

GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE OF THE MAYOR

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Office of the General Counsel to the Mayor

February 20, 2007

BY U.S. MAIL

[REDACTED]
Washington, DC 200

Re: Freedom of Information Act Appeal

Dear [REDACTED]:

This letter responds to your administrative appeal to the Mayor under the District of Columbia Freedom of Information Act, D.C. Official Code, 2001 Ed. § 2-531 *et seq.* (the "DC FOIA"), dated December 22, 2006, and received in this office on February 5, 2007 (the "Appeal"). We forwarded the Appeal to the District of Columbia Office of Police Complaints ("OPC") with a request for a response. OPC responded to us by letter dated February 12, 2007 ("OPC Response").

In your initial FOIA Request, dated November 17, 2006, you sought "a copy of subject investigation," identified by you as OPC Complaint No. 06-0344. OPC responded to the FOIA Request by letter, dated December 19, 2006. In your Appeal, you advised that the decision of Thomas Sharp was "bias [sic], not made on the facts, barbaric and criminal," and that you are "entitled to be included in the investigation, review and respond to all information gathered and considered that is so incriminating it is concealed yet suppose to be lawful [sic]."

The OPC Response confirmed that OPC delivered certain documents responsive to your request and withheld others pursuant to their policy regarding requests for records relating to police misconduct complaints. OPC's policy is based, in part, on the exceptions in the DC FOIA which exempt from disclosure investigatory techniques not otherwise known to the public and inter-agency and intra-agency memoranda. We are persuaded by OPC's assertion that revealing investigative techniques and procedures may compromise the integrity of the agency's investigation. Given the sensitivity of police misconduct complaints, protecting this information from disclosure is in the public's interest.

Therefore, the appeal is hereby DISMISSED.

[REDACTED]
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If you are not satisfied with this decision, you are free under the DC FOIA to commence a civil action against the District of Columbia government at any time in the District of Columbia Superior Court.

Regards,



Andrew T. Richardson, III, Esq.
Deputy General Counsel, EOM

cc: Thomas E. Sharp
[REDACTED]