



U.S. Department of Justice

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Washington, DC 20530

April 26, 2016

Ms. Sherrilyn A. Ifill  
President and Director-Counsel  
NAACP Legal Defense and Educational Fund, Inc.  
40 Rector Street, 5<sup>th</sup> Floor  
New York, NY 10006-1738

Dear Ms. Ifill:

This responds to your letter to the Attorney General dated February 4, 2016, which asked the Department of Justice (the Department) to open an investigation of the North Charleston Police Department and expand its ongoing investigation of the Baltimore Police Department to include the Baltimore School Police Force. In addition, you requested an update on the status of two ongoing criminal investigations and expressed support for the opening of a criminal investigation concerning a shooting death.

The Department appreciates your continued interest and support as we work to improve policing nationwide to create safer and fairer communities. The Civil Rights Division's Special Litigation Section and Criminal Section are able to provide updated information about the matters you raised.

As you know, the Special Litigation Section enforces the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. § 14141 (Section 14141). Section 14141 authorizes the Department to seek relief for a pattern or practice of conduct by law enforcement officers that deprives persons of rights, privileges, or immunities secured or protected by the Constitution or federal laws.

We are aware of the tragic circumstances surrounding the death of Walter Scott, and as noted in your letter, the Special Litigation Section received several requests to open a pattern and practice investigation of the North Charleston Police Department based on that event. We are also aware of the additional allegations you describe, which concern racial profiling, irrational and race-based code enforcement, and misuse of law enforcement power for revenue generation. The Special Litigation Section takes requests to open pattern and practice investigations very seriously and is giving the circumstances in North Charleston the considerable scrutiny they deserve. We are continuing to evaluate whether it is appropriate to open a pattern or practice investigation.

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The Department of Justice opened its investigation into the Baltimore Police Department on May 8, 2015, to determine whether its officers commit systemic violations of the Constitution or federal law. Our investigation focuses on officers' use of force, stops, searches and arrests, as well as whether there is a pattern or practice of discriminatory policing. We have not opened a separate investigation of the Baltimore School Police Force at this time, and we are still evaluating that request, along with other information we have received, to determine whether an investigation is appropriate. As noted in your letter, however, the Baltimore City Public School System and the Baltimore Police Department have entered into a Memorandum of Understanding that allows school police officers to engage in law enforcement activities citywide. As set forth in that agreement, these activities are done concurrently and in conjunction with the Baltimore Police Department. We are considering these joint activities as a part of our investigation into the Baltimore Police Department.

The Criminal Section of the Civil Rights Division enforces the federal criminal civil rights statutes that pertain to incidents of official misconduct and violent bias-motivated crimes. Much of our enforcement activity relates to the investigation and prosecution of deprivations of civil rights under color of law. These matters generally involve allegations of excessive physical force by law enforcement officers.

Officials from the Civil Rights Division, the FBI, and the U.S. Attorney's Office for the Eastern District of New York are conducting an independent federal criminal civil rights investigation into the death of Eric Garner. Because the Department's investigation remains open and ongoing, we cannot comment any further on the matter at this time. As you may know, on March 8, 2016, the U.S. Attorney's Office for the Southern District of New York announced that there was insufficient evidence to pursue federal criminal charges in connection with the fatal shooting of Ramarley Graham and that it was, accordingly, closing its investigations into Mr. Graham's death. We appreciate your concerns about the death of Mohamed Bah, but we are not in a position to comment about that matter at this time.

We hope this information is helpful. Please do not hesitate to contact this office if we may provide additional assistance regarding this or any other matter.

Sincerely,



Alexa Chappell  
Intergovernmental Liaison