

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE OF THE MAYOR
MAYOR'S OFFICE OF LEGAL COUNSEL
Freedom of Information Act Appeal: 2022-113**

December 1, 2022

VIA ELECTRONIC MAIL

Mr. Anthony Harvey

RE: FOIA Appeal 2022-113

Dear Mr. Harvey:

This letter responds to the administrative appeal you submitted to the Mayor under the District of Columbia Freedom of Information Act, D.C. Official Code § 2-537 (“DC FOIA”), challenging the alleged failure of the Metropolitan Police Department (“MPD”) to respond to your DC FOIA request.

On or about February 24, 2022, you submitted a DC FOIA request to MPD stating “[a] falsified police report was filed against me and I want to request copy of report filed so I may pursue legal actions.” You specified a date range of November 15, 2021 to November 30, 2021. On March 16, 2022, you filed an appeal with this Office asserting that you “[n]ever received [a] copy of [the] report.” On March 24, 2022, we notified MPD of your appeal and requested a response. MPD responded to your appeal on March 31, 2022. In its response, MPD explained that it contacted you via email on February 24, 2022, requesting “proof of your identity and additional information to conduct a search such as the name of the individual who made the false report, the type of incident and the location and date of the incident” and giving you five business days to provide the requested information. When you did not respond to the request for additional information, MPD informed you on March 8, 2022 that the agency was unable to search for responsive records and therefore closed your request.

Discussion

DC FOIA requires that requests describe the records sought with sufficient detail to allow an agency employee familiar with the subject area of the request to locate the records within a reasonable amount of time. More specifically, 1 DCMR § 402.4 states that:

A request shall reasonably describe the desired record(s). Where possible, the specific information regarding names, places, events, subjects, dates, files, titles, file designation or other identifying information shall be supplied.

If a request does not reasonably describe the records sought, the FOIA officer is supposed to contact the requester for additional information. 1 DCMR § 402.5.

Based on the foregoing, we therefore conclude that the MPD properly responded to your DC FOIA request and we hereby deny your appeal.

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. Official Code § 2-537.

Respectfully,

Mayor's Office of Legal Counsel

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