

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE OF THE MAYOR
MAYOR'S OFFICE OF LEGAL COUNSEL
Freedom of Information Act Appeal: 2021-011**

February 7, 2022

VIA ELECTRONIC MAIL

Mr. Raul Anaya

RE: FOIA Appeal 2021-011

Dear Mr. Anaya:

This letter responds to the administrative appeal you submitted, on behalf of your client, to the Mayor under the District of Columbia Freedom of Information Act, D.C. Official Code § 2-537 (“DC FOIA”). In your appeal, you challenge the response the Office of Unified Communications (“OUC”) provided to your request for public records under DC FOIA.

On October 9, 2020, you submitted a FOIA request to OUC and MPD, seeking many categories of records regarding a specific incident of which only “audio and/or written transcript of the 911 call(s), dispatch, call(s) for service, or police radio communications regarding th[e] incident” applied to OUC. OUC denied your request on grounds that the requested records were not reasonably described.

On October 16, 2020, this Office received your appeal. On appeal, you assert that you requested a copy of the Computer-Aided Dispatch (CAD) Report, perhaps also known as “Background Event Chronology” and no explanation was given for why OUC withheld the document. You also state that the FOIA response letter explained that MPD radio calls cannot be redacted but did not address 911 calls and you want clarity regarding the availability of 911 calls.

On November 2, 2020, OUC provided its response to your appeal.¹ In its response, OUC asserted that your initial request did not include a request for the CAD Report or “Background Event Chronology.” However, to resolve your appeal OUC sent you the information on October 29, 2020. OUC also advised that in reviewing your appeal it determined that it provided an incorrect basis of denial and should have denied your request for 911 calls on the basis of no records instead of records not reasonably described. OUC explained that it received the incident at issue via dispatch not via a 911 call. Therefore, no 911 calls were found. Because OUC has provided the requested chronology and clarification regarding 911 calls, we dismiss this appeal as moot.

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 in accordance with DC FOIA.

¹ A copy of OUC’s response is attached.

Respectfully,

Mayor's Office of Legal Counsel

cc: Domingo Juan, FOIA Officer
OUC (via email)