

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE OF THE MAYOR
MAYOR'S OFFICE OF LEGAL COUNSEL
Freedom of Information Act Appeal: 2021-003**

September 12, 2022

VIA ELECTRONIC MAIL ONLY

Mrs. Donna Black

RE: FOIA Appeal 2021-003

Dear Mrs. Black:

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 lack of response of the Metropolitan Police Department ("MPD") to your February 25, 2020 FOIA request, identified as 2020-BWC-00174, which sought the following:

[A]ll calls to MPD and all body camera footage of all officers dispatched to an incident that took place with DHS employees, TCP employees, and Capital City Protective Services SPO & Regular Security Guards at Quality Inn/Comfort Inn Hotel (Shelter) located at 1600 New York Avenue NE 20003 and the surrounding public area of the hotel and public sidewalks near the hotel the incidents happened on December 17, 2019 between the hours of 8:00pm through 11:00pm and an arrest was made the defendant name is Damion O. Black date of birth [omitted] Male PD Id number 507983 and the alias name on record that a dishonest officer gave him is Jermaine Webley [omitted] the only two officers name provided at the time are Sergeant Robert Ferretti badge number S0483 and Officer Hopper badge 4605, and many more officers as well also on December 18, 2019 between the hours of 7:00pm through 10:00pm and the only officer that provided information was Officer Derron Simpson badge number 5650 and the supervisor Officer I requested on the scene Sargent Rosa and many more Officers MPD was called out about three times.

We would like all calls documented, and all body camera footage of all Officers dispatched...

On October 2, 2020, this Office asked MPD to provide the justification for 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. While this Office did not receive a response, a review of the District's FOIA-tracking data indicates MPD denied your request on March 27, 2020. You may contact the MPD FOIA personnel to obtain a copy of that decision.

Because you have only challenged MPD's failure to respond, we dismiss this appeal as

moot. However, you are free to challenge any substantive response received from MPD by separate appeal 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 government in the Superior Court of the District of Columbia.

Respectfully,

Mayor's Office of Legal Counsel

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