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PRIVILEGED & CONFIDENTIAL
VIA FEDEX AND E-MAIL

Ms. Kristen Clarke
Assistant Attorney General
U.S. Department of Justice, Civil Rights Division
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Re: Pattern-or-Practice Investigation of the Kansas City, Kansas Police Department

Dear Assistant Attorney General Clarke:

I write on behalf of Team Roc, which is a philanthropic division that, along with its chairman JAY-Z, is committed to social justice, to urge the Department of Justice to open a § 14141 pattern-or-practice investigation of the Kansas City, Kansas Police Department (“KCKPD”). Local politicians,¹ community groups, members of the Kansas City, Kansas community, numerous victims of abuse by the KCKPD, and interested members of the media² have requested that the Department of Justice investigate the police misconduct in Kansas City, Kansas.

Recent evidence has come to light revealing that officers in the KCKPD have, for years, engaged in misconduct, including (a) coercing, pressuring, or relaying improper suggestions to witnesses or defendants to influence testimony; (b) tampering with or fabricating evidence; (c) harassing or retaliating against women in neighborhoods patrolled by the KCKPD; (d) initiating inappropriate relationships, sexual encounters, or sexual arrangements with women (including in patrolling neighborhoods or community); (e) eliciting fabricated information, identifications, or testimony; (f) denying identifications or testimony retractions; and (g) failing to investigate or take

¹ Melinda Henneberger, *‘We need to have outside eyes’: Former KCK cop and mayoral candidate seeks DOJ probe*, Kan. City Star (July 26, 2021 3:21 PM), <https://www.kansascity.com/opinion/opn-columns-blogs/melinda-henneberger/article252633758.html#storylink=cpy>.

² See, e.g., Editorial Board, *Hello DOJ? We’ve got ‘plain, in-your-face mutilation and modern-day lynching’ here*, Kan. City Star (Oct. 24, 2021 7:57 AM), <https://www.pulitzer.org/finalists/melinda-henneberger-kansas-city-star-1>.

investigative steps. This misconduct has resulted in the wrongful incarceration of innocent people and flagrant civil rights abuses of many Kansas City residents.

This wrongdoing has been permitted to continue for decades due to the “blue wall of silence,” and the KCKPD’s failure to adequately supervise and train its officers. As outlined in Team Roc’s petition for records request, attached as Exhibit A, problems with misconduct and discrimination by the KCKPD continue to this day—and continue to be ignored. As just one example, in 2020: (i) a KCKPD officer was charged with procuring sexual relations while on duty and in uniform; (ii) another KCKPD officer was charged with felony aggravated indecent liberties with a minor; and (iii) eight KCKPD officers were sued for use of excessive force when they entered the home of a resident and kicked him repeatedly, causing permanent damage to his back. Yet, even police officers on the KCKPD remain afraid of coming forward—noting that “people have turned up dead for less here.”³

It is time for the Department of Justice to take action. The misconduct in Kansas City meets the criteria for a § 14141 pattern-or-practice investigation because the misconduct by KCKPD officers represents a pattern or practice of wrongful activity that “represent[s] an issue common to many law enforcement agencies,” and “represent[s] an emerging or developing issue, such that reforms could have an impact beyond the primary objective of eliminating constitutional violations in the specific law enforcement agency.”⁴ Specifically, the issues in Kansas City, Kansas involve issues of racial discrimination, which is a “core issue[] in police reform,”⁵ and gender discrimination in law enforcement, which the Department of Justice has identified as a developing area “where federal action might help set a standard for reform.”⁶

The Department of Justice is uniquely positioned to investigate the wrongdoing. As an “outsider” to Kansas City, Kansas, any investigation by the Department of Justice will be independent and can help the KCKPD turn over a new page. Furthermore, the Department of Justice also has broader tools that can allow it to effect more lasting change than individual lawsuits. For example, the Department of Justice can enter into a consent decree to establish a revitalized Community Integrity Unit to help review old convictions, or establish a public defender office in Kansas City, Kansas, which would help ensure that the criminal justice system is more balanced.

I am available at your convenience to discuss with you the matters related to Kansas City, Kansas and the work that the Department of Justice and Team Roc can do to help improve access to social justice and protect civil rights.

³ Melinda Henneberger, *He’s “definitely a sexual predator,”*; Former KCK cop says colleagues assaulted her, too, The Kansas City Star (Sept. 1, 2021, 6:00 AM), available at <https://news.yahoo.com/definitely-sexual-predator-former-kek-100000891.html>.

⁴ Civil Rights Division, U.S. Dep’t of Justice, *The Civil Right Division’s Pattern and Practice Police Reform Work: 1994-Present* (Jan. 2017), at 6, available at <https://www.justice.gov/crt/file/922421/download>.

⁵ *Id.*

⁶ *Id.*

Respectfully submitted,

A handwritten signature in dark ink, consisting of a large, stylized 'A' followed by a horizontal line that tapers to the right.

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