

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE OF THE MAYOR
MAYOR'S OFFICE OF LEGAL COUNSEL
Freedom of Information Act Appeal: 2020-218**

September 12, 2022

VIA ELECTRONIC MAIL ONLY

Claire Dechon

RE: FOIA Appeal 2020-218

Dear Ms. Dechon:

This letter is in response to the administrative appeal that you have submitted to the Mayor pursuant to the District of Columbia Freedom of Information Act ("FOIA"), D.C. Code §§ 2-531, *et seq.* In your appeal, you have challenged the response of the Metropolitan Police Department ("MPD") to your FOIA request which sought certain police reports related to incidents at 4201 Massachusetts Ave., NW, in Washington, D.C.

This Office did not receive a copy of the original request or the written denial issued by MPD, if any.¹

On July 8, 2020, this Office asked MPD to provide the justification the decision not to grant a review of the records requested, a *Vaughn* index of the documents withheld, and a copy of any public record(s) in dispute. As of the date of this decision, a response has not been received.

It is the public policy of the District of Columbia that all persons are entitled to full and complete information regarding the affairs of the District government and the official acts of those who represent them as public officials and employees. D.C. Code § 2-531. The ultimate responsibility for responding to requests for records of an agency is vested in the agency head. 1 DCMR § 400.1

However, based on the record before us, this Office is unable to determine the adequacy of the response, or lack thereof.

¹ See 1 DCMR § 412.4 ("An appeal to the Mayor shall be in writing and shall include: (a) Statement of the circumstances, reasons or arguments advanced in support of disclosure; (b) Copy of the original request, if any; (c) Copy of any written denial issued under § 407.2; and (d) Daytime telephone number, email address for the requester.")

This constitutes the final decision of this Office. If you have any additional information you may resubmit it by separate appeal. Alternatively, if you are dissatisfied with this decision, you may commence a civil action in the Superior Court of the District of Columbia in accordance with D.C. Code § 2-537.

Sincerely,

The Mayor's Office of Legal Counsel

cc: Brandynn Reaves, MPD FOIA Officer (via email only)