Behind the Bison you can see the left arm, right leg and right pink shoe of [REDACTED]. Approximately 2 seconds into the video the Bison makes contact with [REDACTED] and throws her into the air. By the end of the video [REDACTED] is upside down approximately 10 feet into the air.

Viral Video on Twitter

On July 23rd, 2019, I observed a video posted by Hizzle My Nizzle (@haileydayton) on Twitter that showed a video similar to the ones provided by (b)(6), (b)(7)(C), PA. The only difference in @haileydayton's video is the angle and length; the video stops just before [REDACTED] hits the ground.

Along with the video @haileydayton posted, "This is what happens when you fuck with wildlife and pay no mind to an animals personal space. This family was petting the buffalo before it charged. And as you can see the parents save themselves over their daughter. I'm disgusted."

Disposition

Attempts to contact @haileydayton are being made but have been unsuccessful to this point.

The Bison that ran and threw [REDACTED] had been in the Observation Point trail area for most the morning and day of July 22nd. Due to the close proximity to the trail, Interpretive Rangers had been staffing the area to manage visitors. At the time of the incident no Interpretive Staff were present; interpretive staff were reported to be en route to manage crowds and were on scene shortly after the incident occurred.

Twenty minutes before the Bison ran at [REDACTED] and threw her into the air, up to 50 visitors were in close proximity to the bull Bison and it was reported to be "agitated."

All statements and videos of the incident show the [REDACTED] walking on an NPS established and maintained trail. I received no substantiated reports, including videos or photos, indicating the [REDACTED] had touched, pet or agitated the Bison.

No violation notices have been issued.

Witness video has been entered as evidence.

END REPORT

Ext. doc. occ report [PDF, 612.44 KB]:

Incident: NP19109508 EMS (Medical Injury/Illness/Death) @07/22/2019 16:56 (YNP YELLOWSTONE NATIONAL PARK, TETON WY USA 82190 (UPPER GEYSER BASIN) (Region: IMR, State/Zone: WY, Area: YELL, Site: OLDFAITHFUL)) (YELL - - EMS - ALS, TRANSPORT (OF CLINIC) and CLOSURE VI

Task: T190264239 [FYI - Closed] Due: 07/27/2019 18:30 CAD INTERFACE ->#1217 POWELL, S. [Med] Import of CAD event into IMARS incident NP19109508 EMS (Medical Injury/Illness/Death) @07/22/2019 16:56 (YNP YELLOWSTONE NATIONAL PARK, TETON WY USA 82190 (UPPER GEYSER

Author: #1217 POWELL, S.

Report time: 08/18/2019 22:00

Entered by: #1217 POWELL, S.

Entered time: 08/18/2019 22:00

Person:

Address:

Vehicle:

Officer:

Remarks:  Witness Statement



National Park Service
U.S. Department of the Interior

Yellowstone National Park
PO Box 168
Yellowstone National Park, WY 82190

Statement Form:

Please state the facts of what happened in your own words (describe the who, what, when, where, & how).

A bison was close to the walking fence and the family was taking a path above the fence on the other side of the bison. As the bison turned to walk away it spotted the girl and charged.

↓ Witness was walking towards Geyser Hill after crossing Firehole River from Old Faithful, saw incident occur on trail to Observation Point. Live photo of incident was transferred to me.

— GLORIA CHEN

INTERP, OF

(Use Reverse Side if Needed)

I have read this statement and have been given the opportunity to make corrections thereon. I attest that this statement is true and correct to the best of my knowledge, and that I gave this statement freely and voluntarily, without coercion or reward.

Signed:

(b)6, (b)7c, PA

Date:

7-22-19

Time:

5:10

Name:	(b)6, (b)7c, PA	Date of Birth / Age:	(b)6, (b)7c, PA
Permanent Address:	(b)6, (b)7c, PA	Local address:	
Driver's License Number / State:	(b)6, (b)7c, PA	If residence in park, list employer:	
Telephone Number:	(b)6, (b)7c, PA	Number of Pages	Page of Pages

Investigating Ranger:	Date/Time:	Case Number:
-----------------------	------------	--------------