September 7, 2007

Inez, KY 41

Re: Freedom of Information Act Appeal

Dear [Name],

This letter responds to your administrative appeal to the Mayor under the District of Columbia Freedom of Information Act (the “FOIA”), D.C. Official Code § 2-531 et seq. (2001 & 2006 Supp.), dated August 3, 2007, and received in this office on August 15, 2007 (the “Appeal”). It was subsequently returned to you with a request that you provide a copy of the original FOIA Request. That was received in our office on August 27, 2007.

In an initial request to the District of Columbia Metropolitan Police Department (“MPD”) dated April 27, 2007, you sought:

“. . . all records, files, reports, memoranda, notes, and other forms of information—in whatever format—possessed by your agency that makes reference to me or relates to me. More specifically, I am seeking information generated and/or retained by your agency as a result of the homicide of LAMONT G. “TEEFUS” CORBIN that occurred on or about August 12, 1993, in the District of Columbia.”

In the Appeal, you advised that MPD responded to your FOIA request but redacted certain information without identifying the exemption under the DC FOIA pursuant to which the redaction was made.

We forwarded the Appeal to MPD with a request for a response. MPD responded by letter dated September 5, 2007 (the “MPD Response”). MPD included a copy of a memorandum listing descriptions of the material redacted. A copy of the MPD Response is enclosed. It is MPD’s position that the redactions were made pursuant to DC Official Code Section 2-534(a)(2), which allows documents to be withheld if disclosure would cause an unwarranted invasion of personal privacy.
We are satisfied with MPD's Response based on our review of the descriptions of the redacted material. The undisclosed material may have included identities of family members of the victim, friends, witnesses or other uninvolved persons. Disclosure of such information would not provide any insight to how the government operates, which typically is the purpose behind a FOIA request. Here, only private, non-governmental information is being sought. Clearly, the individuals have an interest in keeping their identities confidential, especially with respect to their involvement in a criminal case. The record does not contain any evidence of a public interest that would override the privacy interests of these individuals in disclosure of this information. Therefore, the Appeal is hereby DISMISSED.

You are free under the FOIA to commence a civil action against the District of Columbia government at any time in the District of Columbia Superior Court.

Regards,

[Signature]

Andrew T. Richardson, III
Deputy General Counsel to the Mayor

Enclosure

cc (by email): Ronald B. Harris