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Department of Motor Vehicles

UNIFORM FORMAT FOR THE SUBMISSION OF THE
ANNUAL FREEDOM OF INFORMATION ACT REPORT FOR FISCAL YEAR 2008
October 1, 2007 through September 30, 2008
(Please type)

PROCESSING OF FOIA REQUESTS

Name, Title and Telephone Number of FOIA Officer: Glenn Dubin
Assistant Attorney General
671-3492

Number of FOIA requests received during reporting period …… 35

Number of FOIA requests pending on October 1, 2007…… 3

Number of FOIA requests pending on September 30, 2008……. 1

The average number of days unfilled requests have been pending before each public body as of September 30, 2008 …… 4

DISPOSITION OF FOIA REQUESTS

Number of requests granted, in whole……... 23

Number of requests granted, in part, denied, in part…….. 6

Number of requests denied, in whole…… 4

Number of requests withdrawn…….. 0

Number of requests referred or forwarded to other public bodies[1]……... 2

Other disposition ……... 0

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)……... 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)……... 10
   a. Subcategory (A)…….....
   b. Subcategory (B)……. 10
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…… 33

Number of FOIA requests processed between 16 and 25 days……. 2

Number of FOIA requests processed in 26 days or more…….. 0

Average (mean) number of days to process FOIA Requests[2]…… 8.5

RESOURCES ALLOCATED TO PROCESSING FOIA REQUESTS

Number of Hours Staff Devoted to Processing FOIA Requests…… 74

Total dollar amount expended by public body for processing FOIA requests…….. 1635

FEES FOR PROCESSING FOIA REQUESTS

Total amount of fees collected by public body…… 68

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

[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]."

Glenn Dubin remained FOIA Officer for the FY 2008 reporting period. Compliance was again very good this year. The FOIA Officer has a good working relationship with the agency officials that most often assist in responding to FOIA requests. The Department, with only a couple exceptions, was able to respond within the initial 15-day period, to all FOIA requests. Due to a voluminous amount of records to search in both of those exceptions, the FOIA Officer requested a 10-day extension and was able to fulfill the requests within the additional time period. As in the past, there were quite a number of requests for information and explanations not contained in the records of the Department, such as information on DPW and MPD officers. The Department continued to receive requests for privileged information unique to motor vehicle records. Under the Driver Privacy Protection Act, 18 USC section 2721 et seq., DMV is restricted from releasing personal driver information. As was the case last year, the agency's response to media requests have been handled well. The Department continues to receive a few requests from the media each year related to hot issues. The FOIA Officer worked with the Public Information Officer to respond to the media requests as soon as possible, often well within the 15-day answer period. However, the fees collected do not come close to compensating the District for its full costs in terms of employee time spent. There was a sizable decline in requests from 45 in FY 2007 to 35 in FY 2008. One possibility for the decline is that some requests that have previously been made through FOIA are now being made through the new Service Integrity Office. Most of the requests that the Service Integrity Office handles are subpoenas. This caseload indicates that an attorney from the Office of the General Counsel no longer needs to handle FOIA requests, but can support a DMV official who fills that role. Because the FOIA Officer works closely with the Service Integrity Officer and the Public Information Officer, the FOIA Officer could come from either office.