

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE OF THE MAYOR
MAYOR'S OFFICE OF LEGAL COUNSEL
Freedom of Information Act Appeal: 2022-120**

April 13, 2022

VIA ELECTRONIC MAIL

Ms. Janelle Marina Mendez

RE: FOIA Appeal 2022-120

Dear Ms. Mendez:

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.

On February 23, 2022, you submitted a DC FOIA request to MPD seeking footage from an incident involving you and four officers that were called to 8th and I [St] on September 14, 2019. On March 10, 2022, in response to your request, MPD stated that after conducting a diligent search, the agency was unable to locate any records responsive to your request. MPD further explained that “[t]he records you [were] seeking ha[d] passed their retention schedule and [were] purged on September 20, 2020.”

On March 24, 2022, you filed an appeal with this Office. In your appeal, you acknowledge MPD’s assertion that they no longer possess the requested video footage. You go on to state that you are now seeking the police report related to the named incident from your original request, which constitutes a new FOIA request. To request the police report, you must submit a new FOIA request to MPD online via the FOIAXpress portal or email the MPD FOIA Officer, Lisa Archie-Mills, at foia.admin@dc.gov.

Based on the foregoing, we now consider this appeal to be dismissed. 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)