

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE OF THE MAYOR
MAYOR'S OFFICE OF LEGAL COUNSEL
Freedom of Information Act Appeal: 2022-068**

November 30, 2022

VIA ELECTRONIC MAIL ONLY

Mr. Bernard Crane

RE: FOIA Appeal 2022-068

Dear Mr. Crane:

This letter responds to the administrative appeals you submitted to the Mayor under the District of Columbia Freedom of Information Act, D.C. Code § 2-537 ("DC FOIA"). In your appeal, you challenged the lack of response from the Metropolitan Police Department ("MPD") to your DC FOIA requests.

On October 20, 2021, you submitted a DC FOIA request to MPD, identified as 2022-BWC-00020, which sought the following:

My client, Barbara Ellen Gray, was involved in a collision at 4000 South Dakota Ave, NE at approx 11:05 a.m. Responding officer was T. Gay, Badge 5305, who issued NOI no 7915790551, and completed an accident report, CCN # 21083968. The report indicates his BWC was activated. An issue arose at the hearing on this NOI concerning what transpired that might have been recorded on Officer Gay's BWC device. The hearing officer continued the hearing to allow us to obtain the BWC. Please notify me immediately with an estimate on when the BWC will be available and what the cost (if any) to produce it will be.

On October 29, 2021, you submitted an additional DC FOIA request to MPD, identified as 2022-FOIA-00779, seeking photos depicting the same accident and attached "driver's authorization to release records to requestor and a copy of her driver's license."

When you did not receive responses from MPD, you filed appeals with this Office on January 19, 2022, which we consolidated and docketed as FOIA Appeal 2022-068.

With respect to 2022-FOIA-00779, a review of the District's FOIA-tracking data indicates MPD provided you with photographs deemed responsive to your request on November 2, 2021. If you did not receive a copy of this decision you may contact MPD FOIA personnel for a copy.

With respect to 2022-BWC-00020, MPD advised this Office that you were provided access to redacted BWC footage that was responsive to your request on February 9, 2022.

Because you only challenged MPD's failure to respond and it appears MPD has responded to your requests, 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 in Superior Court in accordance with D.C. Official Code § 2-537.

Respectfully,

Mayor's Office of Legal Counsel

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