



DISTRICT ATTORNEY'S OFFICE
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215-686-8000

November 1, 2018

Via Email

Lucas Smolcic Larson
62986-49841158@requests.muckrock.com

Re: Response to Your Request for Information from the DAO

Dear Mr. Larson:

Thank you for writing the Philadelphia District Attorney's Office (DAO) to request information. You requested:

- a copy of the full text of the memo, should the version attached be incomplete
- Copies of amendments or additions to the memo released to prosecutors between February 15th, 2018 and the date this request is completed
- Written responses (emails, letters, memos) authored by employees of the Office of the District Attorney in response to the memo
- Written requests from Assistant District Attorneys to their unit supervisors requesting "supervisory approval" to break with the terms of the policies outlined in the memo (this process is outlined at the top of the attached copy of the Feb. 15th memo) sent between February 15th, 2018 and the date this request is processed (if these requests are exempted from release under PA's Right to Know Act, I request that a figure for the number of such requests received by unit supervisors in the time frame specified be provided instead)

This letter serves as an acknowledgement of receipt of your request and notice of the DAO's Right-to-Know-Law Policy.

Written requests for records from state and local agencies in Pennsylvania are generally governed by Pennsylvania's Right-to-Know Law (RTKL), 65 P.S. §§ 67.101-67.3104. Pursuant to the RTKL, the DAO has established a Right-to-Know-Law Policy, which requires that the statewide standard Right-to-Know Request Form be used to submit written requests pursuant to the RTKL. *See* 65 P.S. § 67.504(a); *Dekok v. Lancaster County*, AP 2010-1197, 2011 WL 382831 at *2 (Pa. O.O.R. Jan. 17, 2011) (holding that agency may adopt policy requiring use of standard form in order to file RTKL request). As your request was not submitted on or with the statewide standard form, the DAO does not consider your request to be submitted pursuant to the RTKL and will process it as an informal request.

You do not have to resubmit your request for the DAO to respond unless you are specifically informed otherwise.¹ The DAO is continuing to process your request as an informal request outside the RTKL and will respond to your request.

If you would like to file a RTKL request in accordance with the DAO's Right-to-Know-Law Policy, please submit your request on or with the statewide standard form, and address your request to the DAO open records officer. **Please include this notice with your RTKL request.** If you resubmit your request as a formal RTKL request the DAO will deem your informal request to have been withdrawn.

The DAO's Right-to-Know-Law Policy and a link to the standard form can be found here:

<http://www.phila.gov/districtattorney/aboutus/Pages/RightToKnow.aspx>.

If you require a hard copy of the form and/or policy, please let me know and one will be provided.

The DAO reserves the right to assert any and all grounds for denial in its final response to your request.

Sincerely,

/s/ Douglas Weck

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¹ The DAO reserves the right to require a formal RTKL request before releasing records.