

Tuesday, March 4, 2025 at 10:42:33 Eastern Standard Time

Subject: Re: Mayor's Office - communications, emails, calendar requests re: Trump and ICE, 11/5/2024 - 1/23/2025
Date: Thursday, February 27, 2025 at 2:32:47 PM Eastern Standard Time
From: Omar Rabady
To: AO Records

EXTERNAL SENDER

Request #: 30876

Dear Eva Mayanja:

Thank you for writing to the City of Philadelphia (City) with your inquiry* received on January 23, 2025, seeking:

"1. All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) sent by any of the Office of the Philadelphia Mayor officials listed below and containing any of the key terms listed below.

Office of the Philadelphia Mayor Officials:

- i. Cherelle Parker, Mayor
- ii. Tiffany Thurman, Chief of Staff
- iii. Sincere Harris, Chief Deputy Mayor of Intergovernmental Affairs
- iv. Aren Platt, Chief Deputy Mayor of Planning and Strategic Initiatives
- v. Dominick Mireles, Director, Office of Emergency Management

Key Terms:

- a. Trump
- b. Homan
- c. Noem
- d. border
- e. deport
- f. ICE1
- g. "Immigration and Customs Enforcement"
- h. raid
- i. "FEMA grant"
- j. "FEMA funding"
- k. "federal grant"
- l. "federal funding"
- m. "migrant crime"
- n. "sanctuary status"
- o. "sanctuary city"

In an effort to accommodate your office and reduce the number of potentially responsive records to be processed and produced, American Oversight has limited part 1 of this request to emails sent by the specified individuals. To be clear, however, American Oversight still requests that complete email chains be produced, displaying both sent and received messages. This means that both an individual's response to an email and the initial received message are responsive to this request and should be produced.

2. A complete copy (including any attachments) of any formal or informal policy, guidance, directives, agreements, or protocol regarding cooperation between Philadelphia agencies and U.S. Immigration and Customs Enforcement (ICE).

For both parts of this request, please provide all responsive records from November 5, 2024, through the date the search is conducted."

Your request is denied. Among other things, the RTKL requires that a written request "identify or describe the records sought with sufficient specificity to enable the agency to ascertain which records are being requested . . ." 65 P.S. § 67.703.** The requirement of specificity is necessary to (1) ensure that a requestor provides enough information so that "an agency can determine whether to grant or deny the request[;]" *Nanayakkara v. Casella*, 681 A.2d 857, 859-60 (Pa. Commw. 1996), and (2) "to prevent agencies from suffering undue interference and obstruction of their daily functions; . . . [which] would be unavoidable if agency officials always could be subjected to broad and unlimited requests for documents and records." *Mooney v. Temple Univ. of the Commonwealth Sys. Of Higher Educ. Bd. Of Trustees*, 292 A.2d 395, 397 n.8 (Pa. 1972) ("requests for inspection [must] be specific and particular seeking disclosure of named documents or records rather than broad and unlimited requests for undefined bodies of documents or records"); *see also, e.g., Arduino v. Borough of Dunmore*, 720 A.2d 827, 831 (Pa. Commw. 1998) (holding that a request for "all records" related to the disbursement of the funds for [certain] public projects" lacked sufficient specificity), *appeal denied*, 741 A.2d 195 (Pa. 1992); *Hunt. v. Pa. Dep't of Corr.*, 698 A.2d 147, 149 (Pa. Commw. 1997) (holding that requests, including a request for all documents given by Department of Corrections to inmate and by inmate to Department, lacked sufficient specificity).

Pennsylvania courts have compared such broad, sweeping requests to discovery-type requests which, while potentially proper in the context of civil litigation, are improper under the RTKL. *Berman v. Pa. Convention Ctr. Auth.*, 901 A.2d 1085, 1089 (Pa. Commw. 2006) (holding that request for "[t]he most recent plans, construction, and design documents' relating to" the convention center expansion was "more in the nature of a discovery request than a proper request for public records"); *Associated Builders and Contractors, Inc. v. Pa. Dep't of Gen Servs.*, 747 A.2d 962, 965-66 (Pa. Commw. 2000) (holding that requests "akin to document requests under the civil discovery rules, i.e., 'any and all documents relating to [subject matter]'" lack sufficient specificity); *accord PSP v. OOR*, 995 A.2d. 515, 517 (Pa. Commw. 2010) ("The portion of the request seeking any and all records, files or communications [concerning subject matter] is insufficiently specific for the PSP to respond to the request."). Such broad requests have been, and will be, denied.

This correspondence will close your request with our office as permitted by law.

Respectfully,

Omar Rabady
Deputy City Solicitor - Right to Know
Compliance & Legislation Group
City of Philadelphia Law Department
1515 Arch Street, 15th Floor
Philadelphia, PA 19102
O: (215) 683-5032
Omar.Rabady@phila.gov

www.phila.gov/law

*As explained in correspondence sent to you on Jan 30, 2025 , written requests for records to state and local agencies in Pennsylvania are generally governed by the Commonwealth's Right to Know Law (RTKL), 65 P.S. § 67.101 et seq. In accordance with RTKL, the City has promulgated an Open Records Policy, which requires use of the standard statewide Right to Know Form for the submission of written requests pursuant to RTKL ("RTK Requests"). See 65 P.S. § 67.504(a); Dekok v. Lancaster County, AP 2010-1197, 2011 PA O.O.R.D. LEXIS 25 at *5 and n.1 (Pa. O.O.R. Jan. 17, 2011) (holding that in accordance with RTKL, an agency may adopt a policy requiring the use of the standard statewide form established by the Office of Open Records in order to file an RTK Request); accord Pa. Gaming Control Bd. v. Office of Open Records, 48 A.3d 503 (Pa. Commw. 2012). This policy is available online at <https://www.phila.gov/open-records-policy/>. To the extent you intended to submit an RTK Request, your request is denied as you have not complied with the City's Open Records Policy. As your request was not submitted on or with the standard statewide form, the City does not consider your request to be a RTK Request pursuant to RTKL and has processed it as an informal request. The City nonetheless referred to RTKL for guidance in determining whether records should be released in response to your request.

On Thu, Jan 30 at 11:42 AM , City of Philadelphia Right to Know
<righttoknow@phila.gov> wrote:
CITY OF PHILADELPHIA

LAW DEPARTMENT
One Parkway Building
1515 Arch Street
Philadelphia, PA 19102

Renee Garcia
City Solicitor

BY EMAIL: records@americanoversight.org

Re: Mayor's Office - communications, emails, calendar requests re: Trump and ICE,
11/5/2024 - 1/23/2025
Request #: 30876

Dear AO Records:

Thank you for writing to the City of Philadelphia (City) with your request for information. This correspondence serves as an acknowledgement and receipt of your request as well as notice of the City's Open Records Policy pursuant to the Right-to-Know Law.

Written requests for records to state and local agencies in Pennsylvania are generally governed by the Commonwealth's Right to Know Law (RTKL), 65 P.S. §§ 67.101-67.3104. In accordance with the RTKL, the City has promulgated an Open Records Policy, which requires the standard statewide Right-to-Know Form be used for the submission of written requests pursuant to the RTKL. See 65 P.S. § 67.504(a); Dekok v. Lancaster County, AP 2010-1197, 2011 PA O.O.R.D. LEXIS 25 at *5 and n.1 (Pa. O.O.R. Jan. 17, 2011) (holding that in accordance with the RTKL, an agency may adopt a policy requiring the use of the standard statewide form established by the Office of Open Records in order to file a RTK Request); accord Pa. Gaming Control Bd. v. Office of Open Records, 48 A.3d 503 (Pa. Cmmw. 2012). As your request was not submitted on or with the standard statewide form, the City does not consider your request to be a

RTK Request pursuant to RTKL and will process it as an informal request.

You do not have to resubmit your request for the City to respond unless you are specifically informed otherwise. The City reserves the right to require a formal Right-to-Know Request be submitted pursuant to the RTKL before releasing records. The City is continuing to process the request you have submitted as an informal request outside the RTKL and will be in touch with you further to respond to your request.

However, if you would like to file a RTK Request, please submit your request on or with the standard statewide Right-to-Know Form and email your request to righttoknowlaw@phila.gov - please do not reply to this email. Please include this notice with your RTK Request. Please note that if you resubmit your request as a written request pursuant to the RTKL, the City will deem your informal request to have been withdrawn.

The City's Open Records Policy can be found here: <https://www.phila.gov/open-records-policy/>

The statewide form appears at the end of the City's Open Records Policy. If you require a hard copy of the form and/or policy, please let me know and one will be provided.

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

Respectfully,

Margot B. Smith
Chief Deputy City Solicitor, Right to Know Unit, City of Philadelphia Law Department
(215) 683-5069 (fax)

Tracking #: Records 30876

Request Summary: American Oversight requests that the Office of the Philadelphia Mayor produce the following records within five business days:

1. All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) sent by any of the Office of the Philadelphia Mayor officials listed below and containing any of the key terms listed below.

Office of the Philadelphia Mayor Officials:

- i. Cherelle Parker, Mayor
- ii. Tiffany Thurman, Chief of Staff
- iii. Sincere Harris, Chief Deputy Mayor of Intergovernmental Affairs
- iv. Aren Platt, Chief Deputy Mayor of Planning and Strategic Initiatives
- v. Dominick Mireles, Director, Office of Emergency Management

Key Terms:

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- i. "FEMA grant"
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- k. "federal grant"
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- m. "migrant crime"
- n. "sanctuary status"
- o. "sanctuary city"

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For both parts of this request, please provide all responsive records from November 5, 2024, through the date the search is conducted.

Original Request:

American Oversight requests that the Office of the Philadelphia Mayor produce the following records within five business days:

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From: AO Records <records@americanoversight.org>
Sent: Thursday, January 23, 2025 2:36 PM
To: Kathleen Lonie <Kathleen.Lonie@phila.gov>
Subject: Public Records Request (PA-MAYOR-25-0094)

Dear Open Records Officer,

Please find attached a request for records under the Pennsylvania Right-to-Know Law.

Best,

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Eva Mayanja | (she/her)
Paralegal | American Oversight

Ticket attachments : 1. [PA-MAYOR-25-0094.pdf](#)