

July 9, 2018

*Via Public FOIA Portal*  
Inspector Vendette Parker  
Metropolitan Police Department  
300 Indiana Avenue NW  
Room 4153  
Washington, D.C. 20001  
Phone: (202) 727-3721

**Re: FOIA Request – Body-Worn Camera and Other  
Footage of June 13 and June 25 MPD Actions on Sheriff  
Road NE**

Dear Inspector Parker:

This is a request under the D.C. Freedom of Information Act (FOIA), D.C. Code § 2-531 et seq., on behalf of the American Civil Liberties Union of the District of Columbia (ACLU) and its members for recordings of the two recent interactions between Metropolitan Police Department (MPD) officers and members of the public on the 5200 block of Sheriff Road NE, in the Deanwood neighborhood of Washington, D.C.

On June 13, 2018, a group of MPD officers exited an unmarked car and approached a group of young men on the northern sidewalk of the 5200 block of Sheriff Road NE, Washington, DC 20019 at some point in the early evening. The officers seized a handgun (apparently a BB gun) from one man, asked all the men for identification, and searched at least one of them. Several of the young men present recorded videos on their cell phones. Officers ordered the men to move back. Videos taken by the young men became public and were the subject of several news stories. *See, e.g.*, Sam Ford, D.C. police accused of staging search to conduct stop and frisk outside barbershop, ABC7 (Jun. 25, 2018), <http://wjla.com/news/local/dc-police-accused-search-conduct-stop-frisk-barbershop>.

On June 25, 2018, a larger group of MPD officers arrived at the same location at approximately 9:30 pm, confronting and shining flashlights into the eyes of the members of the public present. During that encounter, MPD officers pepper-sprayed



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several members of the public and ultimately arrested three young men and one older man. These men were held overnight, although their charges were dismissed prior to appearing before a judge. Based on our information, the CCN for these arrests is 18103864.

Pursuant to D.C. Code § 2-532(c)(2) and 24 DCMR 3902.6, we request a copy of the footage obtained from **all Body-Worn Cameras** recorded by any MPD officer in the 5200 block of Sheriff Rd. NE at the time of the June 13 incident described above, which we estimate as being between 7:00pm and 8:00pm, and at the time of the June 25 incident described above, which we estimate as being between 9:00pm and midnight.

In addition, pursuant to D.C. Code § 2-532(a), we request **any other existing footage**—such as dashboard or CCTV surveillance camera—that exists from the above-mentioned incidents, as well as **any records related to these incidents**, including but not limited to: any after-action reports, any PD-251, PD-76 or other incident reports, and any disciplinary records relating to MPD's actions on June 13 and June 25, 2018.

We believe the requested footage and records are public records and not exempt from disclosure under statutory exemptions found in the D.C. FOIA. If you determine that some or all of the records are exempt, you must provide a written explanation including a reference to the specific statutory exemption on which you rely. D.C. Code § 2-533(a). If a segregable portion of any record is not exempt, you must provide those portions along with your explanation of the exemption. D.C. Code § 2-534(c). We reserve the right to appeal any such decision.

We request a fee waiver pursuant to D.C. Code § 2-532(b), which permits you to waive or reduce any fee for searching and reproducing records if “furnishing the information can be considered as primarily benefiting the general public.” The ACLU is a nonprofit public interest organization with limited resources, dedicated to the protection of civil rights and civil liberties. The public is the primary beneficiary of the ACLU's work to protect fundamental rights, whether by litigation, legislative advocacy or publication. It is on this ground that federal and state agencies, as well as courts, generally grant waivers of fees for ACLU FOIA requests. The present request satisfies the statutory criteria for a fee waiver.

If you determine no waiver is appropriate, and if the proposed fee is greater than \$25.00, we ask that you notify us prior to fulfilling the above requests.

Please furnish all applicable records to Shana Knizhnik, 915 15<sup>th</sup> Street, NW, Second Floor, Washington, DC 20005 or [sknizhnik@acludc.org](mailto:sknizhnik@acludc.org). If you have questions, please contact me at 202-601-4278 or [sknizhnik@acludc.org](mailto:sknizhnik@acludc.org).

We look forward to your reply to this records request within 25 business days for the BWC footage, and within 15 business days for any other footage and written records, as required by D.C. Code § 2-532(c). Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Knizhnik', with a long horizontal flourish extending to the right.

Shana Knizhnik, Dunn Fellow  
ACLU Foundation of the District of Columbia