

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE OF THE MAYOR
MAYOR'S OFFICE OF LEGAL COUNSEL
Freedom of Information Act Appeal: 2022-011**

April 27, 2022

VIA ELECTRONIC MAIL

Ms. Sandra Seegars

RE: FOIA Appeal 2022-011

Dear Ms. Seegars:

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”), on grounds that the Metropolitan Police Department (“MPD”) improperly denied your DC FOIA request.

You submitted a DC FOIA request to MPD, on behalf of Carol Bridges, seeking “the video from the body-worn camera from the morning of June 24, 2021, at 1311 Dexter Terrace SE, DC 20020.” MPD denied your request explaining that “[a]bsent authorization and/or a waiver, a release of such records would constitute as a clearly unwarranted invasion of personal privacy and is exempt from disclosure pursuant to D.C. Official Code § 2-534 (a)(2) and (a)(3)(C).” Also, “the majority of the (BWC) footage you have requested, was recorded inside a personal residence; therefore, exempt from disclosure pursuant to D.C. Official Codes § 2-534(2A)(A).” Additionally, MPD said the footage was exempt from disclosure pursuant to D.C. Official Code § 2-534 (a)(3)(A)(i) and (a)(3)(c) because it “is part of an open criminal investigation involving another jurisdiction.”

You filed an appeal with this Office asserting that MPD misunderstood the request and “the home belongs to the person who is requesting the footage.” Following your appeal, as MPD explained in its response to this Office, MPD contacted you to explain its denial and during the conversation learned that you “assisted Ms. Bridges informally, but did not have power-of-attorney for Ms. Bridges or any written authorization from her.” You agreed to “contact one of Ms. Bridges’ daughters or granddaughter to see if they would obtain an authorization from Ms. Bridges for them to receive the BWC footage.” MPD also notified this Office that it is seeking permission from the other jurisdiction with the open criminal investigation to “release only those portions of the BWC footage in which Ms. Bridges is in frame and which has no investigatory or evidentiary value to the ongoing criminal proceeding.”¹

Based on MPD’s representation that it is working to provide the requested BWC footage, we consider this matter to be moot and dismiss it. However, you are free to challenge MPD’s subsequent response by separate appeal.

¹ A copy of the agency’s response to your appeal is attached to this decision.

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: Teresa Quon Hyden, Assistant General Counsel
MPD (via email)