CREW

CITIZENS FOR
RESPONSIBILITY &
ETHICS IN WASHINGTON

November 24, 2025

Mayor's Correspondence Unit
FOIA Appeal
1350 Pennsylvania Ave, NW
Suite 221
Washington D.C. 20004

Mayor's Office of Legal Counsel
FOIA Appeal
1350 Pennsylvania Avenue, NW
Suite 407
Washington D.C. 20004

Re: Appeal of Records Determination on Freedom of Information Act Request #R014972-091125

Dear FOIA Officer:

Citizens for Responsibility and Ethics in Washington ("CREW") submits this appeal of the October 23, 2025 determination of the Executive Office of the Mayor ("EOM") to District of Columbia Freedom of Information Act ("DC FOIA") request #R014972-091125 ("Request") pursuant to D.C. Code §§ 2-531-39. Because EOM likely improperly determined that it does not possess the requested records and otherwise failed to conduct an adequate search, EOM should reverse its initial determination regarding Items 1, 2, 3, 4, and 6 of the Request, promptly conduct an adequate search for the requested records, and release any responsive records it identifies to CREW in full.

Background

On September 11, 2025, CREW submitted the Request to EOM seeking records related to the use of federal law enforcement in Washington D.C. and to the federal takeover of the Metropolitan Police Department ("MPD"). The Request included the following items:

1. From August 1, 2025 to the date this request is processed, all communications between US Attorney General Pam Bondi, her staff, and Department of Justice (DOJ) employees, and Washington, DC Mayor Muriel Bowser and her staff concerning the use of federal law enforcement personnel in Washington, DC or the federal takeover of the Metropolitan Police department;

2. From August 1, 2025 to the date this request is processed, all communications between Chief of Staff Susie Wiles and her staff, and Mayor Bowser and her staff concerning the use of federal law enforcement personnel in Washington, DC or the federal takeover of the Metropolitan Police department;
3. From August 1, 2025 to the date this request is processed, all communications between Mayor Bowser and her staff, and DC Police Chief Pamela Smith and her staff concerning the use of federal law enforcement personnel in Washington, DC or the federal takeover of the Metropolitan Police Department;
4. From August 1, 2025 to the date this request is processed, all guidance, memoranda, final directives, policies, and other documents shared with Mayor Bowser's office from US Attorney General Pam Bondi, her staff, and Department of Justice (DOJ) employees concerning the use of federal law enforcement personnel in Washington, DC or the federal takeover of the Metropolitan Police department;
5. From August 1, 2025 to the date this request is processed, all guidance, memoranda, final directives, policies, and other documents shared with Mayor Bowser's office from Chief of Staff Susie Wiles and her staff concerning the use of federal law enforcement personnel in Washington, DC or the federal takeover of the Metropolitan Police department;
6. From August 1, 2025 to the date this request is processed, all guidance, memoranda, final directives, policies, and other documents shared with Mayor Bowser's office from Secretary Kristi Noem, her staff, and Department of Homeland Security ("DHS") employees concerning the use of federal law enforcement personnel in Washington, DC or the federal takeover of the Metropolitan Police department, [and]
7. Mayor Bowser's calendar, from August 1, 2025 to the date this request is processed, including any and all meetings she was invited to or attended, and a list of attendees for all meetings.

Attachment 1. The Request sought responsive records regardless of format, medium, or physical characteristics, including "paper records, electronic records, audiotapes, videotapes, photographs, data, and graphical material" as well as "correspondence, letters, emails, text messages, facsimiles, telephone messages, voice mail messages, and transcripts, notes, or minutes of any meetings, telephone conversations, or discussions." *Id.* The Request excluded "agency records consisting solely of news articles, press clippings, and other publicly-available material, so long as the records include no accompanying discussion by agency officials." *Id.* The Request sought a fee waiver. *Id.*

EOM assigned the Request FOIA #R014972-091125, but after a phone conversation and email sent on October 2, 2025, notified CREW that EOM had granted itself a 10-day extension to reply to the Request due to the "need for consultation and/or the need to search for, collect, and appropriately examine a voluminous number of records," pursuant to D.C. Official Code §§ 2-532(d)(2)(A)-(B)). Attachment 2. In an email sent on October 23, 2025, EOM stated that it "completed a search for correspondence" and "identified one responsive

record" pertaining to CREW's request for communications between Mayor Bowser and Secretary Noem, but that there were "no responsive records for" CREW's other requests. Attachment 3. EOM stated that additional responsive records relating to Mayor Bowser's office's communication with Secretary Noem would be "forthcoming." *Id.* In a follow-up email sent on October 24, 2025, EOM stated that while the portion of CREW's request seeking Mayor Bowser's calendar from August 1, 2025 to the date the request is processed was "ongoing," the "search and review for portions 1-6 of" the Request was "completed." Attachment 4. EOM provided no additional explanation of the lack of responsive records.

CREW now timely appeals EOM's adverse determination.

EOM Failed to Conduct an Adequate Search

The DC FOIA is modeled closely after the federal Freedom of Information Act. "[A]ccordingly, except where the two acts differ," District of Columbia courts "have treated case law interpreting the federal FOIA as instructive authority with respect to" DC FOIA. *Doe v. District of Columbia Metropolitan Police Dept.*, 948 A.2d 1210, 1220 (D.C. 2008) (quoting *Wash. Post Co. v. Minority Bus. Opp. Comm'n*, 560 A.2d 517, 521 (D.C. 1989). "[T]hat general approach" of treating federal FOIA case law as instructive for DC FOIA cases is "relevant" in challenges to agencies' failure to locate responsive records. *Id.*

An agency is required to conduct a FOIA search "reasonably calculated to uncover all relevant documents." *Jimenez v. F.B.I.*, 910 F. Supp. 5, 7 (D.D.C. 1996) (quoting *Weisberg v. United States Dept. of Justice*, 705 F.2d 1344, 1350 (D.C. Cir. 1983) (quoting *Perry v. Block*, 684 F.2d 121, 128 (D.C. Cir. 1982))). An agency's search is inadequate when there are "positive indications of overlooked materials." *Valencia-Lucena v. U.S. Coast Guard*, 180 F.3d 321, 326 (D.C. Cir. 1999); *see also CREW v. GSA*, 2019 WL 3414365, at *5-6 (D.D.C. July 29, 2019) (holding that agency's search was inadequate where it failed to uncover publicly released emails responsive to CREW's request).

Here, EOM's determination that there are no responsive records for Items 1, 2, 3, 4 and 6 of the Request is contradicted by (1) statutory and other legal requirements governing preservation of records produced or received by the Mayor's office and (2) public reporting that Mayor Bowser and her staff were in communication with Chief of Staff Wiles, Attorney General Bondi, and MPD Police Chief Smith during the dates specified by the Request, and (3) the implausibility of EOM's statement that there are no responsive records to the Request and lack of explanation of how that could be the case. These "positive indications of overlooked materials" confirm that EOM has failed to conduct an adequate search. *Valencia-Lucena*, 180 F.3d at 326.

(1) District of Columbia Statutes and Regulations Require Preservation of Public Records Responsive to the Request.

EOM's "no responsive records" response is implausible given the strict records preservation requirements under D.C. law. D.C. Code § 2-531 establishes as the "public policy of the District" that "all persons" are entitled to "full and complete information regarding the affairs of the government and the official acts of those who represent them as public officials and employees." "Provisions of D.C. FOIA [are to] be 'construed with the view toward expansion of public access.'" *Fraternal Order of Police*, 139 A.3d at 860; D.C. Code § 2-531. "The requirements and provisions of [the DC FOIA] . . . apply to and [are] binding upon the executive branch," including the Mayor's office. D.C. Code § 2-1714(a).

District of Columbia statutes and regulations require the permanent preservation of communications that "impact the mission or execution of the mission and programs of the agency," including correspondence with the Mayor. The use of federal law enforcement in Washington, DC and the federal takeover of the Metropolitan Police Department unquestionably impacts the mission or execution of the mission and programs of EOM, meaning that all communications and correspondence with the Mayor or associated officials on those topics must be permanently retained. In addition, the Mayor's official schedule must be permanently retained.

The District of Columbia Records Retention Schedule for the Executive Office of the Mayor (the "Record Schedule") defines public records as "any document, book, photographic image, electronic data recording, electronic mail, paper, video recording, sound recording, microfilm, computer disk, or other material, regardless of physical form or characteristic, that documents a transaction or activity made, received, or retained pursuant to law or in connection with the transaction of public business by or with any officer or employee of the District." Government of the District of Columbia, *Records Retention Schedule* (July 1, 2018), https://opr.dc.gov/ld.php?content_id=69199195. The Record Schedule requires permanent preservation of "communications that impact the mission or execution of the mission and programs of the agency," including "correspondence with the Mayor," as well as permanent retention of the "schedule of official activities of the Mayor." *Id.*

Given the Executive Office of the Mayor's retention requirements, it is highly likely that EOM possesses some records responsive to Items 1, 2, 3, 4, and 6 of CREW's records request.

(2) Public Reporting, Official Documentation, Law Enforcement Directives, and Other Materials Indicate that Mayor Bowser and Staff under her Authority were in Communication with Officials Named in the Request During the Identified Period.

Public reporting and publicly available documents further contradict EOM's "no responsive records" response. Each item of CREW's record request but one concerned communications and memoranda shared between Mayor Bowser and her staff and other

officials, including White House Chief of Staff Susie Wiles, Attorney General Pam Bondi, Secretary of Homeland Security Kristi Noem, and Metropolitan Police Department ("MPD") Chief Pamela A. Smith. *See* Attachment 1. EOM's initial response to CREW's records request consisted of a few presidential memoranda provided to the Mayor's office, with EOM asserting that there were no responsive records pertaining to the majority of the requested items. Attachment 3. It is implausible in the extreme that, despite the complex relationship between federal and D.C. law enforcement and the need for coordination and guidance between the federal government and the Mayor's office, especially during the aberrational and fraught takeover of MPD by federal officials, that EOM is not in possession of further communications between EOM and federal and city officials.

(a) Federal and D.C. statutes and procedures promote coordination between federal law enforcement and D.C. leadership.

Even without the affirmative indicia of additional unproduced communications here, it is implausible that EOM does not possess additional responsive communications. "[E]ven in regular times, the local government and federal government work together to keep DC clean and well-maintained."[1] D.C.'s criminal justice system is a "unique . . . combination of local government and federal government."[2] Furthermore, federal and D.C. statutes allow federal law enforcement agencies to enter into cooperative agreements with the MPD to assist MPD in carrying out crime prevention and law enforcement activities in D.C. P.L. 105-33, Title XI (August 5, 1997); D.C. Code § 5–133.17. Among the items permitted under these cooperative agreements are:

- patrol and arrest authority in areas in D.C. immediately surrounding the agencies' jurisdictions;
- sharing of equipment and supplies with MPD;
- the use of shared radio frequencies with MPD;
- Agency processing of suspects arrested within D.C.;
- And other items as the agency and MPD see fit.

See D.C. Code § 5-301-03. MPD's Emergency Response Team ("ERT") also provides training to federal law enforcement and government agencies.[3]

Moreover, the statutory provision which provides authority for the temporary use of MPD for federal purposes requires coordination between the President and the Mayor, as the President "may direct the Mayor . . . and the Mayor shall provide" MPD services as the

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[1] Mayor Muriel Bowser, *Situation Update Federal Surge* (Aug. 27, 2025), https://mayor.dc.gov/sites/default/files/dc/sites/mayormb/release_content/attachments/Situational_Update-Federal_Surge.pdf.
[2] *Id.*
[3] Metropolitan Police Department, *Emergency Response Team*, https://mpdc.dc.gov/node/1476891.

President deems necessary and appropriate. D.C. Code § 1–207.40(a). This provision necessitates communication between the President and the Mayor to determine, among other things, how MPD forces providing federal services will be utilized. Thus, it is highly unlikely that, after President Trump announced that he was invoking this statutory provision on August 11, 2025, he and/or officials to whom he delegated authority to direct MPD operations, including Attorney General Pam Bondi, were not in communication with EOM.

(b) Public reporting indicates that there was significant communication between Mayor Bowser and her staff and administration officials during the declared emergency.

Public reporting on communications between Mayor Bowser and several of the named officials during the duration of the Request appears to contradict EOM's position that there are no responsive records detailing meetings or communications. This includes reports that:

- On August 12, 2025, Mayor Bowser, MPD Chief Smith, and Attorney General Bondi met to discuss public safety and the federal takeover of the MPD.[4]
- On August 27, 2025, Mayor Bowser told reporters that she had a meeting with President Donald Trump, White House Chief of Staff Susie Wiles, and AG Bondi.[5]
- Mayor Bowser reportedly "kept in regular contact with Attorney General Pam Bondi, White House chief of staff Susie Wiles, and deputy chief of staff Stephen Miller," and reportedly "speaks with Bondi" sometimes on a daily basis.[6]
- On September 2, 2025, Mayor Bowser issued Mayor's Order 2025-090, which detailed MPD's cooperation with federal law enforcement teams since August 11, 2025, and established the Safe and Beautiful Emergency Operations Center ("SBEOC") to "ensure coordination with federal law enforcement to the maximum extent allowable by law within the District."[7] Mayor Bowser

[4] Joshua Chapin, *DC's Mayor Bowser, MPD's Chief Smith meet with Attorney General Bondi on Federal Takovever*, WJLA (Aug. 12, 2025), https://wjla.com/news/local/mayor-bowser-chief-smith-meet-with-attorney-general-bondi-federal-takeover-washington-dc-president-trump-martial-law-attack-big-balls-juvenile-crime-youth-curfews-gun-violence-dea-fbi.

[5] Paul Wagner and Mark Segraves, *DC mayor walks a tightrope during update on federal law enforcement surge*, NBC Washington (Aug. 27, 2025), https://www.nbcwashington.com/news/local/mayor-bowser-to-give-update-on-dc-police-takeover/3980744/.

[6] Alex Samuels, *Is DC's mayor giving in to Trump's lawless takeover?*, Daily Kos (Sept. 3, 2025), https://www.dailykos.com/stories/2025/9/3/2341621/-Why-is-DC-s-mayor-going-along-with-Trump-s-lawless-takeover.

[7] Mayor's Order 2025-090, Sept. 2, 2025 (72 DCR 36).

designated the Deputy Mayor for Public Safety and Justice to lead the efforts of the SBEOC.[8] A press release announcing the formation of the SBEOC noted that the "District regularly works with: the United States Marshals Service, Federal Bureau of Investigation, the United States Park Police, the Drug Enforcement Administration, the Bureau of Alcohol, Tobacco, Firearms, and Explosives, the United States Capitol Police, and the United States Secret Service."[9]

On November 13, 2025, the Washington Post published a report detailing Mayor Bowser's approach to working with the Trump administration, including during the federal takeover of MPD.[10] In addition to corroborating previous reporting that Mayor Bowser and Attorney General Bondi spoke "almost daily" during the emergency, that report suggests the existence of several records responsive to CREW's request, including:

- Records that Mayor Bowser brought to a White House meeting with Attorney General Bondi and White House Chief of Staff Wiles, demonstrating how the federal surge in officers had contributed to a reduction in violent crime but expressing the Mayor's concern over aggressive immigration enforcement activity and the presence of National Guard troops from other states;
- Records reflecting that Mayor Bowser, MPD Chief Smith, and mayoral staff attended a closed-door White House event with the president and other administration officials, including AG Bondi and White House Deputy Chief of Staff Stephen Miller.
- A draft of the Mayor's September 2 Executive Order promoting cooperation between D.C. and federal law enforcement, to which the Mayor reportedly allowed the Justice Department to suggest edits.
- "Notes and internal memos" that Mayor Bowser permitted the Washington Post to review.[11]

This reporting confirms that Mayor Bowser has been in communication with several of the officials named in CREW's records request, and that there are existent written records reflecting those communications. EOM's position that there are no responsive records of communications between the Mayor and the named officials or of Mayor Bowser's calendar, including meetings with the named officials, over the period identified in CREW's request is

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[8] *Id.*
[9] Executive Office of the Mayor, *Mayor Bowser Provides Update on the Federal Surge* (Sept. 2, 2025), https://mayor.dc.gov/release/mayor-bowser-provides-update-federal-surge.
[10] Jonathan O'Connell, *Behind the scenes of the D.C. mayor's battle to keep Trump at bay*, Washington Post (Nov. 13, 2025), https://www.washingtonpost.com/investigations/2025/11/13/bowser-trump-negotiations-dc-takeover/.
[11] *Id.*

dubious. Thus, the public reporting serves as a "positive indication[] of overlooked materials." *Valencia-Lucena*, 180 F.3d at 326.

(3) EOM's Statement that there are No Responsive Records is Insufficient.

In its October 23, 2025 response to CREW, EOM wrote that "there are no responsive records for portions 1, 2, 3, 4, and 6" of CREW's request. Attachment 2. EOM stated that the "records search and review" for the Request remained "ongoing" with respect to Item 5 of the Request, but that EOM had "completed a search for correspondence." *Id.*

District of Columbia Municipal Regulations require that "every reasonable effort shall be made by the agency to assist in the identification and location of requested records." D.C. Mun. Reg. Tit. 1 § 402.5. "In assessing whether a District entity subject to FOIA has undertaken an adequate search to fulfill a FOIA request, courts look not to "the fruits of the search," but instead to the "appropriateness of the methods used to carry out the search." *Fraternal Order of Police v. District of Columbia*, 139 A.3d 853, 864 (D.C. 2016) (quoting *Iturrade v. Comptroller of Currency*, 315 F.3d 311, 315 (D.C. Cir. 2003). For instance, case law in federal and District of Columbia FOIA disputes provides that, to receive summary judgment, an agency "'must show that it made a good faith effort to conduct a search for the requested records, using methods which can be reasonably expected to produce the information requested.'" *Doe v. District of Columbia Metropolitan Police Dept.*, 948 A.2d 1210, 1220 (D.C. 2008) (quoting *Oglesby v. United States Dep't of the Army*, 920 F.2d 57, 68 (D.C. Cir. 1990). To justify a grant of summary judgment, the agency's affidavit must must show "'with reasonable detail, that the search method . . . was reasonably calculated to uncover all relevant documents'" and "'identify the terms searched.'" *Id.* at 1221 (quoting *Oglesby*, 920 F.2d at 68).

EOM has not explained the methods it used to carry out its search for records responsive to the Request, thereby depriving CREW of the ability to ascertain whether EOM engaged in a "good faith effort" or used "methods which can be reasonably expected to produce the information requested." *Doe*, 948 A.2d at 1220. It is impossible to gauge the "appropriateness of the methods used to carry out the search" if the "District entity subject to FOIA" has not described those methods with any level of specificity. *See Fraternal Order of Police*, 139 A.3d at 864.

District of Columbia statutory and regulatory record-keeping requirements, long-standing coordination and communications between D.C. and federal law enforcement (as required by the statutory provision under which MPD may be used for federal purposes), and public reporting about the Mayor's communication with federal officials named in the Request and related written materials are "positive indications of overlooked materials." *Valencia-Lucena*, 180 F.3d at 326. If, in spite of preservation requirements, records responsive to the Request cannot be located, EOM must explain how it conducted the search

to locate those records so that CREW and the public may ascertain the reasonableness and adequacy of EOM's search efforts.

Conclusion

For the foregoing reasons, EOM should reverse its October 23, 2025 determination, conduct a complete search of the records to which CREW is entitled, and release the requested records in full to CREW. If EOM is still unable to locate any additional responsive records, EOM should provide a more fulsome explanation of the methods it used to conduct its searches and why it was unable to locate any additional records. Please direct any communications about this appeal to me at [redacted]

Sincerely,

Deeksha Udupa
Fact-Checker

CC: Executive Office of the Mayor
1350 Pennsylvania Avenue NW
Washington DC 20004
eom.foia@dc.gov

Attachments:
1. CREW's September 11, 2025 FOIA Request
2. EOM's October 2, 2025 Notice of Extension
3. EOM's October 23, 2025 Response
4. EOM's October 24, 2025 Response

Attachment 1

CREW

CITIZENS FOR
RESPONSIBILITY &
ETHICS IN WASHINGTON

September 11, 2025

EMAIL: eom.foia@dc.gov

John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004

Re: Freedom of Information Act Request

Dear FOIA Officer:

Citizens for Responsibility and Ethics in Washington ("CREW") submits this request for records pursuant to The District of Columbia Freedom of Information Act ("DC FOIA"), DC Code §§ 2-531-539.

Specifically, CREW requests:

1. From August 1, 2025 to the date this request is processed, all communications between US Attorney General Pam Bondi, her staff, and Department of Justice (DOJ) employees, and Washington, DC Mayor Muriel Bowser and her staff concerning the use of federal law enforcement personnel in Washington, DC or the federal takeover of the Metropolitan Police department;
2. From August 1, 2025 to the date this request is processed, all communications between Chief of Staff Susie Wiles and her staff, and Mayor Bowser and her staff concerning the use of federal law enforcement personnel in Washington, DC or the federal takeover of the Metropolitan Police department;
3. From August 1, 2025 to the date this request is processed, all communications between Mayor Bowser and her staff, and DC Police Chief Pamela Smith and her staff concerning the use of federal law enforcement personnel in Washington, DC or the federal takeover of the Metropolitan Police department;
4. From August 1, 2025 to the date this request is processed, all guidance, memoranda, final directives, policies, and other documents shared with Mayor Bowser's office from US Attorney General Pam Bondi, her staff, and Department of Justice (DOJ) employees concerning the use of federal law enforcement personnel in Washington, DC or the federal takeover of the Metropolitan Police department;
5. From August 1, 2025 to the date this request is processed, all guidance, memoranda, final directives, policies, and other documents shared with Mayor Bowser's office from Chief of Staff Susie Wiles and her staff concerning the use of federal law enforcement personnel in Washington, DC or the federal takeover of the Metropolitan Police department;

6. From August 1, 2025 to the date this request is processed, all guidance, memoranda, final directives, policies, and other documents shared with Mayor Bowser's office from Secretary Kristi Noem, her staff, and Department of Homeland Security (DHS) employees concerning the use of federal law enforcement personnel in Washington, DC or the federal takeover of the Metropolitan Police department,
7. Mayor Bowser's calendar, from August 1, 2025 to the date this request is processed, including any and all meetings she was invited to or attended, and a list of attendees for all meetings

The above request excludes agency records consisting solely of news articles, press clippings, and other publicly-available material, so long as the records include no accompanying discussion by agency officials.

Please search for responsive records regardless of format, medium, or physical characteristics. We seek records of any kind, including paper records, electronic records, audiotapes, videotapes, photographs, data, and graphical material. Our request includes without limitation all correspondence, letters, emails, text messages, facsimiles, telephone messages, voice mail messages, and transcripts, notes, or minutes of any meetings, telephone conversations, or discussions. Our request also includes any attachments to emails and other records, and anyone who was cc'ed or bcc'ed on any emails.

Please be advised that CREW intends to pursue all legal remedies to enforce its rights under DC FOIA. Accordingly, because litigation is reasonably foreseeable, the agency should institute an agencywide preservation hold on all documents potentially responsive to this request.

Fee Waiver Request

In accordance with D.C. Code § 2-532(b), , CREW requests a waiver of fees associated with processing this request for records. The subject of this request concerns the operations of the federal government, and a fee waiver is in "the public interest because furnishing the information can be considered as primarily benefiting the general public." *Id.* Moreover, the request primarily and fundamentally is for non-commercial purposes. And because DC FOIA is interpreted with a "view toward expansion of public access and the minimization of costs and time delays to persons requesting information," the terms favoring disclosure are "generously construed." *DuBose v. D.C.*, 301 A.3d 726, 730 (D.C. 2023) (citing *Fraternal Ord. of Police, Metro. Lab. Comm. v. D.C.*, 82 A.3d 803, 813 (D.C. 2014)).

On August 11, 2025, President Trump signed an executive order declaring DC as "among the most violent jurisdictions in the United States." President Trump criticized the city government's maintenance of public order and declared a presidential emergency during which the federal government would take control of the Metropolitan Police Department (MPD). In the order, Trump delegated the authority of the President conferred by section 740(a) of the Home Rule Act to Attorney General Pam Bondi.[1] On the same day,

[1] Executive Order, DECLARING A CRIME EMERGENCY IN THE DISTRICT OF COLUMBIA (August 11, 2025)

Defense Secretary Pete Hegseth announced the deployment of the National Guard in Washington DC to aid with Trump's efforts.[2] On August 14, 2025, Attorney General Bondi announced that the Drug Enforcement Administration Head Terry Cole would assume the role of emergency police commissioner, which DC Attorney General Brian Schwalb called "the gravest threat to Home Rule DC has ever faced."[34] Washington officials sued the Trump administration on August 15 and the Trump administration rescinded the order replacing the DC police chief after an emergency court hearing.[5]

In the weeks following Trump's initial executive order, there has been an increased presence of federal law enforcement and the National Guard in DC along with increased collaboration between MPD and federal law enforcement.[6] Various DC residents have highlighted how the increased presence of law enforcement does not make them feel safer and the federal takeover has for many emphasized the need for a free DC.[78] On September 2, 2025, Mayor Bowser issued a Mayor's Order in which she provided updates on planning after the presidential emergency ends. The planning includes "the coordination of continued enhanced federal law enforcement efforts."[9] DC sued the Trump administration on September 4, 2025, for the presidential deployment of the National Guard.[10]

The requested records are necessary to provide the public with greater transparency about how the federal takeover of Washington DC took place. These records can provide insight into the DC government's policies concerning public safety and law enforcement and the extent to which it is coordinating with the Trump administration. These questions serve the public interest of DC's residents and are newsworthy to American citizens across the country, especially because Trump has expressed his intention to target other cities with a

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https://www.whitehouse.gov/presidential-actions/2025/08/declaring-a-crime-emergency-in-the-district-of-columbia/

[2] C. Todd Lopez, *National Guard Task Force Mobilizes to Restore Safety in Nation's Capital*, DoD News (August 11, 2025) https://www.defense.gov/News/News-Stories/Article/Article/4271502/national-guard-task-force-mobilizes-to-restore-safety-in-nations-capital/

[3] Nicole Markus and Kyle Cheney, *DC sues over Trump administration's attempted takeover of city police*, Politico (Aug. 15, 2025) https://www.politico.com/news/2025/08/15/dc-police-trump-lawsuit-00511086

[4] X (Aug. 15, 2025) https://x.com/DCAttorneyGen/status/1956339472901034287

[5] Madeline Halpert, *DC police chief retains command after deal with Trump administration*, BBC (Aug. 15, 2025) https://www.bbc.com/news/articles/c2018769n1yo

[6] Gregory Svirnovskiy and Cheyanne M. Daniels, *DC police to increase cooperation with immigration enforcement amid Trump crackdown*, Politico (Aug. 14, 2025) https://www.politico.com/news/2025/08/14/dc-immigration-sanctuary-city-00509731

[7] Nicole Markus, *Supermajority of Washington residents oppose Trump's police takeover, poll finds*, Politico (Aug. 20, 2025) https://www.politico.com/news/2025/08/20/dc-trump-police-poll-00515947

[8] Aimee Cho and Gina Cook, *'This is not about crime': DC reacts to Trump's takeover of police*, NBC Washington (Aug. 11, 2025) https://www.nbcwashington.com/news/local/this-is-not-about-crime-dc-reacts-to-trumps-takeover-of-police/3973469/

[9] Mayor Bowser Provides Update on the Federal Surge (Sept. 2, 2025) https://mayor.dc.gov/release/mayor-bowser-provides-update-federal-surge

[10] Campbell Robertson, *D.C. Sues Trump Administration Over Deployment of National Guard*, New York Times (Sept. 4, 2025) https://www.nytimes.com/2025/09/04/us/dc-trump-national-guard-suit.html

similar approach. These records can also help the public understand how and if the Trump administration can continue its dangerous and unprecedented takeover of DC.

CREW is a non-profit corporation, organized under section 501(c)(3) of the Internal Revenue Code. CREW is committed to protecting the public's right to be aware of the activities of government officials, to ensuring the integrity of those officials, and to highlighting and working to reduce the influence of money on politics. CREW uses a combination of research, litigation, and advocacy to advance its mission. CREW intends to analyze the information responsive to this request and to share its analysis with the public through reports, press releases, or other means. In addition, CREW will disseminate any documents it acquires from this request to the public through its website, www.citizensforethics.org. The release of information obtained through this request is not in CREW's financial interest.

CREW further requests that it not be charged search or review fees for this request pursuant to D.C. Code § 2-532(b) because these records are "not sought for commercial use" and because CREW is "a representative of the news media." D.C. Code § 2-532(b-1)(2).

CREW routinely disseminates information obtained through DC FOIA to the public in several ways. For example, CREW's website receives over 150,000 page views every month. The website includes blog posts that report on and analyze newsworthy developments regarding government ethics, corruption, and money in politics, as well as numerous reports CREW has published to educate the public about these issues. These reports frequently rely on government records obtained through DC FOIA. CREW also posts the documents it obtains through DC FOIA on its website.

Under these circumstances, CREW satisfies fully the criteria for a fee waiver.

Conclusion

If you have any questions about this request or foresee any problems in fully releasing the requested records, please email me at [redacted] and foia@citizensforethics.org or call me at (202) 408-5565. Also, if CREW's request for a fee waiver is denied, please contact our office immediately upon making such a determination.

Where possible, please produce records in electronic format. Please send the requested records to [redacted] and foia@citizensforethics.org or by mail to Deeksha Udupa, Citizens for Responsibility and Ethics in Washington, P.O. Box 14596, Washington, D.C. 20044.

Sincerely,

Deeksha Udupa
Fact Checker

Attachment 2

VIA ELECTRONIC MAIL

October 2, 2025

Deeksha Udupa
Citizens for Responsibility & Ethics in Washington

Re: R014972-091125

NOTICE OF EXTENSION

Dear Ms. Udupa,

This correspondence is in reference to your Freedom of Information Act ("FOIA") request to the Executive Office of the Mayor ("EOM") received September 11, 2025. You requested the following records from a date range of August 1, 2025 to September 11, 2025:

1. From August 1, 2025 to the date this request is processed, all communications between US Attorney General Pam Bondi, her staff, and Department of Justice (DO employees, and Washington, DC Mayor Muriel Bowser and her staff concerning the use of federal law enforcement personnel in Washington, DC or the federal takeover of the Metropolitan Police department;

2. From August 1, 2025 to the date this request is processed, all communications between Chief of Staff Susie Wiles and her staff, and Mayor Bowser and her staff concerning the use of federal law enforcement personnel in Washington, DC or the federal takeover of the Metropolitan Police department;

3. From August 1, 2025 to the date this request is processed, all communications between Mayor Bowser and her staff, and DC Police Chief Pamela Smith and her staff concerning the use of federal law enforcement personnel in Washington, DC or the federal takeover of the Metropolitan Police Department;

4. From August 1, 2025 to the date this request is processed, all guidance, memoranda, final directives, policies, and other documents shared with Mayor Bowser's office from US Attorney General Pam Bondi, her staff, and Department of Justice (DOJ) employees concerning the use of federal law enforcement personnel in Washington, DC or the federal takeover of the Metropolitan Police department;

5. From August 1, 2025 to the date this request is processed, all guidance, memoranda, final directives, policies, and other documents shared with Mayor Bowser's office from Chief of Staff Susie Wiles and her staff concerning the use of federal law enforcement personnel in Washington, DC or the federal takeover of the Metropolitan Police department;

6. From August 1, 2025 to the date this request is processed, all guidance,

memoranda, final directives, policies, and other documents shared with Mayor Bowser's office from Secretary Kristi Noem, her staff, and Department of Homeland Security (DHS) employees concerning the use of federal law enforcement personnel in Washington, DC or the federal takeover of the Metropolitan Police department,

7. Mayor Bowser's calendar, from August 1, 2025 to the date this request is processed, including any and all meetings she was invited to or attended, and a list of attendees for all meetings

Your FOIA request is still being processed. Due to unusual circumstances as described in D.C. Official Code § 2-532(d), EOM will be exercising a 10-day extension. The need for consultation and/or the need to search for, collect, and appropriately examine a voluminous number of records demanded by your request necessitates this extension pursuant to D.C. Official Code §§ 2-532(d)(2)(A)-(B)). Under the law, the 10-day extension does not include Saturdays, Sundays, and public holidays. We therefore expect that we will dispatch a determination or update on the status of your request by October 16, 2025. The person assigned to your request will be in touch with you as your request is processed. We encourage you to reach out to us should you have any questions during this time.

Please note that, under D.C. Official Code § 2-537 and 1 DCMR § 412, you have the right to appeal this letter to the Mayor or to the Superior Court of the District of Columbia. If you elect to appeal to the Mayor, your appeal must be in writing and contain "Freedom of Information Act Appeal" or "FOIA Appeal" in the subject line of the letter as well on the outside of the envelope. The appeal must include (1) a copy of the original request; (2) a copy of any written denial; (3) a statement of the circumstances, reasons, and/or arguments advanced in support of disclosure; and (4) a daytime telephone number, and e-mail and/or U.S. Mail address at which you can be reached. The appeal must be mailed to: The Mayor's Office of Legal Counsel, FOIA Appeal, and 1350 Pennsylvania Avenue, N.W., Suite 407, Washington, D.C. 20004. Electronic versions of the same information can instead be e-mailed to The Mayor's Office of Legal Counsel at foia.appeals@dc.gov. Further, a copy of all appeal materials must be forwarded to the Freedom of Information Officer of the involved agency or to the agency head of that agency if there is no designated Freedom of Information Officer there. Failure to follow these administrative steps may result in delay in the processing and commencement of a response to your appeal to the Mayor.

Sincerely,

/s Henry Johnson

FOIA Officer
Office of the General Counsel
Executive Office of the Mayor

Attachment 3

Office of the General Counsel to the Mayor

VIA ELECTRONIC MAIL

October 23, 2025

Deeksha Udupa
Citizens for Responsibility & Ethics in Washington

Re: R014972-091125

Dear Ms. Udupa,

This letter is in response to your Freedom of Information Act ("FOIA") request to the Executive Office of the Mayor ("EOM" or the "Office") for the following records from a date range of August 1, 2025 to September 11, 2025:

1. From August 1, 2025 to the date this request is processed, all communications between US Attorney General Pam Bondi, her staff, and Department of Justice (DO employees, and Washington, DC Mayor Muriel Bowser and her staff concerning the use of federal law enforcement personnel in Washington, DC or the federal takeover of the Metropolitan Police department;

2. From August 1, 2025 to the date this request is processed, all communications between Chief of Staff Susie Wiles and her staff, and Mayor Bowser and her staff concerning the use of federal law enforcement personnel in Washington, DC or the federal takeover of the Metropolitan Police department;

3. From August 1, 2025 to the date this request is processed, all communications between Mayor Bowser and her staff, and DC Police Chief Pamela Smith and her staff concerning the use of federal law enforcement personnel in Washington, DC or the federal takeover of the Metropolitan Police Department;

4. From August 1, 2025 to the date this request is processed, all guidance, memoranda, final directives, policies, and other documents shared with Mayor Bowser's office from US Attorney General Pam Bondi, her staff, and Department of Justice (DOJ) employees concerning the use of federal law

enforcement personnel in Washington, DC or the federal takeover of the Metropolitan Police department;

5. From August 1, 2025 to the date this request is processed, all guidance, memoranda, final directives, policies, and other documents shared with Mayor Bowser's office from Chief of Staff Susie Wiles and her staff concerning the use of federal law enforcement personnel in Washington, DC or the federal takeover of the Metropolitan Police department;

6. From August 1, 2025 to the date this request is processed, all guidance, memoranda, final directives, policies, and other documents shared with Mayor Bowser's office from Secretary Kristi Noem, her staff, and Department of Homeland Security (DHS) employees concerning the use of federal law enforcement personnel in Washington, DC or the federal takeover of the Metropolitan Police department,

7. Mayor Bowser's calendar, from August 1, 2025 to the date this request is processed, including any and all meetings she was invited to or attended, and a list of attendees for all meetings

The records search and review for your request remains ongoing. EOM has completed a search for correspondence and identified one responsive record, which has been delivered to you via the GovQA portal.

EOM has confirmed that there are no responsive records for portions 1, 2, 3, 4, and 6 of your request.

This letter constitutes a notice of rolling production, and additional responsive records will be forthcoming.

Please note that, under D.C. Official Code § 2-537 and 1 DCMR § 412, you have the right to appeal this letter to the Mayor or to the Superior Court of the District of Columbia. If you elect to appeal to the Mayor, your appeal must be in writing and contain "Freedom of Information Act Appeal" or "FOIA Appeal" in the subject line of the letter as well on the outside of the envelope. The appeal must include (1) a copy of the original request; (2) a copy of any written denial; (3) a statement of the circumstances, reasons, and/or arguments advanced in support of

disclosure; and (4) a daytime telephone number, and e-mail and/or U.S. Mail address at which you can be reached. The appeal must be mailed to: The Mayor's Office of Legal Counsel, FOIA Appeal, and 1350 Pennsylvania Avenue, N.W., Suite 407, Washington, D.C. 20004. Electronic versions of the same information can instead be e-mailed to The Mayor's Office of Legal Counsel at foia.appeals@dc.gov. Further, a copy of all appeal materials must be forwarded to the Freedom of Information Officer of the involved agency or to the agency head of that agency if there is no designated Freedom of Information Officer there. Failure to follow these administrative steps may result in delay in the processing and commencement of a response to your appeal to the Mayor.

Sincerely,

/s Henry Johnson

FOIA Officer
Office of the General Counsel
Executive Office of the Mayor

Attachment 4

CREW | citizens for responsibility and ethics in washington

Deeksha Udupa <dudupa@citizensforethics.org>

Notice of Rolling Production #R014972-091125

FOIA, EOM (EOM) <eom.foia@dc.gov> Fri, Oct 24, 2025 at 10:14 AM
To: Deeksha Udupa [redacted]

Good morning,

I am well, thank you — I hope this message finds you the same!

Apologies, it appears that the numbering got messed up when I was copying it into the body of the email. I have completed the search and review for portions 1-6 of your request. The 7th portion of your request is ongoing.

Best regards,

Henry

EOM FOIA

Executive Office of the Mayor | Office of the General Counsel

Phone: 202.727.3384

Email: eom.foia@dc.gov

From: Deeksha Udupa <[redacted]
Sent: Friday, October 24, 2025 9:54 AM
To: FOIA, EOM (EOM) <eom.foia@dc.gov>
Subject: Re: Notice of Rolling Production #R014972-091125

CAUTION: This email originated from outside of the DC Government. Do not click on links or open attachments unless you recognize the sender and know that the content is safe. If you believe that this email is suspicious, please forward to phishing@dc.gov for additional analysis by OCTO Security Operations Center (SOC).

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