

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE OF THE MAYOR
MAYOR'S OFFICE OF LEGAL COUNSEL
Freedom of Information Act Appeal: 2020-241**

August 19, 2021

VIA ELECTRONIC MAIL

Ms. Amy Phillips

RE: FOIA Appeal 2020-241

Dear Ms. Phillips:

This letter responds to the administrative appeal you submitted to the Mayor under the District of Columbia Freedom of Information Act, D.C. Code § 2-537 (“DC FOIA”), challenging the response by the Department of Corrections (“DOC”) to your DC FOIA request.

You submitted a DC FOIA request for any and all documents or materials containing the search terms “COVID-19,” “COVID19,” “COVID 19,” “coronavirus,” or “corona virus.” DOC responded that “‘any’ or ‘all’ records is not a reasonable description of records sought.” DOC explained that, “if your request is for email search, for instance, you need to additionally provide names of the writer(s) and recipient(s) of the emails. If it is for medical records, you must provide names of the individuals whose medical records you seek, as well as HIPAA compliant authorizations executed by those individuals.” DOC concluded that, “[s]ince you did not reasonably describe records sought, . . . your request is not a proper FOIA request. You may resubmit it, describing records sought reasonably and more specifically.” DOC thus did not process or provide any documents in response to your request.

On appeal, you argued that your request was reasonably described, and you explained that it was designed to obtain “any[] plans DOC had put in place as of March 9 to help DOC protect prisoners in its care, staff, and the general public from the Covid-19 pandemic.” In light of that clarification, DOC ultimately processed your FOIA request and provided you responsive documents in the form of DOC’s Pandemic Plan and hyperlinks to various DOC webpages. Because DOC has processed your request and provided you with responsive documents, we dismiss this appeal as moot. If you submit another request to DOC for documents and that request is denied, you may appeal that denial to this Office.

This constitutes the final decision of this Office. If you are dissatisfied with this decision, you may commence a civil action against the District of Columbia in the Superior Court of the District of Columbia in accordance with D.C. Code § 2-537.

Respectfully,

Mayor’s Office of Legal Counsel

cc: Oluwasegun Obebe, Records, Information & Privacy Officer
DOC (via email)