

Government of the District of Columbia
Office of the Secretary of the District of Columbia



Stephanie D. Scott, Ph.D
Secretary of the District of Columbia

February 1, 2008

The Honorable Vincent Gray
Chairman, Council of the District of Columbia
John A. Wilson Building
1350 Pennsylvania Ave., NW
Washington, DC 20004

The Honorable Carol Schwartz
Chairperson, Committee on Workforce Development and Government Operation
John A. Wilson Building
1350 Pennsylvania Ave., NW
Washington, DC 20004

Re: FY 2007 District of Columbia Freedom of Information Act Report

Dear Chairman Gray and Chairperson Schwartz:

In accordance with the District of Columbia Freedom of Information Act¹ (D.C. FOIA), enclosed is the annual report of the FOIA disclosure activities of each “public body” (agency) of the DC government for the most recent fiscal year.

This report covers the period of October 1, 2006 to September 30, 2007 and contains data responsive to the annual reporting required by the FOIA to the extent available. Please note that each annual report is completed to extent possible but it has been difficult for some public bodies to locate complete records from the prior administration. To the extent that a public body does not report to the Mayor, information pertaining to that body may not be reflected in this report.

This report includes the following:

1. The number of FOIA requests received and the number of requests completed²;
2. The number of requests for records that had not yet been completed by September 30, 2007;
3. The average³ number of days that unfilled requests have been pending before each public body as of September 30, 2007 (i.e. of the incomplete requests, how long had they been waiting for a response, on average?);

¹ Section 208 of the District of Columbia Freedom of Information Act of 1976, D.C. Official Code § 2-538 (2001), as amended by D.C. Law 13-283, the “Freedom of Information Amendment Act of 2000,” effective April 27, 2001

² “Completed” means that the requested information was delivered or that the request was denied in writing.

³ DC FOIA requires the “median” number of days, but we report the “mean” as we believe it is a more useful statistic here.

4. The number of determinations made by each agency not to comply with requests for records and the reasons for each determination;
5. The number of requests completed within fifteen (15) days;
6. The number of requests completed between sixteen (16) to twenty-five (25) days;
7. The number of requests completed in twenty-six (26) days or more;
8. The average³ number of days taken by each agency to complete requests;
9. The total amount of fees collected by each agency for processing requests;
10. The number of hours that staff devoted to processing requests for records, and the total cost expended by each public body for processing such requests; and
11. The number of employees found guilty of a misdemeanor for arbitrarily and capriciously violating any provision of the D.C. FOIA;

The enclosed report also includes details concerning the number of appeals received pursuant to section 207 of the Act (D.C. Official Code § 2-537 (a)), the results of the appeals, and the reason(s) for the action upon each appeal that resulted in a denial of information.

If you have any questions regarding this report, please contact Thorn Pozen, Special Council, Office of the Attorney General at thorn.pozen@dc.gov or Erica Easter, Chief of Staff, Office of the Secretary, at erica.easter@dc.gov.

Sincerely,



Stephanie D. Scott, Ph.D.

Enclosures

cc: The Honorable Yvette Alexander
The Honorable Marion Barry
The Honorable Muriel Bowser
The Honorable Kwame Brown
The Honorable David Catania
The Honorable Mary Cheh
The Honorable Jack Evans
The Honorable Jim Graham
The Honorable Phil Mendelson
The Honorable Harry Thomas Jr.
The Honorable Tommy Wells
Tene Dolphin, Chief of Staff, Executive Office of the Mayor
Chip Richardson, Acting General Counsel, Executive Office of the Mayor
Thorn Pozen, Special Counsel, Office of the Attorney General

**DISTRICT OF COLUMBIA
ANNUAL FREEDOM OF INFORMATION ACT REPORT FOR FISCAL YEAR 2007
October 1, 2006 through September 30, 2007**

PROCESSING OF FOIA REQUESTS

Submitted by: Stephanie D. Scott, PhD
Secretary of the District of Columbia

Number of FOIA requests received during reporting period	5,399
Number of FOIA requests pending on October 1, 2006.....	585
Number of FOIA requests pending on September 30, 2007.....	465
The average number of days unfilled requests have been pending before each public body as of September 30, 2007	9

DISPOSITION OF FOIA REQUESTS

Number of requests granted, in whole.....	3,527
Number of requests granted, in part, denied, in part.....	522
Number of requests denied, in whole.....	572
Number of requests withdrawn.....	114
Number of requests referred or forwarded to other public bodies ¹	307
Other disposition	108

NUMBER OF REQUESTS THAT RELIED UPON EACH FOIA EXEMPTION
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1. Exemption 1 - D.C. Official Code § 2-534(a)(1).....	451
2. Exemption 2 - D.C. Official Code § 2-534(a)(2).....	999
3. Exemption 3 - D.C. Official Code § 2-534(a)(3).....	342
a. Subcategory (A).....	180
b. Subcategory (B).....	165
c. Subcategory (C)	362
d. Subcategory (D)	1
e. Subcategory (E)	23
f. Subcategory (F)	1
4. Exemption 4 - D.C. Official Code § 2-534(a)(4)	106

¹ This number only reflects the number of requests referred or forwarded to another public body as the only and final disposition of that request. The requests that are processed within the public body and resulted in a grant, denial or partial grant/denial as well as a referral are not included in this number.

5. Exemption 5 - D.C. Official Code § 2-534(a)(5).....	2
6. Exemption 6 - D.C. Official Code § 2-534(a)(6).....	56
a. Subcategory (A).....	15
b. Subcategory (B).....	35
7. Exemption 7 - D.C. Official Code § 2-534(a)(7).....	0
8. Exemption 8 - D.C. Official Code § 2-534(a)(8).....	0
9. Exemption 9 - D.C. Official Code § 2-534(a)(9).....	1
10. Exemption 10 - D.C. Official Code § 2-534(a)(10).....	0
11. Exemption 11 - D.C. Official Code § 2-534(a)(11).....	3
12. Exemption 12 - D.C. Official Code § 2-534(a)(12).....	2

TIME-FRAMES FOR PROCESSING FOIA REQUESTS

Number of FOIA requests processed within 15 days.....	3,471
Number of FOIA requests processed between 16 and 25 days.....	887
Number of FOIA requests processed in 26 days or more.....	645
Average (mean) number of days to process FOIA Requests ²	16

RESOURCES ALLOCATED TO PROCESSING FOIA REQUESTS

Number of Hours Staff Devoted to Processing FOIA Requests.....	8,279.6
Total dollar amount expended by public body for processing FOIA requests.....	\$211,488.92

FEES FOR PROCESSING FOIA REQUESTS

Total amount of fees collected by public body.....	\$394,907.45
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PROSECUTIONS PURSUANT TO SECTION 207(d) OF THE D.C. FOIA

Number of employees found guilty of a misdemeanor for arbitrarily or capriciously violating any provision of the District of Columbia Freedom of Information Act	0
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² The Freedom of Information Amendment Act of 2000 requests the median number of days to process FOIA requests. We have provided the average number of days instead of the median number of days as it more reasonably reflects response to FOIA requests.

QUALITATIVE DESCRIPTION OR SUMMARY STATEMENT

Pursuant to section 208(a)(9) of the D.C. FOIA, provide in the space below or as an attachment, “[a] qualitative description or summary statement, and conclusions drawn from the data regarding compliance [with the provisions of the Act].”

Agencies Included in Report

Agency	Acronym	FOIA Officer
Alcoholic Beverage Regulation Administration	ABRA	Barbara Goodwin
Board of Elections and Ethics	BOEE	Terri D. Stroud
Chief Financial Officer	CFO	David Tseng
Child and Family Services Agency	CFSA	Dianne Hall-Simpson
City Administrator	CA	Tonya Poindexter
Commission on Arts and Humanities	CAH	Lionell Thomas
DC Auditor	ODCA	Leigh Adams Slaughter
DC Public Schools	DCPS	Karen Jones Herbert
Department of Consumer and Regulatory Affairs	DCRA	Selena G. Robinson
Department of Corrections	DOC	Oluwasegun Obebe
Department of Disability Services	DDS	Mark D. Back
Department of Employment Services	DOES	Eugene E. Irvin
Department of Health	DOH	Thomas C. Collier
Department of Housing and Community Development	DHCD	Charles Lindsay
Department of Human Resources	DCHR	Stephanie B. Ferguson
Department of Human Services	DHS	Robert C. Warren, Jr
Department of Insurance Securities and Banking	DISB	Mary E. Lofton-Manning
Department of Mental Health	DMH	Deon C. Merene
Department of Parks and Recreation	DPR	Jamarj Johnson
Department of Public Works	DPW	Emma Clark
Department of Small and Local Business Development	DSLBD	Shelley Merchant
Department of Transportation	DDOT	Diana Jordan
Department of the Environment	DDOE	Ibrahim Bullo
Department of Motor Vehicles	DMV	Glenn Dubin
Executive Office of the Mayor	EOM	Erica Easter
Fire and Emergency Medical Services	FEMS	Tisa B. Smith
Homeland Security Emergency Management	HSEMA	Jo'Ellen G. Countee
Housing Finance Agency	HFA	Michael Winter
Labor Relations and Collective Bargaining	LRCB	Ivelisse Cruz
Lottery and Charitable Games Control Board	DCLB	Assistant General Counsel
Metro Police Department	MPD	Traci L. Hughes
Office of Aging	OA	Sam Gawad
Office of Cable Television	OCT	Niquelle M. Allen
Office of Chief Medical Examiner	OCME	Sharlene Williams
Office of Contracting and Procurement	OCP	Nancy Hapeman
Office of Human Rights	OHR	Jewell Little
Office of Labor-Management Programs	OLMP	Julia Ann Canty
Office of Planning	OP	Michael A. Johnson
Office of Police Complaints	OPC	Nykisha Cleveland
Office of Property Management	OPM	Camille D. Sabbakhan
Office of Risk Management	ORM	Mia Liley
Office of Unified Communications	OUC	Everett Lott
Office of the Attorney General	OAG	Thorn Pozen
Office of the Chief Technology Officer	OCTO	Christina Fleps
Office of the Inspector General	OIG	Keith VanCroit
Office of the State Superintendent of Education	OSSE	John A. Stokes
Public Library	DCPL	Grace Perry-Gaiter
Public Service Commission	PSC	Kenneth S. Hughes
Retirement Board	DCRB	Constance Donovan
Sports and Entertainment Commission	SEC	Lee Smith

Agency	PROCESSING				DISPOSITION					
	# of Requests Received	# requests pending on 10/1/06	# requests pending on 9/30/07	Avg. # days unfilled requests pending	# requests granted in whole	# of requests granted in part, denied in part	# of requests denied in whole	# of Requests withdrawn	Number of requests referred or forwarded	Other Disposition
ABRA	119	0	0	0	117	0	0	2	0	0
BOEE	1	0	0	0	0	0	1	0	0	0
CFO	83	5	4	17	34	8	22	2	8	10
CFSA	19	2	10	22	10	0	1	0	0	0
CA	8	0	1	0	1	3	0	1	3	0
CAH	0	0	0	0	0	0	0	0	0	0
ODCA	6	0	0	0	3	0	1	0	2	0
DCPS	136	14	63	10	48	2	15	1	2	0
DCRA	720	265	243	15	372	27	7	7	27	19
DOC	162	0	1	13	130	9	5	1	12	8
DDS	8	0	0	0	1	7	0	0	0	0
DOES	14	0	1	4	6	5	0	0	0	3
DOH	274	28	4	60	265	1	6	3	65	0
DHCD	9	0	0	0	7	0	1	0	1	0
DCHR	33	1	0	0	19	5	0	0	5	4
DHS	23	1	4	18	7	3	4	1	8	0
DISB	136	7	39	36	60	2	4	18	8	44
DMH	30	2	3	30	24	4	0	1	0	1
DPR	9	0	0	0	6	2	0	1	0	0
DPW	11	0	0	0	9	0	0	1	1	0
DSLBD	7	0	0	1	3	2	1	0	1	0
DDOT	61	0	0	10	35	26	2	0	1	0
DDOE	517	23	19	14	520	0	0	0	0	0
DMV	45	2	2	2	28	7	4	3	3	0
EOM	31	0	0	15	0	10	11	1	9	0
FEMS	1065	8	7	24	1047	2	1	1	11	0
HSEMA	2	0	0	0	1	0	0	1	0	0
HFA	7	0	0	0	3	2	1	0	1	0
LRCB	3	0	1	30	2	0	0	0	0	1
DCLB	17	0	1	9	13	4	0	0	1	0

Agency	PROCESSING				DISPOSITION					
	# of Requests Received	# requests pending on 10/1/06	# requests pending on 9/30/07	Avg. # days unfilled requests pending	# requests granted in whole	# of requests granted in part, denied in part	# of requests denied in whole	# of Requests withdrawn	Number of requests referred or forwarded	Other Disposition
MPD	833	193	28	20	277	20	385	28	91	4
OA	0	0	0	0	0	0	0	0	0	0
OCT	1	0	0	25	0	1	0	0	1	0
OCME	16	0	0	0	3	0	13	0	0	0
OCP	210	10	6	0	177	12	8	14	2	7
OHR	62	3	3	14	50	3	3	0	6	0
OLMP	0	0	0	0	0	0	0	0	1	0
OP	6	1	1	2.5	6	0	0	0	2	0
OPC	430	16	11	12	123	283	15	3	3	3
OPM	14	0	0	0	13	1	0	0	0	0
ORM	5	1	1	2	3	0	0	2	0	0
OUC	114	0	4	12	71	0	25	18	24	0
OAG	56	1	6	10	18	19	11	1	5	2
OCTO	3	0	0	10	2	0	0	0	1	0
OIG	72	1	0	0	3	42	24	3	0	0
OSSE	3	0	0	0	1	1	0	0	1	0
DCPL	8	0	0	0	8	0	0	0	0	0
PSC	2	0	0	0	1	1	0	0	0	0
DCRB	4	0	0	0	0	2	1	0	1	0
SEC	4	1	2	36	0	6	0	0	0	2
TOTALS	5399	585	465	9	3527	522	572	114	307	108

NUMBER OF TIMES EACH EXEMPTION INVOKED																				
Agency	1	2	3	3A	3B	3C	3D	3E	3F	4	5	6	6A	6B	7	8	9	10	11	12
OPC	0	272	298	163	163	298	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OPM	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0
ORM	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OUC	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OAG	0	4	0	0	0	0	0	0	0	9	0	2	0	0	0	0	0	0	0	0
OCTO	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OIG	0	6	0	16	0	43	0	0	0	4	0	0	0	19	0	0	0	0	0	0
OSSE	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
DCPL	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0	0	0	0	0	2
PSC	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0
DCRB	2	0	0	0	0	0	0	0	0	1	0	3	0	3	0	0	0	0	0	0
SEC	1	0	0	0	0	0	0	0	0	5	0	0	0	0	0	0	0	0	0	0
Totals	451	999	342	180	165	362	1	23	1	106	2	56	15	35	0	0	1	0	3	2

TIME FRAMES FOR PROCESSING REQUESTS

Agency	Processed in 15 days	Processed between 16 & 25 days	Processed in 26 days or more	Avg. # of days to process
ABRA	113	3	1	2.76
BOEE	1	0	0	0
CFO	41	14	28	15
CFSA	4	0	7	36
CA	2	2	3	12
CAH	0	0	0	0
ODCA	5	0	1	10
DCPS	37	15	7	20
DCRA	211	60	189	13
DOC	162	0	0	15
DDS	1	0	7	48
DOES	11	3	0	9.77
DOH	229	5	31	16
DHCD	8	1	0	11
DCHR	17	11	5	18.6
DHS	15	2	6	13
DISB	45	38	43	35
DMH	15	10	5	20
DPR	5	3	0	16
DPW	10	1	0	13
DSLBD	5	1	1	16
DDOT	37	23	1	
DDOE	475	30	15	15
DMV	43	2	0	7.25
EOM	25	5	0	9
FEMS	955	93	17	8.4
HSEMA	2	0	0	8
HFA	6	0	1	14
LRCB	1	0	2	30
DCLB	12	6	0	12
MPD	418	330	85	20
OA	0	0	0	0
OCT	0	0	1	25
OCME	16	0	0	5
OCP	55	31	134	35
OHR	17	29	16	96
OLMP	0	0	0	0
OP	6	2	0	11.9
OPC	343	81	6	12
OPM	10	3	1	18
ORM	2	1	0	13
OUC	19	43	9	19
OAG	43	13	0	11
OCTO	3	0	0	10
OIG	31	22	19	18.6
OSSE	2	0	1	13
DCPL	5	3	0	0
PSC	2	0	0	10.5
DCRB	4	0	0	11
SEC	2	1	3	45
TOTALS	3471	887	645	16

RESOURCES ALLOCATED/FEES COLLECTED

Agency	Staff hours to process requests	Dollar amount expended	Fees collected
ABRA	221	\$6,225.75	\$1,863.50
BOEE	3	\$0.00	\$0.00
CFO	0	\$0.00	\$162.00
CFSA	178	\$4,806.00	\$0.00
CA	40	\$0.00	\$0.00
CAH	0	\$0.00	\$0.00
ODCA	10	\$0.00	\$0.00
DCPS	30	\$0.00	\$200.00
DCRA	441	\$10,945.00	\$13,722.85
DOC	50	\$90,240.00	\$1,433.25
DDS	0	\$0.00	\$0.00
DOES	76.5	\$2,984.75	\$2,148.50
DOH	253	\$2,600.00	\$1,864.00
DHCD	32	\$1,092.00	\$31.25
DCHR	61	\$2,546.00	\$0.00
DHS	62	\$767.00	\$406.00
DISB	88.6	\$4,103.50	\$3,277.00
DMH	80	\$0.00	\$381.25
DPR	0	\$0.00	\$72.50
DPW	60	\$1,053.50	\$760.50
DSLBD	47	\$1,488.00	\$629.75
DDOT	100	\$0.00	\$0.00
DDOE	1021	\$25,144.00	\$359,375.00
DMV	84	\$1,125.00	\$56.00
EOM	59.5	\$287.00	\$59.00
FEMS	801	\$22,535.00	\$417.35
HSEMA	5	\$200.00	\$0.00
HFA	40	\$0.00	\$0.00
LRCB	20	\$0.00	\$0.00
DCLB	40	\$0.00	\$0.00
MPD	2760	\$0.00	\$0.00
OA	0	\$0.00	\$0.00
OCT	3	\$0.00	\$0.00
OCME	8	\$400.00	\$0.00
OCP	0	\$0.00	\$1,161.75
OHR	20	\$150.00	\$1,238.00
OLMP	0	\$0.00	\$0.00
OP	30	\$750.00	\$0.00
OPC	373	\$10,448.67	\$0.00
OPM	20	\$50.00	\$0.00
ORM	2	\$2.75	\$0.00
OUC	0	\$0.00	\$40.00
OAG	300	\$200.00	\$208.00
OCTO	40	\$2,700.00	\$0.00
OIG	383	\$12,000.00	\$52.00
OSSE	187	\$4,588.00	\$4,532.00
DCPL	138	\$1,457.00	\$816.00
PSC	8	\$400.00	\$0.00
DCRB	4	\$100.00	\$0.00
SEC	100	\$100.00	\$0.00
Total	8279.6	\$211,488.92	\$394,907.45

FY 2007 FOIA Appeals Log

FOIA Appeal Number	Date Received*	Date of Decision	Requester and Contact Information	Disposition (affirmed; reversed; dismissed; withdrawn; remanded; other)
MLC 2007-01 IQ487309; see IQ 473069	9/26/06	10/5/06	Charles E. Watts, Sr. 70 Clark Lane Stafford, Virginia 22554-7703 540-659-3007 (h) 703-338-6931 (c) Videoguy4u2@msn.com	Denied—agency not required to create documents that don't exist
MLC 2007-02 IQ 487267	10/19/2006	10/26/06	Shauna C. Bryce N212 Harbor Square 560 N Street, SW Washington, DC 20024 201-306-6246 (Cell)	Dismissed as moot because agency responded
MLC 2007-03 IQ 488576	10/23/2006	11/6/06	Pendergrass/Kernan Guishard, Wilburn & Shorts, 175 Carnegie Place, Suite 129, Fayetteville, GA 30214-7903 Phone: (770) 461-2000 Fax: (770) 461-8090	Affirmed agency's denial because agency not required to compile records not in its possession
MLC 2007-04 IQ 488368	11/06/2006	11/17/06	Bill Myers The Examiner Washington 1015 15 th Street, NW, Suite 500 Washington, DC 20005 202-903-2000 (P) 202-903-2004 (F)	Remanded to DCPS
MLC 2007-05 IQ 488754	11/14/2006	11/29/06	Virginia Major 3301 5 th Street, SE Washington, D.C. 20032 202-561-2837 (P) 202-561-8204 (F) vmajor@verizon.net	DCPS sent copy of signed lease agreement
MLC 2007-06 IQ 488961 and 493653	11/15/06 (supplemental appeal rec'd 11/21/06)	12/7/06	Michael Guiffre 2550 M Street, NW Washington, DC 20037 mguiffre@pattonboggs.com	Affirmed in part and remanded in part; WASA response due 1/23/07
MLC 2007-07 IQ 489785	12/15/06	12/26/06	Daniel Wolff 5 Heritage Drive, Apartment A New City NY 10956	Denied because an intrusion on privacy of citizens

FY 2007 FOIA Appeals Log

FOIA Appeal Number	Date Received*	Date of Decision	Requester and Contact Information	Disposition (affirmed; reversed; dismissed; withdrawn; remanded; other)
MLC 2007-08 IQ 490047	12/12/06	1/25/07	Kelvin Ford United States Penitentiary Lee County, PO Box 305, Jonesville, VA 24263-0305	Dismissed as moot because MPD responded
MLC 2007-09 IQ 481691	1/19/07	1/30/07	Marc Edwards Professor, Virginia Tech Dept. of Civil and Environmental Engineering 418 New Engineering Bldg., Mail Code 0246 Blacksburg VA 24061 (540) 231-7236 (bphone) (540) 320-8740 (cphone) edwardsm@vt.edu (imail)	Denied because request to revisit an appeal
MLC 2007-10	1/19/2007	1/26/07	Marc Edwards Professor, Virginia Tech Dept. of Civil and Environmental Engineering 418 New Engineering Bldg., Mail Code 0246 Blacksburg VA 24061 (540) 231-7236 (bphone) (540) 320-8740 (cphone) edwardsm@vt.edu (imail)	Denied for insufficiency (original request not included)
MLC 2007-11 IQ 493457	1/22/2007; reopened 8/24/07	2/13/07; second decision on fees issued 9- 25-07	Rebecca Renner, Science Writer 809 Logue St. Williamsport, PA 17701	Remanded to WASA
MLC 2007-12 IQ 493745	1/22/07	2/1/07	Malcolm Lewis Barnes Minority Business Resource Institute 1001 Connecticut Avenue, N.W., Suite 920 Washington, D.C. 20036 202-464-1406 (P) 202-785-4111 (F)	Moot because agency responded
MLC 2007-13 IQ 490049	12/8/06	12/11/06	Earnest Durant 813 Galway Lane Fredericksburg, VA 22407	Affirmed—agency's response was proper

FY 2007 FOIA Appeals Log

FOIA Appeal Number	Date Received*	Date of Decision	Requester and Contact Information	Disposition (affirmed; reversed; dismissed; withdrawn; remanded; other)
MLC 2007-14 IQ 490642	12/18/06	12/29/06	Bill Myers The Examiner Washington 1015 15 th Street, N.W., Suite 500 Washington, D.C. 20005 202-903-2000 (P) 202-903-2004 (F)	Remanded to DCPS
MLC 2007-15 IQ 493663	1/17/07	Initial: 1/25/07 Supplement: 2/14/07	James A. McLaughlin Associate Counsel The Washington Post 1150 15 th Street, N.W. Washington, D.C. 20071 202-334-6000 (P)	Remanded to DOC
MLC 2007-16 498898	10/27/06	12/5/06	Sanford Lazar IT Leveraging Associates 1389 Uxbridge Way North Wales, PA 19454	Responded with redacted documents to protect personal information
MLC 2007-17 IQ 495180	2/5/07	12/21/07	Marlo Johnson 829 Quincy Street, NW Unit 511 Washington, DC 20011	Remanded to DCRA
MLC 2007-18 IQ 495178	2/5/07	Initial: 2/7/07 Supplement: 3-23-07; no further decision required	Alan Banov / Richard Hairston 1819 L Street, N.W., Suite 700 Washington, DC 20036-3830 202-822-9699 (P) 202-842-9331 (F) ab@banovlaw.com	Moot because agency responded
MLC 2007-19 IQ 495183	2/5/07	2/20/07	J.W. Thomas 4024 MLK Avenue, SW Washington, DC 20032	Dismissed because agency response was proper
MLC 2007-20 IQ 495997	2/6/07	Not required	Clark A. Brooks, #19921-009 U.S. Penitentiary – Big Sandy P.O. Box 2068 Inez, KY 41224	Moot because agency responded

FY 2007 FOIA Appeals Log

FOIA Appeal Number	Date Received*	Date of Decision	Requester and Contact Information	Disposition (affirmed; reversed; dismissed; withdrawn; remanded; other)
MLC 2007-21 IQ 495971	2/8/07 (returned)	3/6/07	Bill Myers The Examiner Washington 1015 – 15 th Street, NW, Suite 500 Washington, DC 20005 bmyers@dcexaminer.com	Remanded to DCPS
MLC 2007-22 IQ 496578	2/16/07	3/6/07	Bill Myers The Examiner Washington 1015 – 15 th Street, NW, Suite 500 Washington, DC 20005 202-903-2000 (P) 202-903-2004 (F) bmyerse@dcexaminer.com	OCFO's denial affirmed, but remanded to OCFO for more research
MLC 2007-23 IQ 496629	2/20/07	2/28/07	Bill Myers The Examiner Washington 1015 – 15 th Street, NW, Suite 500 Washington, DC 20005 202-903-2000 (P) 202-903-2004 (F) bmyers@dcexaminer.com	Dismissed because request is against public policy
MLC 2007-24 IQ 497512	2/27/07	3/13/07	Robert Vinson Brannum 158 Adams Street, N.W. Washington, D.C. 20001 202-256-8452 (P) 202-328-7611 (F)	Dismissed because agency response was proper
MLC 2007-25 IQ 498146	3/5/07	Not Required	Calvin Hickerson, Sr. P.O. Box 2284 Tuscaloosa, Alabama 35403-2284	Returned because federal FOIA request
MLC 2007-26 IQ 499833	3/15/07	Not required	Jeffrey W. Burritt Zwerdling, Paul, Kahn & Wolly, PC 1025 Connecticut Avenue, NW Washington, DC 20036-5420 202-657-5000 (P) 202-223-8417 (F)	Dismissed because agency responded
MLC 2007-27 IQ 499888 and 502022	1 st appeal 3/15/07; 2 nd appeal 4/3/07	Not required	Mr. Joseph Kinard 08008-016 Federal Correctional Complex-USP.1 P.O. Box 1033 Coleman, FL 33521-1033	Rejected for noncompliance to regs.; regs. sent with letters on 3/16/07 and 4/4/07

FY 2007 FOIA Appeals Log

FOIA Appeal Number	Date Received*	Date of Decision	Requester and Contact Information	Disposition (affirmed; reversed; dismissed; withdrawn; remanded; other)
MLC 2007-28 IQ 501610	3/27/07	5/2/07	Mr. Richard L. Washington 240 M Street, SW, E714 Washington, DC 20024 202-863-2796 (P) 202-863-4445 (F) Rlwashington52@hotmail.com	Dismissed as moot because OIG responded.
MLC 2007-29 IQ 501413	3/28/07	4/12/07	Peter S. Craig 3406 Macomb Street, NW Washington, DC 20016 202-393-6222 (P) swedecraig@aol.com	Dismissed because requested records are not maintained by OTR
MLC 2007-30 IQ 501814	3/30/07	5/30/07	Bernard A. Solnik, Esq. 11 N. Washington Street, Suite 640 Rockville, MD 20850 301-294-9200 (P) 202-350-9562 (F) bsolnik@solniklaw.com	Remanded to DCRA for insufficient response
MLC 2007-31 IQ 503095	4/11/07 (8/16/07 fees dispute)	5/29/07 (9/25/07 fees dispute)	Rebecca Renner, Science Writer 809 Logue St. Williamsport, PA 17701	Dismissed because agency responded
MLC 2007-32 IQ 503324	4/13/07	5/18/07	Jim McElhatton The Washington Times 3600 New York Avenue, NE Washington, DC 20002 202-636-3196 (P)	Remanded to DCHR
MLC 2007-33 IQ 503365	4/13/07	5/31/07	Doug Gardner 311 Franklin Street Alexandria, VA 22314	Dismissed because documents are not in possession of agency
MCL 2007-34 IQ 504224	4/24/07	5/31/07	Heather W. Harts'horn 913 Prince Street, #2 Alexandria, VA 22314 571-263-6103 (C) hwharts.horn@gmail.com	Dismissed because agencies do not maintain requested records
MLC 2007-35 IQ 504956	5/1/07	5/17/07	T. Michael Guiffre (obo JABB II) Patton Boggs LLP 2550 M Street, NW Washington, DC 20037-1350 202-457-6441 (P) 202-457-6315 (F) mguiffre@pattonboggs.com	Remanded to WASA for Vaughn index; Guiffre took matter to Superior Court; file closed

FY 2007 FOIA Appeals Log

FOIA Appeal Number	Date Received*	Date of Decision	Requester and Contact Information	Disposition (affirmed; reversed; dismissed; withdrawn; remanded; other)
MLC 2007-36 IQ 505772	5/9/07; reopened 6/5/07	5/29/07	Alice S. Holland 3054 Stanton Road, SE Apt. 303 Washington, DC 20020	Dismissed because agency responded
MLC 2007-37 IQ 505925	5/10/07	5/18/07	Laurence Schor McManus, Schor, Admar & Darden, LLP 1155 Fifteenth Street, NW, Suite 900 Washington, DC 20005	Dismissed because agency does not maintain requested records
MLC 2007-38 IQ 507386	5/24/07	5/30/07	Christine A. Tate P.O. Box 9451 Washington, DC 2016-9451 202-286-1795 Catdcmes1@hotmail.com	Dismissed because agency responded
MLC 2007-39 IQ 508331	5/31/07	Not required	Edward J. Johnson 600 Water Street, SW, NBU 9-16 Washington, DC 20024 202-316-0997 (cell) 202-238-9088 (work) mvcorderito@yahoo.com	Dismissed because agency responded
MLC 2007-40 IQ 512657	6/26/07	7/5/07 and 7/25/07	Daniel T. Keating Database Editor The Washington Post 1150 – 15 th Street, NW Washington, DC 20007-7403 202-334-5047 (work) 202-496-3848 (fax) keatingd@washpost.com	DCPS shall respond within five business days or appeal is upheld. Supplement of 7/25/07 dismissed appeal because agency responded.
MLC 2007-41 IQ 513150	6/29/07	7/24/07	Anthony Scales #11302-083 USP Tucson P.O. Box 24550 Tucson, AZ 85734	Dismissed because agency does not maintain request documents

FY 2007 FOIA Appeals Log

FOIA Appeal Number	Date Received*	Date of Decision	Requester and Contact Information	Disposition (affirmed; reversed; dismissed; withdrawn; remanded; other)
MLC 2007-42 IQ 514800	7/13/07; 8/22/07	7/24/07; 10/29/07	Daniel T. Keating Database Editor The Washington Post 1150 – 15 th Street, NW Washington, DC 20071-7403 202-334-5407 keatingd@washpost.com	Remanded to agency; requested document sent with redactions on 11/20/07
MLC 2007-43 IQ 514985	7/16/07	8/23/07	Leonard Edwards 3000 – 7 th Street, NE Washington, DC 20017	Dismissed because agency responded
MLC 2007-44 IQ 515531	7/19/07	8/3/07; reaffirmed on 10/2/07	Richard E. Condit 1612 K Street, NW, Suite 1100 Washington, DC 20006 202-408-0034, x142 or 829.2444 Fax: 202-318-3211 R1condit1@earthlink.net	Remanded to DYRS with instructions to provide docs to appellant and to GC
MLC 2007-45 IQ 515875	7/24/07	8/1/07	Ralph J. Prepetit Fed. No. 18568-016 FCI Estill P.O. Box 699 Estill, SC 29918	Dismissed due to adequacy of DOC response
MLC 2007-46 IQ 516938	7/31/07	8/2/07	Winston G. Robinson, Jr. #12670-007 U.S. Penitentiary-Lee P.O. Box 305 Jonesville, VA 24263-0305	Dismissed as moot because agency responded on 7/16/07
MLC 2007-47 IQ 518484	8/15/07	9/5/07	Kevin Winters #05907-007 USP Big Sandy P.O. Box 2068 Inez, KY 41224	Dismissed because agency does not requested maintain records
MLC 2007-48 IQ 518480	8/15/07; 8/27/07	9/7/07	Kevin Winters #05907-007 USP Big Sandy P.O. Box 2068 Inez, KY 41224	Dismissed because agency can't release private information

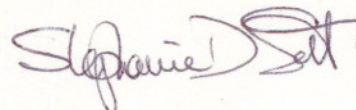
GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Memorandum 2007-5
November 29, 2007

TO: All Agency and Department Heads and Designated FOIA Officers

ORIGINATOR: Stephanie D. Scott, Secretary of the District of Columbia



SUBJECT: Annual District of Columbia Freedom of Information Act Report

In accordance with the District of Columbia Freedom of Information Act¹ (D.C. FOIA), the Mayor of the District of Columbia is required to submit to the Council of the District of Columbia by February 1 an annual report of the FOIA disclosure activities of each "public body" (agency) of the DC government for the most recent fiscal year. This memo is to request that your agency provide us with your FY2007 FOIA report so we can prepare the Mayor's report to the Council.

Each agency is required to report the following items using the attached form:

1. The number of FOIA requests received and the number of requests completed²;
2. The number of requests for records that had not yet been completed by September 30, 2007;
3. The average³ number of days that unfilled requests have been pending before each public body as of September 30, 2007 (i.e. of the incomplete requests, how long had they been waiting for a response, on average?);
4. The number of determinations made by each agency not to comply with requests for records and the reasons for each determination;
5. The number of requests completed within fifteen (15) days;
6. The number of requests completed between sixteen (16) to twenty-five (25) days;
7. The number of requests completed in twenty-six (26) days or more;
8. The average³ number of days taken by each agency to complete requests;
9. The total amount of fees collected by each agency for processing requests;
10. The number of hours that staff devoted to processing requests for records, and the total cost expended by each public body for processing such requests; and
11. The number of employees found guilty of a misdemeanor for arbitrarily and capriciously violating any provision of the D.C. FOIA;

¹ Section 208 of the District of Columbia Freedom of Information Act of 1976, D.C. Official Code § 2-538 (2001), as amended by D.C. Law 13-283, the "Freedom of Information Amendment Act of 2000," effective April 27, 2001

² "Completed" means that the requested information was delivered or that the request was denied in writing.

³ DC FOIA requires the "median" number of days, but we would like to report the "mean" as it is a more useful statistic here.

Attached is the standard form that all District agencies (public bodies) must use to report FOIA disclosures to facilitate the preparation of the annual report. Please answer all questions on the attached form for the reporting period October 1, 2006 through September 30, 2007.

Each public body's FOIA officer will be emailed the attached form to be returned via e-mail to Erica Easter at erica.easter@dc.gov no later than Friday, December 28, 2007. Using this PDF version is the best way to ensure accuracy and timeliness as we create the final report.

If you have any questions or concerns regarding the annual report required by the D.C. FOIA, please contact Thorn Pozen, Freedom of Information Act Officer, Office of the Attorney General, at (202) 724-0872 or thorn.pozen@dc.gov, or Erica Easter, Chief of Staff, Office of the Secretary, Executive Office of the Mayor, at (202) 727-6306 or erica.easter@dc.gov.

Attachments:

As stated.

UNIFORM FORMAT FOR THE SUBMISSION OF THE ANNUAL FREEDOM OF INFORMATION ACT REPORT FOR FISCAL YEAR 2007 October 1, 2006 through September 30, 2007 (Please type)

PROCESSING OF FOIA REQUESTS

Name, Title and Telephone Number of FOIA Officer: _____

Number of FOIA requests received during reporting period []
Number of FOIA requests pending on October 1, 2006..... []
Number of FOIA requests pending on September 30, 2007..... []
The average number of days unfilled requests have been pending before each public body as of September 30, 2007 []

DISPOSITION OF FOIA REQUESTS

Number of requests granted, in whole..... []
Number of requests granted, in part, denied, in part..... []
Number of requests denied, in whole..... []
Number of requests withdrawn..... []
Number of requests referred or forwarded to other public bodies¹..... []
Other disposition []

NUMBER OF REQUESTS THAT RELIED UPON EACH FOIA EXEMPTION

- 1. Exemption 1 - D.C. Official Code § 2-534(a)(1)..... []
2. Exemption 2 - D.C. Official Code § 2-534(a)(2)..... []
3. Exemption 3 - D.C. Official Code § 2-534(a)(3)..... []
a. Subcategory (A)..... []
b. Subcategory (B)..... []
c. Subcategory (C) []
d. Subcategory (D) []
e. Subcategory (E) []
f. Subcategory (F) []

¹ This number only reflects the number of requests referred or forwarded to another public body as the only and final disposition of that request. The requests that are processed within the public body and resulted in a grant, denial or partial grant/denial as well as a referral are not included in this number.

- 4. Exemption 4 - D.C. Official Code § 2-534(a)(4)
- 5. Exemption 5 - D.C. Official Code § 2-534(a)(5).....
- 6. Exemption 6 - D.C. Official Code § 2-534(a)(6).....
- a. Subcategory (A).....
- b. Subcategory (B).....
- 7. Exemption 7 - D.C. Official Code § 2-534(a)(7).....
- 8. Exemption 8 - D.C. Official Code § 2-534(a)(8).....
- 9. Exemption 9 - D.C. Official Code § 2-534(a)(9).....
- 10. Exemption 10 - D.C. Official Code § 2-534(a)(10).....
- 11. Exemption 11 - D.C. Official Code § 2-534(a)(11).....
- 12. Exemption 12 - D.C. Official Code § 2-534(a)(12).....

TIME-FRAMES FOR PROCESSING FOIA REQUESTS

- Number of FOIA requests processed within 15 days.....
- Number of FOIA requests processed between 16 and 25 days.....
- Number of FOIA requests processed in 26 days or more.....
- Average (mean) number of days to process FOIA Requests²

RESOURCES ALLOCATED TO PROCESSING FOIA REQUESTS

- Number of Hours Staff Devoted to Processing FOIA Requests.....
- Total dollar amount expended by public body for processing FOIA requests.....

FEEES FOR PROCESSING FOIA REQUESTS

- Total amount of fees collected by public body.....

PROSECUTIONS PURSUANT TO SECTION 207(d) OF THE D.C. FOIA

- Number of employees found guilty of a misdemeanor for arbitrarily or capriciously violating any provision of the District of Columbia Freedom of Information Act

² The Freedom of Information Amendment Act of 2000 requests the median number of days to process FOIA requests. We have provided the average number of days instead of the median number of days as it more reasonably reflects response to FOIA requests.

QUALITATIVE DESCRIPTION OR SUMMARY STATEMENT

Pursuant to section 208(a)(9) of the D.C. FOIA, provide in the space below or as an attachment, “[a] qualitative description or summary statement, and conclusions drawn from the data regarding compliance [with the provisions of the Act].”

A large, empty rectangular box with a thin black border, intended for the user to provide a qualitative description or summary statement as requested in the text above.