

From: [Jolly, Vinay \(USAEO\)](#)
To: [Brudy-Everett, Kristin \(USADC\)](#)
Subject: FW: FOIA Req 2018-005641 Musa/USAO PAW
Date: Thursday, October 1, 2020 3:38:54 PM

Kristin, here is the USAO PAW's search steps. Please share with Plaintiff to see if this USAO can now be removed from a search challenge.

From: Dojcak, Melissa (USAPAW) <MDojcak@usa.doj.gov>
Sent: Thursday, October 01, 2020 3:32 PM
To: Jolly, Vinay (USAEO) <VJolly@usa.doj.gov>
Subject: FOIA Req 2018-005641 Musa

Good afternoon.

I was able to contact Tina Miller, who was Criminal Chief when the FOIA request at issue was received.

I have confirmed the steps taken in order to comply with the FOIA request.

On Wednesday, January 9, 2019, Tina Miller's legal assistant (Sada Moran) sent an email to the entire criminal division; that email attached the FOIA request, and directed all criminal division personnel to review the FOIA request, and if anyone had any responsive documents, to contact Tina Miller by 1/18/19. Each AUSA and legal assistant was responsible for determining whether he/she had any responsive documents/records.

Our office did not have any responsive documents, other than what was provided by Felicia Langford, our FOIA coordinator at the time (the template form letter, and a BOP Program Statement).

This is not surprising, as our office has had a long-standing policy regarding obtaining recorded inmate calls, which strictly prohibits the gathering of any attorney/client calls. All subpoenas for jail calls state: "The telephone recordings provided pursuant to this request should not include any conversations between an inmate and an attorney." Our AUSAs understand that prohibition, and accordingly subsequently applied that same prohibition to prisoner emails.

We responded to the FOIA request on 2/4/2019.

Subsequent to our response to the FOIA request at issue, on 6/20/2019, Criminal Chief Tina Miller sent the attached email, dated 6/20/2019, to the Criminal Division regarding "Evidence Requests to Jails" – to specifically address video and audio surveillance systems within the jails. The 6/20/2019 email reiterated our office's policy regarding the prohibition on gathering any communication or interactions between defendants and their attorneys. That is the only office guidance that I could find that addresses inmate correspondence.

Please let me know if you have any other questions or need any further information.

Troy Rivetti, AUSA
Chief of the Criminal Division
United States Attorney's Office
Western District of Pennsylvania