

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5051
MINORITY (202) 225-5074
<https://oversight.house.gov>

September 28, 2020

Jeri Williams
Chief
Phoenix Police Department
620 West Washington Street
Phoenix, AZ 85003

Dear Chief Williams:

The Subcommittee on Civil Rights and Civil Liberties is seeking information on the response of the Phoenix Police Department (PPD) to allegations that several of your officers had social media accounts that portrayed violent, racist, or white supremacist views.

In June 2019, Injustice Watch and BuzzFeed News published the Plain View Project (“the Project”), a multiyear investigation into instances of bigoted or white supremacist comments by law enforcement officers.¹

The Project revealed that 72 current officers had published Facebook posts that could erode the public’s confidence in fair treatment from law enforcement and may have violated the Department’s social media policy.² Those 72 current officers—and at least 25 former officers—were responsible for at least 282 concerning Facebook posts, many of which endorsed violence against Mexicans, Muslims, women, and criminal defendants.³

¹ *Cops Across the U.S. Have Been Exposed Posting Racist and Violent Things on Facebook. Here’s the Proof*, BuzzFeed News (June 1, 2019) (online at www.buzzfeednews.com/article/emilyhoerner/police-facebook-racist-violent-posts-comments-philadelphia).

² *Phoenix Officers Exposed for Racist, Violent Facebook Posts*, ABC 15 Arizona (June 3, 2019) (online at www.abc15.com/news/region-phoenix-metro/central-phoenix/phoenix-officers-most-racist-violent-facebook-posts); *Phoenix Police Chief Disciplines 70 Officers After Review of Social Media Posts*, Injustice Watch (Oct. 23, 2019) (online at www.injusticewatch.org/news/2019/phoenix-police-chief-disciplines-70-officers-after-review-of-social-media-posts/).

³ *Phoenix Officer in Facebook Post Scandal Fired, Chief Says*, AZ Central (Oct. 22, 2019) (online at www.azcentral.com/story/news/local/phoenix/2019/10/22/phoenix-police-officer-david-swick-fired-after-facebook-post-scandal/4066312002/); *Phoenix Cops Bash Muslims, Call Black People Thugs in Shocking Facebook Posts*, Phoenix New Times (June 3, 2019) (online at www.phoenixnewtimes.com/news/phoenix-cops-bash-muslims-immigrants-and-black-people-online-11306928); *A Timeline of the Phoenix Police Department’s Worst Misconduct Scandals*, Phoenix New Times (June 10, 2019) (online at www.phoenixnewtimes.com/news/timeline-of-the-phoenix-polices-worst-misconduct-scandals-11309123).

One of your officers reportedly targeted Muslim and Black individuals and wrote that “[s]tatistics show that criminals commit less crime after they’ve been shot.”⁴ Eleven of the officers identified have previously been accused of killing or gravely injuring people.⁵

News reports indicate that PPD placed at least 12 officers on administrative leave as the Department investigated their social media posts.⁶ As of October 2019, PPD fired one officer because of the Project, suspended at least nine others, and mandated “supervisory coaching” for 60 more.⁷ However, it is unclear which officers were investigated and how each was disciplined, what other consequences they suffered, or why PPD did not suspend more officers.

Racist and violent social media postings from police officers threaten to erode the public’s trust in the PPD, particularly in light of the current social movement to protest racist police practices and excessive use of force against Black people.

The PPD has a troubling history of violence that can undermine the Department’s relationship with the Black community. Just this month, you asked the Federal Bureau of Investigations to conduct an independent civil rights investigation into the shooting of a 29-year-old Latinx man, James Garcia.⁸ Mr. Garcia’s death has led to days of protests against racialized police brutality in Phoenix.⁹

The murder of Mr. Garcia is only one example of the controversy that has eroded trust between communities of color in Phoenix and law enforcement. Last year, the Department came under fire when police officers drew their guns and threatened a couple, Dravon Ames and Iesha Harper, who subsequently claimed that their civil rights were violated.¹⁰ In 2014, an unarmed 34-year-old Black man, Romain Brisbon, was fatally shot by police in a Phoenix apartment

⁴ *Phoenix Officer in Facebook Post Scandal Fired, Chief Says*, AZ Central (Oct. 22, 2019) (online at www.azcentral.com/story/news/local/phoenix/2019/10/22/phoenix-police-officer-david-swick-fired-after-facebook-post-scandal/4066312002/)

⁵ *11 Phoenix Cops in Facebook Database Accused of Killing or Gravely Injuring People*, Phoenix New Times (June 5, 2019) (online at www.phoenixnewtimes.com/news/11-cops-in-facebook-database-have-killed-or-injured-people-11307904).

⁶ *Phoenix Officer in Facebook Post Scandal Fired, Chief Says*, AZ Central (Oct. 22, 2019) (online at www.azcentral.com/story/news/local/phoenix/2019/10/22/phoenix-police-officer-david-swick-fired-after-facebook-post-scandal/4066312002/)

⁷ *Phoenix Police Chief Disciplines 70 Officers After Review of Social Media Posts*, Injustice Watch (Oct. 23, 2019) (online at www.injusticewatch.org/news/2019/phoenix-police-chief-disciplines-70-officers-after-review-of-social-media-posts/)

⁸ *Phoenix Police Chief Requests FBI Investigates Officer-Involved Shooting*, KTAR (July 9, 2020) (online at www.ktar.com/story/3371509/phoenix-police-chief-requests-fbi-investigates-officer-involved-shooting/).

⁹ *Family of Phoenix Police Shooting Victim James Garcia Demands Body-Camera Video*, AZ Central (July 8, 2020) (online at www.azcentral.com/story/news/local/phoenix-breaking/2020/07/08/james-garcia-family-demands-phoenix-police-release-video-shooting/5402210002/).

¹⁰ *Phoenix Mayor Apologies After Police Draw Guns on Family Over Report of Stolen Doll*, N.Y. Times (June 16, 2019) (online at www.nytimes.com/2019/06/16/us/phoenix-police-brutality-lawsuit.html).

complex.¹¹ These incidents fall into a broader pattern of police violence; in 2018, the city had the highest number of police-involved shootings in the nation.¹²

Law enforcement must have the trust of communities of color in order to protect and serve them. The events unfolding across the country these past months make it painfully clear that police departments, including PPD, must actively work to eliminate racism and bigotry within their own ranks.

For these reasons, we request that you provide the Subcommittee with information and documents sufficient to show:

1. For which of the 97 current and former PPD officers identified by the Plain View Project did PPD launch a formal internal investigation, including:
 - a. the criteria used to determine whether to launch a formal investigation;
 - b. for every officer for whom no formal investigation was launched, the reason why;
 - c. for every officer for whom a formal investigation was launched, the scope, status, and outcome of the investigation;
 - d. whether PPD took any disciplinary action against each of the officers investigated;
 - i. if PPD did not take disciplinary action, why not;
 - ii. if PPD did take disciplinary action, what was that action and how did PPD determine what action to take;
2. Whether PPD make any effort to determine if additional officers not identified by the Project had problematic social media posts, and if so:
 - a. what were those efforts;
 - b. for each additional officer identified:
 - i. the officer's identity;
 - ii. the problematic social media posting(s);

¹¹ *Unarmed Arizona Man Killed by Cop*, USA Today (Dec. 4, 2014) (online at www.usatoday.com/story/news/nation/2014/12/04/phoenix-police-unarmed-man-killed-by-officer/19878931/).

¹² *Record Number of Phoenix Shootings Add Fuel to the Fire of Protests*, The Copper Courier (June 9, 2020) (online at www.coppercourier.com/story/history-police-violence-phoenix-george-floyd-dion-johnson/).

- iii. whether PPD launched a formal investigation, and if so, the information responsive to items 1 a-d above;
3. Whether PPD provided any training to officers in light of the Project, and if so;
 - a. a complete description of the training, including the subject matter, content, and duration;
 - b. who was required to complete the training;
4. Whether any of the officers referenced in items 1 and 2 above had and complaints filed against them or prior disciplinary action, including:
 - a. the date, nature, and outcome of the complaint;
 - b. the date, reason for, and nature of the discipline;
5. Prior to the release of the Project, what PPD policies covered officers' activity on Facebook and other social media platforms;
6. What policy changes PPD had made to address the activity revealed by the Project;
7. Whether and how, in the future, applicants or employee social media profiles will be screened;
8. Whether and how PPD screens applicants and employees for racial, gender, or any other bias that could impact policing;
9. Whether PPD took any action against former PPD officers identified by the Project, including, but not limited to:
 - a. notifying their current employers, if those employers are law enforcement agencies; and
 - b. placing a note in their personnel files that will prevent officers from being rehired or from receiving a positive reference from PPD.

Please provide the requested information by October 15, 2020. The Committee on Oversight and Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate "any matter" at "any time" under House Rule X.

An attachment to this letter provides additional instructions for responding to the Subcommittee's request. If you have any questions regarding this request, please contact Subcommittee staff at (202) 225-5051.

Chief Jeri Williams
Page 5

Sincerely,

A handwritten signature in blue ink that reads "Jamie Raskin". The signature is written in a cursive style with a horizontal line underneath it.

Jamie Raskin
Chairman
Subcommittee on Civil Rights and Civil Liberties

Enclosure

cc: The Honorable Chip Roy, Ranking Member

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September 28, 2020

Danielle M. Outlaw
Commissioner
Philadelphia Police Department
750 Race Street
Philadelphia, PA 19196

Dear Commissioner Outlaw:

The Subcommittee on Civil Rights and Civil Liberties is seeking information on the response of the Philadelphia Police Department (PPD) to allegations that several of your officers had social media accounts that portrayed violent, racist, or white supremacist views.

In June 2019, Injustice Watch and BuzzFeed News published the Plain View Project (“the Project”), a multiyear investigation into instances of bigoted or white supremacist comments by law enforcement officers.¹

The Project revealed that nearly 330 current and 175 former PPD officers had published Facebook posts that potentially violated PPD’s social media policy.² Those 505 current and former officers were responsible for 1,100 Facebook posts displaying violence, xenophobia, and racism.³ Some of your officers reportedly wrote anti-Black and anti-Muslim posts and comments and frequently advocated violence against people in the community.⁴

News reports indicate that PPD initiated internal investigations for at least 72 officers identified by the Project.⁵ As of July 2019, 13 officers had been terminated as a result of “racist,

¹ *Cops Across the U.S. Have Been Exposed Posting Racist and Violent Things on Facebook. Here’s the Proof*, BuzzFeed News (June 1, 2019) (online at www.buzzfeednews.com/article/emilyhoerner/police-facebook-racist-violent-posts-comments-philadelphia).

² *Group Catalogs Racist, Intolerant Facebook Posts by Hundreds of Philly Police Officers*, The Philadelphia Inquirer (June 1, 2019) (online at www.inquirer.com/news/philadelphia-police-philadelphia-facebook-comments-racist-20190601.html).

³ *Id.*

⁴ *Here are Examples of Alleged Facebook Posts by Philadelphia Police Officers*, The Philadelphia Inquirer (June 1, 2019) (online at www.inquirer.com/news/philadelphia-police-facebook-posts-bias-violence-racism-20190601.html).

⁵ *72 Philadelphia Officers Benched After Offensive Social Media Posts*, New York Times (June 20, 2020) (online at www.nytimes.com/2019/06/20/us/philly-cops-plain-view-project.html);

homophobic, and violent social media posts,” and another four had to undergo anti-bias training following suspensions.⁶ However, it is unclear which officers were investigated and disciplined, what consequences they suffered, or why PPD did not investigate all 330 officers identified by the Project.

Racist and violent social media postings from police officers threaten to erode the public’s trust in PPD, particularly considering the current social movement to protest racist police practices and excessive use of force against Black people.

PPD has a troubling history of violence that can undermine the Department’s relationship with the Black community. In particular, PPD has come under fire for the 2017 murder of David Jones by a Philadelphia police officer, Ryan Pownall. Mr. Pownall claimed that he shot Mr. Jones in self-defense, even though Mr. Jones was unarmed and had his back turned to him.⁷

The murder of Mr. Jones is only one controversy that has eroded trust between communities of color in Philadelphia and your Department. In 2014, a 26-year old African-American man, Brandon Tate-Brown, was killed by police during a traffic stop.⁸ In 2007, 15-year-old Roland Timbers was fatally shot in his own home by an officer with a history of violent behavior.⁹ These incidents are part of a decades-long history of police brutality against Black residents of Philadelphia that has resulted in numerous federal civil rights lawsuits.¹⁰

Law enforcement must have the trust of communities of color in order to protect and serve them. The events unfolding across the country these past months make it painfully clear that police departments, including PPD, must actively work to eliminate racism and bigotry within their own ranks.

For these reasons, we request that you provide the Subcommittee with information and documents sufficient to show:

1. For which of the 505 current and former PPD officers identified by the Plain View Project did PPD launch a formal internal investigation, including:

⁶ *13 Philadelphia Officers to be Fired Over Racist and Violent Facebook Posts*, NBC Philadelphia (July 19, 2019) (online at www.nbcphiladelphia.com/news/national-international/philadelphia-police-officers-facebook-posts/170494/).

⁷ *Police Set to Fire Officer Who Killed David Jones*, Philadelphia Tribune (Sept. 8, 2017) (online at www.phillytrib.com/news/police-set-to-fire-officer-who-killed-david-jones/article_ab027732-a86e-5d61-82f5-fd4cc375089e.html).

⁸ *Philadelphia Police Officer Shoots Suspect in Head During Deadly Struggle*, NBC Philadelphia (Dec. 15, 2014) (online at www.nbcphiladelphia.com/news/national-international/mayfair-police-shooting/2007102/).

⁹ *Veteran Philly Cop, Arrested This Week Over Incident in March, Had Prior Blemishes on Record*, Philadelphia Inquirer (Jan. 8, 2011) (online at www.inquirer.com/philly/hp/news_update/20110108_Veteran_Philly_cop__arrested_this_week_over_incident_in_March__had_prior_blemishes_on_his_record.html).

¹⁰ *Police Brutality Against Black People in Philadelphia: A Timeline*, Philadelphia Inquirer (July 10, 2020) (online at www.inquirer.com/news/inq/philadelphia-police-brutality-history-frank-rizzo-20200710.html).

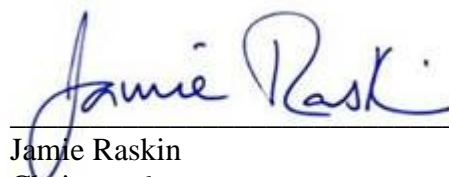
- a. the criteria used to determine whether to launch a formal investigation;
 - b. for every officer for whom no formal investigation was launched, the reason why;
 - c. for every officer for whom a formal investigation was launched, the scope, status, and outcome of the investigation;
 - d. whether PPD took any disciplinary action against each of the officers investigated;
 - i. if PPD did not take disciplinary action, why not;
 - ii. if PPD did take disciplinary action, what was that action and how did PPD determine what action to take;
2. Whether PPD made any effort to determine if additional officers not identified by the Project had problematic social media posts, and if so:
 - a. what were those efforts;
 - b. for each additional officer identified:
 - i. the officer's identity;
 - ii. the problematic social media posting(s);
 - iii. whether PPD launched a formal investigation, and if so, the information responsive to items 1 a-d above; and
3. Whether PPD provided any training to officers in light of the Project, and if so;
 - a. a complete description of the training, including the subject matter, content, and duration;
 - b. who was required to complete the training;
4. Whether any of the officers referenced in items 1 and 2 above had and complaints filed against them or prior disciplinary action, including:
 - a. the date, nature, and outcome of the complaint;
 - b. the date, reason for, and nature of the discipline;

5. Prior to the release of the Project, what PPD policies covered officers' activity on Facebook and other social media platforms;
6. What policy changes PPD has made to address the activity revealed by the Project;
7. Whether and how, in the future, applicants or employee social media profiles will be screened;
8. Whether and how PPD screens applicants and employees for racial, gender, or any other bias that could impact policing;
9. Whether PPD took any action against former PPD officers identified by the Project, including, but not limited to:
 - a. Notifying their current employers, if those employers are law enforcement agencies; and
 - b. Placing a note in their personnel files that will prevent officers from being rehired or from receiving a positive reference from PPD.

Please provide the requested information by October 15, 2020. The Committee on Oversight and Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate "any matter" at "any time" under House Rule X.

An attachment to this letter provides additional instructions for responding to the Subcommittee's request. If you have any questions regarding this request, please contact Subcommittee staff at (202) 225-5051.

Sincerely,

A handwritten signature in blue ink that reads "Jamie Raskin". The signature is fluid and cursive, with a horizontal line drawn underneath it.

Jamie Raskin
Chairman6
Subcommittee on Civil Rights and Civil Liberties

Enclosure

cc: The Honorable Chip Roy, Ranking Member

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September 28, 2020

Major Reuben Ramirez
Internal Affairs Division
Dallas Police Department
1400 S. Lamar Street
Dallas, TX 75215

Dear Major Ramirez:

The Subcommittee on Civil Rights and Civil Liberties is seeking information on the response of the Dallas Police Department (DPD) to allegations that several of your officers had social media accounts that portrayed violent, racist, or white supremacist views.

In June 2019, Injustice Watch and BuzzFeed News published the Plain View Project (“the Project”), a multiyear investigation into instances of bigoted or white supremacist comments by law enforcement officers.¹

The Project revealed that 109 current and 60 former DPD officers published Facebook posts that violated DPD’s social media policy.² Those 109 current officers were responsible for 445 Facebook posts displaying violence, xenophobia, and racism.³ Some of your officers reportedly reference the Three Percenters, a group that has been identified as an anti-government militia whose members provided security for the white supremacist Unite the Right Rally in Charlottesville, Virginia.⁴

New reports indicate that DPD initiated internal investigations for at least 25 officers identified by the Project and that at least 13 were disciplined. However, it is unclear which

¹ *Cops Across the U.S. Have Been Exposed Posting Racist and Violent Things on Facebook. Here’s the Proof*, BuzzFeed News (June 1, 2019) (online at www.buzzfeednews.com/article/emilyhoerner/police-facebook-racist-violent-posts-comments-philadelphia).

² *13 Dallas Officers Disciplined for Social Media “Misconduct,”* CBS News (Jan. 31, 2020) (online at www.cbsnews.com/news/dallas-officers-disciplined-for-social-media-misconduct-plain-view-project/).

³ *Id.*

⁴ *Here’s Why Dallas Leaders Are Troubled By Police Officers’ Questionable and Bigoted Facebook Posts*, Dallas Morning News (July 20, 2019) (online at www.dallasnews.com/news/2019/07/20/heres-why-dallas-leaders-are-troubled-by-police-officers-questionable-and-bigoted-facebook-posts/); *The Hate Report: Get to Know the Three Percenters*, Reveal News (Mar. 16, 2018) (online at www.revealnews.org/blog/hate-report-get-to-know-the-three-percenters/).

officers were investigated and disciplined, what consequences they suffered, or why DPD did not investigate all 109 officers identified by the Project.

Racist and violent social media postings from police officers threaten to erode the public's trust in the DPD, particularly in light of the current social movement to protest racist police practices and excessive use of force against Black people.

The DPD has a troubling history of violence that can undermine the Department's relationship with the Black community. In particular, the Dallas Police Department has come under fire for the 2018 murder of Botham Jean by a Dallas police officer, Amber Guyger. Guyger claimed that she shot Jean because she thought he was an intruder in her home, even though the murder occurred in Jean's apartment.⁵

The murder of Mr. Jean is only one controversy that has eroded trust between communities of color in Dallas and your Department. In a 2016 incident that has disturbing echoes of Mr. Floyd's case, a 32-year old Black man, Tony Timpa, died in police custody while pinned down by multiple officers.⁶ In 2009, an Black man was wrongly arrested and charged with aggravated assault of an officer, whose claims were flatly contradicted by video evidence.⁷

Law enforcement must have the trust of communities of color in order to protect and serve them. The events unfolding across the country these past months make it painfully clear that police departments, including DPD, must actively work to eliminate racism and bigotry within their own ranks.

For these reasons, we request that you provide the Subcommittee with information and documents sufficient to show:

1. For which of the 169 current and former DPD officers identified by the Plain View Project did DPD launch a formal internal investigation, including:
 - a. the criteria used to determine whether to launch a formal investigation;
 - b. for every officer for whom no formal investigation was launched, the reason why;
 - c. for every officer for whom a formal investigation was launched, the scope, status, and outcome of the investigation;
 - d. whether DPD took any disciplinary action against each of the officers investigated;

⁵ *Former Dallas Police Officer Is Guilty of Murder for Killing Her Neighbor*, New York Times (Oct. 1, 2019) (online at www.nytimes.com/2019/10/01/us/amber-guyger-trial-verdict-botham-jean.html).

⁶ *Dallas Officers Pinned Tony Timpa and Joked During Fatal Encounter, Video Shows*, N.Y. Times (Aug. 1, 2019) (online at www.nytimes.com/2019/08/01/us/tony-timpa-dallas-police-body-cam.html).

⁷ *Dallas Settles for \$1.1 Million in False Arrest Case*, KVUE (Mar. 27, 2014) (online at www.kvue.com/article/news/local/texas-news/dallas-settles-for-11-million-in-false-arrest-case/269-259322468).

- i. if DPD did not take disciplinary action, why not;
 - ii. if DPD did take disciplinary action, what was that action and how did DPD determine what action to take;
2. Whether DPD made any effort to determine if additional officers not identified by the Project had problematic social media posts, and if so:
 - a. what were those efforts;
 - b. for each additional officer identified:
 - i. the officer's identity;
 - ii. the problematic social media posting(s);
 - iii. whether DPD launched a formal investigation, and if so, the information responsive to items 1 a-d above;
3. Whether DPD provided any training to officers in light of the Project, and if so:
 - a. a complete description of the training, including the subject matter, content, and duration;
 - b. who was required to complete the training;
4. Whether any of the officers referenced in items 1 and 2 above had and complaints filed against them or prior disciplinary action, including:
 - a. the date, nature, and outcome of the complaint;
 - b. the date, reason for, and nature of the discipline;
5. Prior to the release of the Project, what DPD policies covered officers' activity on Facebook and other social media platforms;
6. What policy changes DPD had made to address the activity revealed by the Project;
7. Whether and how, in the future, applicants or employee social media profiles will be screened;
8. Whether and how DPD screens applicants and employees for racial, gender, or any other bias that could impact policing;

9. Whether DPD took any action against former DPD officers identified by the Project, including, but not limited to:
 - a. notifying their current employers, if those employers are law enforcement agencies; and
 - b. placing a note in their personnel files that will prevent officers from being rehired or from receiving a positive reference from DPD.

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Sincerely,

A handwritten signature in blue ink that reads "Jamie Raskin". The signature is fluid and cursive, with the first name "Jamie" and last name "Raskin" clearly legible.

Jamie Raskin
Chairman

Subcommittee on Civil Rights and Civil Liberties

Enclosure

cc: The Honorable Chip Roy, Ranking Member

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September 28, 2020

Colonel John W. Hayden, Jr.
Commissioner
St. Louis Police Department
1915 Olive Street
St. Louis, Missouri 63103

Dear Colonel Hayden:

The Subcommittee on Civil Rights and Civil Liberties is seeking information on the St. Louis Police Department's (STLPD) response to allegations that several of your officers had social media accounts that portrayed violent, racist, or white supremacist views.

In June 2019, Injustice Watch and BuzzFeed News published the Plain View Project ("the Project"), a multiyear investigation into instances of bigoted or white supremacist comments by law enforcement officers.¹

The Project revealed that 43 current and former police officers in the STLPD shared bigoted content on Facebook."² Those 43 officers, including 22 who are currently on the force, were responsible for more than 400 posts that espoused this content, with a particular antipathy against "Muslims and 'thugs.'"³ One of your officers posted racist content under a pseudonym, Ron Nighthawk, which many saw as a reference to a leadership position in the Ku Klux Klan.⁴

¹ *Cops Across the U.S. Have Been Exposed Posting Racist and Violent Things on Facebook. Here's the Proof*, BuzzFeed News (June 1, 2019) (online at www.buzzfeednews.com/article/emilyhoerner/police-facebook-racist-violent-posts-comments-philadelphia).

² *St. Louis Cops' Nastiest Facebook Posts Now Being Reviewed by Internal Affairs*, Riverfront Times (June 3, 2019) (online at www.riverfronttimes.com/newsblog/2019/06/03/st-louis-cops-nastiest-facebook-posts-now-being-reviewed-by-internal-affairs); 2 *St. Louis Police Officers Fired Over Facebook Posts*, ABC News (Dec. 10, 2019) (online at www.abcnnews.go.com/US/wireStory/st-louis-police-officers-fired-facebook-posts-67625035).

³ *Id.*.

⁴ *St. Louis Police Officers Fired for Racist Social Media Posts*, St. Louis Public Radio (Dec. 9, 2019) (online at www.news.stlpublicradio.org/post/st-louis-police-officers-fired-racist-social-media-posts#stream/0).

New reports indicate that STLPD initiated internal investigations regarding these Facebook posts, placing several officers on administrative leave in the process.⁵ All 22 active-duty officers were placed on Circuit Attorney Kim Gardener's "exclusion list," meaning that they could not seek to press criminal charges against suspects, and seven were barred permanently from obtaining warrants.⁶ By December 2019, two officers had been terminated because of the posts exposed by the Project.⁷ However, it is unclear what other steps the STLPD has taken to respond to the Project's findings about the 20 remaining active duty officers.

Racist and violent social media postings from police officers threaten to erode the public's trust in the STLPD, particularly in light of the current social movement to protest racist police practices and excessive use of force against Black people.

The history of police violence in the St. Louis area has long threatened to undermine the relationship between the STLPD and the Black community. In particular, St. Louis was riven by tension following the 2017 acquittal of former STLPD officer Jason Stockley, who fatally shot 24-year-old Anthony Lamar Smith during a highway encounter in which Stockley stated that he was "going to kill this motherfucker, don't you know it."⁸

The murder of Mr. Smith is one example of the strained race relations of the Department. In 2017, Milton Green, a Black police officer with years of experience at the STLPD, was shot in the arm by white colleagues while displaying his badge.⁹ Three other white officers were revealed to have exchanged racist texts during the protests that followed Jason Stockley's acquittal.¹⁰ The 2014 murder of 18-year-old Michael Brown embroiled the St. Louis area in a national conversation about racialized police brutality.¹¹

Law enforcement must have the trust of communities of color in order to protect and serve them. The events unfolding across the country these past months make it clear that police

⁵ *Several St. Louis Police Officers on Administrative Duty While Internal Affairs Investigations Underway*, KDSK (June 7, 2019) (online at www.ksdk.com/article/news/local/several-st-louis-police-officers-put-on-administrative-duty-while-internal-affairs-investigation-underway/63-a82c46de-5f53-4d57-bfc3-faf252628b0f).

⁶ *Circuit Attorney Puts 22 Officers on Exclusion List After Accusations of Racist Facebook Posts*, KDSK (June 18, 2019) (online at www.ksdk.com/article/news/local/circuit-attorney-puts-22-officers-on-exclusion-list-after-accusations-of-racist-facebook-posts/63-c3c50127-ab2b-4ba3-a5c3-4c8a8513fd26).

⁷ *St. Louis Police Officers Fired for Racist Social Media Posts*, St. Louis Public Radio (Dec. 9, 2019) (online at www.news.stlpublicradio.org/post/st-louis-police-officers-fired-racist-social-media-posts#stream/0).

⁸ *Tensions Simmer in St. Louis After White Officer Acquitted of Killing Black Motorist*, The Guardian (Sep. 15, 2017) (online at www.theguardian.com/us-news/2017/sep/15/ex-st-louis-police-officer-found-not-guilty-murder-jason-stockley-anthony-lamar-smith).

⁹ *A White Officer Shoots a Black Colleague, Deepening a Racial Divide*, New York Times (Nov. 24, 2019) (online at www.nytimes.com/2019/11/24/us/st-louis-race-police.html).

¹⁰ *Sadism in the St. Louis Police Department*, The Atlantic (Dec. 3, 2018) (online at www.theatlantic.com/ideas/archive/2018/12/st-louis-police-brutality-stockley/577174/).

¹¹ *Autopsy Shows Michael Brown Was Struck at Least 6 Times*, New York Times (Aug. 17, 2014) (online at www.nytimes.com/2014/08/18/us/michael-brown-autopsy-shows-he-was-shot-at-least-6-times.html).

departments, including STLPD, must actively work to eliminate racism and bigotry within their own ranks.

For these reasons, we request that you provide the Subcommittee with information and documents sufficient to show:

1. For which of the 43 current and former STLPD officers identified by the Plain View Project did STLPD launch a formal internal investigation, including:
 - a. the criteria used to determine whether to launch a formal investigation;
 - b. for every officer for whom no formal investigation was launched, the reason why;
 - c. for every officer for whom a formal investigation was launched, the scope, status, and outcome of the investigation;
 - d. whether STLPD took any disciplinary action against each of the officers investigated; and
 - i. if STLPD did not take disciplinary action, why not;
 - ii. if STLPD did take disciplinary action, what was that action and how did STLPD determine what action to take;
2. Whether STLPD made any effort to determine if additional officers not identified by the Project had problematic social media posts, and if so:
 - a. what were those efforts; and
 - b. for each additional officer identified:
 - i. the officer's identity;
 - ii. the problematic social media posting(s);
 - iii. whether STLPD launched a formal investigation, and if so, the information responsive to items 1 a-d above;
3. Whether STLPD provided any training to officers in light of the Project, and if so;
 - a. a complete description of the training, including the subject matter, content, and duration;
 - b. who was required to complete the training;

4. Whether any of the officers referenced in items 1 and 2 above had and complaints filed against them or prior disciplinary action, including:
 - a. the date, nature, and outcome of the complaint;
 - b. the date, reason for, and nature of the discipline;
5. Prior to the release of the Project, what STLPD policies covered officers' activity on Facebook and other social media platforms;
6. What policy changes STLPD had made to address the activity revealed by the Project;
7. Whether and how, in the future, applicants or employee social media profiles will be screened;
8. Whether and how STLPD screens applicants and employees for racial, gender, or any other bias that could impact policing;
9. Whether STLPD took any action against former STLPD officers identified by the Project, including, but not limited to;
 - a. notifying their current employers, if those employers are law enforcement agencies;
 - b. placing a note in their personnel files that will prevent officers from being rehired or from receiving a positive reference from STLPD; and
10. Whether the 22 active-duty officers identified in the Project are still listed on the Circuit Attorney's "exclusion list," and whether that prohibition is permanent.

Please provide the requested information by October 15, 2020. The Committee on Oversight and Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate "any matter" at "any time" under House Rule X.

An attachment to this letter provides additional instructions for responding to the Subcommittee's request. If you have any questions regarding this request, please contact Subcommittee staff at (202) 225-5051.

Colonel John W. Hayden

Page 5

Sincerely,

A handwritten signature in blue ink that reads "Jamie Raskin". The signature is written in a cursive style with a horizontal line underneath.

Jamie Raskin
Chairman
Subcommittee on Civil Rights and
Civil Liberties

A handwritten signature in blue ink that reads "Wm. Lacy Clay". The signature is written in a cursive style with a horizontal line underneath.

William Lacy Clay
Member of Congress
Subcommittee on Civil Rights and
Civil Liberties

Enclosure

cc: The Honorable Chip Roy, Ranking Member

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

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September 28, 2020

Osborne Robinson III
Commissioner
York City Police Department
50 West King Street
York, PA 17401

Dear Commissioner Robinson:

The Subcommittee on Civil Rights and Civil Liberties is seeking information on the response of the York City Police Department (YCPD) to allegations that several of your officers had social media accounts that portrayed violent, racist, or white supremacist views.

In June 2019, Injustice Watch and BuzzFeed News published the Plain View Project (“the Project”), a multiyear investigation into instances of bigoted or white supremacist comments by law enforcement officers.¹

The Project revealed 121 posts related to current and former YCPD officers that could have been seen as endorsements of violence and bigotry.² There were at least seven posts from three current officers, although your Department claimed that all of the posts were made either before or after their YCPD tenure.³ One officer, whose posts appeared to endorse brutality, had been previously named in an excessive force lawsuit.⁴

¹ *Cops Across the U.S. Have Been Exposed Posting Racist and Violent Things on Facebook. Here’s the Proof*, BuzzFeed News (June 1, 2019) (online at www.buzzfeednews.com/article/emilyhoerner/police-facebook-racist-violent-posts-comments-philadelphia).

² *Police in 2 Pa. Cities Promoted Violence, Bigotry on Facebook, Report Says*, Penn Live (June 5, 2019) (online at www.pennlive.com/news/2019/06/police-in-2-pa-cities-promoted-violence-bigotry-on-facebook-report-says.html).

³ *York Officials Say No Police Officers Made Social Media Posts Promoting Violence While on the Force*, Penn Live (June 21, 2019) (online at www.pennlive.com/news/2019/06/york-officials-say-no-officers-while-on-the-force-made-social-media-posts-promoting-violence.html); *Here’s How York’s Mayor is Addressing Police Officers’ Controversial Facebook Posts*, York Daily Record (June 12, 2019) (online at www.ydr.com/story/news/crime/2019/06/11/york-pa-mayor-michael-helfrich-addresses-facebook-posts-comments-police-officers-plain-view-project/1417716001/).

⁴ *Woman Punched by Cop in Viral Video Files Lawsuit Against Police Officers, City of York*, York Daily Record (May 2, 2018) (online at www.ydr.com/story/news/2018/05/02/woman-punched-cop-viral-video-files-lawsuit-against-city-york/574057002/).

News reports indicate that YCPD initiated internal investigations about all 121 posts, and that “meetings were held with all active officers to convey the details of the findings” of the internal investigation.⁵ As of August 2019, one officer had been terminated after another independent investigation revealed his Islamophobic activity on Facebook.⁶ However, it is unclear if there was further discipline for the officers identified by the Project, what other consequences they may have suffered, or if YCPD has otherwise followed up on the cultural problems exposed by the bigoted social media presence of its officers.

Racist and violent social media postings from police officers threaten to erode the public’s trust in the YCPD, particularly in light of the current social movement to protest racist police practices and excessive use of force against Black people.

The YCPD must provide further answers about the cultural problems exposed by the Project in order to maintain the trust of a community that is demanding reform and accountability. In June, YCPD Officer Clayton Swartz was accused of acting out George Floyd’s death at a party.⁷ At the same time, the city’s residents were taking to the streets protest police brutality against Black people.⁸

Law enforcement must have the trust of communities of color in order to protect and serve them. The events unfolding across the country these past months make it painfully clear that police departments, including YCPD, must actively work to eliminate racism and bigotry within their own ranks.

For these reasons, we request that you provide the Subcommittee with information and documents sufficient to show:

1. The details of all internal investigations launched in response to the Plain View Project’s identification of current and former YCPD officers, including:
 - a. the criteria used to determine whether to launch a formal investigation;

⁵ *York City Police: 121 FB Posts from Plain View Project Database Associated with Current, Retired Officers*, Fox43 (June 14, 2019) (online at www.fox43.com/article/news/local/contests/york-city-police-121-fb-posts-from-plain-view-project-database-associated-with-current-retired-officers/521-db8694fa-22b1-44c6-b582-ab2c90fb066a).

⁶ *York City Police Officer Exposed in YDR Facebook Investigation No Longer on the Force*, York Daily Record (online at www.ydr.com/story/news/2019/08/22/facebook-posts-probe-york-city-police-officer-griffin-jackson-no-longer-force/2087033001/).

⁷ *York City Cop Accused of Acting Out George Floyd’s Death at Party*, York Dispatch (June 3, 2020) (online at www.yorkdispatch.com/story/news/crime/2020/06/03/york-city-cop-accused-acting-out-george-floyds-death-party/3133448001/).

⁸ *York Demonstrators Take Stand Against Police Brutality*, WGAL (June 5, 2020) (online at www.wgal.com/article/york-demonstrators-take-stand-against-police-brutality/32785314); *Protesters Gather in Peace in York to Stand Against Police Brutality, Honor George Floyd*, York Daily Record (June 2, 2020) (online at www.ydr.com/story/news/2020/06/02/george-floyd-york-pa-protests-continue/3125658001/).

- b. for any officer for whom no formal investigation was launched, the reason why;
 - c. for every officer for whom a formal investigation was launched, the scope, status, and outcome of the investigation;
 - d. whether YCPD took any disciplinary action against each of the officers investigated; and
 - i. if YCPD did not take disciplinary action, why not;
 - ii. if YCPD did take disciplinary action, what was that action and how did YCPD determine what action to take;
- 2. Whether YCPD made any effort to determine if additional officers not identified by the Project had problematic social media posts, and if so:
 - a. what were those efforts;
 - b. for each additional officer identified:
 - i. the officer's identity;
 - ii. the problematic social media posting(s);
 - iii. whether YCPD launched a formal investigation, and if so, the information responsive to items 1 a-d above;
- 3. Whether YCPD provided any training to officers in light of the Project, and if so:
 - a. a complete description of the training, including the subject matter, content, and duration;
 - b. who was required to complete the training;
- 4. Whether any of the officers referenced in items 1 and 2 above had and complaints filed against them or prior disciplinary action, including:
 - a. the date, nature, and outcome of the complaint;
 - b. the date, reason for, and nature of the discipline;
- 5. Prior to the release of the Project, what YCPD policies covered officers' activity on Facebook and other social media platforms;

6. What policy changes YCPD had made to address the activity revealed by the Project;
7. Whether and how, in the future, applicants or employee social media profiles will be screened;
8. Whether and how YCPD screens applicants and employees for racial, gender, or any other bias that could impact policing;
9. Whether YCPD took any action against former YCPD officers identified by the Project, including, but not limited to:
 - a. notifying their current employers, if those employers are law enforcement agencies; and
 - b. placing a note in their personnel files that will prevent officers from being rehired or from receiving a positive reference from YCPD.

Please provide the requested information by October 15, 2020. The Committee on Oversight and Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X.

An attachment to this letter provides additional instructions for responding to the Subcommittee’s request. If you have any questions regarding this request, please contact Subcommittee staff at (202) 225-5051.

Sincerely,



Jamie Raskin
Chairman
Subcommittee on Civil Rights and Civil Liberties

Enclosure

cc: The Honorable Chip Roy, Ranking Member

Congress of the United States
House of Representatives

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September 28, 2020

Craig Kingsbury
Chief
Twin Falls Police Department
321 2nd Avenue East
Twin Falls, ID 83301

Dear Chief Kingsbury:

The Subcommittee on Civil Rights and Civil Liberties is seeking information on the response of the Twin Falls Police Department (TFPD) to allegations that three of your officers had social media accounts that portrayed violent, racist, or white supremacist views.

In June 2019, Injustice Watch and BuzzFeed News published the Plain View Project (“the Project”), a multiyear investigation into instances of bigoted or white supremacist comments by law enforcement officers.¹

The Project revealed that three current and former TFPD officers published Facebook posts that could potentially undermine public trust in TFPD’s officers.² Those three current and former officers were responsible for Facebook posts displaying possible racist sentiment, including a meme that referenced America’s “entitled welfare state breeding thugs problem.”³

News reports indicate that TFPD did not initiate internal investigations for the three officers identified by the Project, and you personally stated that none of the officers named had a current connection to the TFPD.⁴ It is unclear if the TFPD took any other steps to address the allegations of bias contained in the Project. Given that it has been over a year since the

¹ *Cops Across the U.S. Have Been Exposed Posting Racist and Violent Things on Facebook. Here’s the Proof*, BuzzFeed News (June 1, 2019) (online at www.buzzfeednews.com/article/emilyhoerner/police-facebook-racist-violent-posts-comments-philadelphia).

² *A Report Claimed Twin Falls Police Made Racist Posts. The Idaho Department is Puzzled* (July 17, 2020) (online at www.idahostatesman.com/news/northwest/idaho/article232385832.html).

³ *Cops Across the U.S. Have Been Exposed Posting Racist and Violent Things on Facebook. Here’s the Proof*, BuzzFeed News (June 1, 2019) (online at www.buzzfeednews.com/article/emilyhoerner/police-facebook-racist-violent-posts-comments-philadelphia).

⁴ *Twin Falls Police Chief Responds to Controversial Online Article*, KMVT (June 4, 2019) (online at www.kmvt.com/content/news/Twin-Falls-Police-Chief-responds-to-online-article-510838291.html).

publication of the Project, we wanted to see what other steps, if any, TFPD has taken to combat a subculture of bigotry and racism.

Racist and violent social media postings from police officers threaten to erode the public's trust in the TFPD, particularly in light of the current social movement to protest racist police practices and excessive use of force against Black people. Twin Falls residents have joined in these peaceful protests, which should make it urgently clear that your Department should be fully transparent about its work to actively eliminate bigotry within its own ranks.⁵

Law enforcement must have the trust of communities of color in order to protect and serve them. The events unfolding across the country these past months make it painfully clear that police departments, including TFPD, must actively work to undo a history of racism and bigotry within law enforcement.

For these reasons, we request that you provide the Subcommittee with information and documents sufficient to show:

1. The details of all internal investigations launched in response to the Plain View Project's identification of current and former TFPD officers, including:
 - a. the criteria used to determine whether to launch a formal investigation;
 - b. for any officer for whom no formal investigation was launched, the reason why;
 - c. for every officer for whom a formal investigation was launched, the scope, status, and outcome of the investigation;
 - d. Whether TFPD took any disciplinary action against each of the officers investigated;
 - i. if TFPD did not take disciplinary action, why not;
 - ii. if TFPD did take disciplinary action, what was that action and how did TFPD determine what action to take;
2. Whether TFPD made any effort to determine if additional officers not identified by the Project had problematic social media posts, and if so:
 - a. what were those efforts;

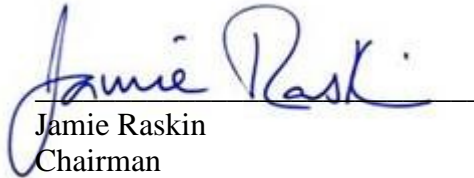
⁵ *Hundreds Gather in Vigil for George Floyd in Twin Falls City Park*, Times-News (June 2, 2020) (online at www.magicvalley.com/news/local/hundreds-gather-in-vigil-for-george-floyd-in-twin-falls-city-park/article_b4db39e6-6674-5636-b282-535e07004fee.html); *Hundreds Turn Out for Vigil in Twin Falls City Park*, KMVT (June 3, 2020) (online at www.kmvt.com/content/news/Hundreds-turn-out-for-vigil-in-Twin-Falls-city-park-570996851.html?ref=851).

- b. for each additional officer identified:
 - i. the officer's identity;
 - ii. the problematic social media posting(s);
 - iii. whether TFPD launched a formal investigation, and if so, the information responsive to items 1 a-d above;
- 3. Whether TFPD provided any training to officers in light of the Project, and if so;
 - a. a complete description of the training, including the subject matter, content, and duration;
 - b. who was required to complete the training;
- 4. Whether any of the officers referenced in items 1 and 2 above had and complaints filed against them or prior disciplinary action, including:
 - a. the date, nature, and outcome of the complaint;
 - b. the date, reason for, and nature of the discipline;
- 5. Prior to the release of the Project, what TFPD policies covered officers' activity on Facebook and other social media platforms;
- 6. What policy changes TFPD had made to address the activity revealed by the Project;
- 7. Whether and how, in the future, applicants or employee social media profiles will be screened;
- 8. Whether and how TFPD screens applicants and employees for racial, gender, or any other bias that could impact policing;
- 9. Whether TFPD took any action against former TFPD officers identified by the Project, including, but not limited to:
 - a. notifying their current employers, if those employers are law enforcement agencies; and
 - b. placing a note in their personnel files that will prevent officers from being rehired or from receiving a positive reference from TFPD.

Please provide the requested information by October 15, 2020. The Committee on Oversight and Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X.

An attachment to this letter provides additional instructions for responding to the Subcommittee’s request. If you have any questions regarding this request, please contact Subcommittee staff at (202) 225-5051.

Sincerely,

A handwritten signature in blue ink that reads "Jamie Raskin". The signature is written in a cursive style with a horizontal line underneath it.

Jamie Raskin
Chairman

Subcommittee on Civil Rights and Civil Liberties

Enclosure

cc: The Honorable Chip Roy, Ranking Member

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September 28, 2020

Mike Gudgel
Chief
Denison Police Department
108 W. Main Street
Denison, TX 75021

Dear Chief Gudgel:

The Subcommittee on Civil Rights and Civil Liberties is seeking information on the response of the Denison Police Department (DPD) response to allegations that several of your officers had social media accounts that portrayed violent, racist, or white supremacist views.

In June 2019, Injustice Watch and BuzzFeed News published the Plain View Project, a multiyear investigation into instances of bigoted or white supremacist comments by law enforcement officers.¹

The Project revealed that at least four DPD officers published Facebook posts that potentially violated DPD's social media policy.² Those current and former DPD employees were responsible for six Facebook posts that appeared to endorse racism or violence.³ One of your officers shared a meme asserting that "violence does solve problems."⁴

News reports indicate that DPD initiated internal investigations for the four officers, terminated one, reprimanded another, and "appropriately counseled" those with the least severe posts.⁵ However, it is unclear which officers were reprimanded and what other consequences

¹ *Cops Across the U.S. Have Been Exposed Posting Racist and Violent Things on Facebook. Here's the Proof*, BuzzFeed News (June 1, 2019) (online at www.buzzfeednews.com/article/emilyhoerner/police-facebook-racist-violent-posts-comments-philadelphia).

² *Denison Police: One Officer No Longer Employed, One Reprimanded Following Social Media Investigation*, Herald Democrat (June 20, 2019) (online at www.heralddemocrat.com/news/20190620/denison-police-one-officer-no-longer-employed-one-reprimanded-following-social-media-investigation).

³ *Id.*

⁴ *North Texas Cops Caught Being Racist Online*, Texas Monthly (June 7, 2019) (online at www.texasmonthly.com/politics/north-texas-cops-caught-sharing-racist-facebook-posts/).

⁵ *Denison Disciplines Officers for Questionable Facebook Posts*, KXII (June 21, 2019) (online at www.kxii.com/content/news/Denison-disciplines-officers-for-questionable-Facebook-posts-511622732.html).

these officers suffered. It is also unclear what, if any, action DPD has taken in the in the year since the Project's publication to address bias in its ranks.

Racist and violent social media postings from police officers can erode the public's trust in the DPD, particularly in light of your Department's controversial police recruitment video that came under intense criticism when it was published in 2014.⁶ The video, which claimed that people "sleep peaceably in their beds at night only because rough men and women stand ready to do violence on their behalf," is apparently one of the reasons why Denison was included in the Project.⁷

Members of your community have recently gathered together to participate in peaceful protests against police brutality following the murder of George Floyd.⁸ The magnitude of this nationwide protest movement make it clear that police departments, including DPD, must actively work to eliminate racism, bigotry, and a culture of violence from their own ranks.

For these reasons, we request that you provide the Subcommittee with information and documents sufficient to show:

1. The details of all internal investigations launched in response to the Plain View Project's identification of current and former DPD officers, including:
 - a. the criteria used to determine whether to launch a formal investigation;
 - b. for every officer for whom no formal investigation was launched, the reason why;
 - c. for every officer for whom a formal investigation was launched, the scope, status, and outcome of the investigation; including how DPD determined the appropriate disciplinary action:
2. Whether DPD made any effort to determine if additional officers not identified by the Project had problematic social media posts, and if so:
 - a. what were those efforts;
 - b. for each additional officer identified:

⁶ *The Disturbing Messages in Police Recruiting Videos*, Washington Post (Apr. 16, 2014) (online at www.washingtonpost.com/news/the-watch/wp/2014/04/16/the-disturbing-messages-in-police-recruiting-videos/); Police Executive Research Forum, *Reengineering Training on Police Use of Force* (August 2015) (online at www.policeforum.org/assets/reengineeringtraining1.pdf).

⁷ *See id*; *Denison Police: One Officer No Longer Employed, One Reprimanded Following Social Media Investigation*, Herald Democrat (June 20, 2019) (online at www.heralddemocrat.com/news/20190620/denison-police-one-officer-no-longer-employed-one-reprimanded-following-social-media-investigation).

⁸ *Marching On: Denison Protesters Call to End Police Brutality*, Herald Democrat (June 4, 2020) (online at www.heralddemocrat.com/news/20200604/marching-on-denison-protesters-call-to-end-police-brutality).

- i. the officer's identity and rank;
 - ii. the problematic social media posting(s);
 - iii. whether DPD launched a formal investigation, and if so, the information responsive to items 1 a-d above;
3. Whether DPD provided any additional training to officers in light of the Project, and if so;
 - a. a complete description of the training, including the subject matter, content, and duration;
 - b. who was required to complete the training;
4. Whether any of the officers referenced in items 1 and 2 above had and complaints filed against them or prior disciplinary action, including:
 - a. The date, nature, and outcome of the complaint;
 - b. The date, reason for, and nature of the discipline;
5. Prior to the release of the Project, what DPD policies covered officers' activity on Facebook and other social media platforms;
6. What policy changes DPD has made to address the activity revealed by the Project;
7. Whether and how, in the future, applicants or employee social media profiles will be screened;
8. Whether and how DPD screens applicants and employees for racial, gender, or any other bias that could impact policing;
9. Whether DPD took any action against former DPD officers identified by the Project, including, but not limited to:
 - a. notifying their current employers, if those employers are law enforcement agencies; and
 - b. placing a note in their personnel files that will prevent officers from being rehired or from receiving a positive reference from DPD.

Please provide the requested information by October 15, 2020. The Committee on Oversight and Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X.

An attachment to this letter provides additional instructions for responding to the Subcommittee’s request. If you have any questions regarding this request, please contact Subcommittee staff at (202) 225-5051.

Sincerely,



Jamie Raskin
Chairman
Subcommittee on Civil Rights and Civil Liberties

Enclosure

cc: The Honorable Chip Roy, Ranking Member

Congress of the United States
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September 28, 2020

Peyton C. Grinnell
Sheriff
Lake County Sheriff's Office
360 W Ruby Street
Tavares, FL 32778

Dear Sheriff Grinnell:

The Subcommittee on Civil Rights and Civil Liberties is seeking information on the response of the Lake County Sheriff's Office's (LCSO) to allegations that several of your officers had social media accounts that portrayed violent, racist, or white supremacist views.

In June 2019, Injustice Watch and BuzzFeed News published the Plain View Project ("the Project"), a multiyear investigation into instances of bigoted or white supremacist comments by law enforcement officers.¹

The Project revealed that at least 16 current and former LCSO deputies and corrections officers published Facebook posts that potentially violated LCSO's social media policy.² Those current and former LSCO employees were responsible for 95 Facebook posts displaying violence, xenophobia, and racism.³ Some of your officers wrote posts advocating for violence against immigrants and protestors, while others mocked religious groups and other members of your community.⁴

News reports indicate that LCSO initiated internal investigations for at least 16 deputies and corrections officers identified by the Project and that all 16 were cleared of any

¹ *Cops Across the U.S. Have Been Exposed Posting Racist and Violent Things on Facebook. Here's the Proof*, BuzzFeed News (June 1, 2019) (online at www.buzzfeednews.com/article/emilyhoerner/police-facebook-racist-violent-posts-comments-philadelphia).

² *Still No Action on Racism Investigation Inside Lake County Sheriff's Office*, Florida Politics (June 21, 2019) (online at www.floridapolitics.com/archives/299333-still-no-action-on-racism-investigation-inside-lake-county-sheriffs-office).

³ *Id.*

⁴ *Id.*

wrongdoing.⁵ However, it is unclear if any other problematic conduct was identified and what the other results of the internal investigations were. Given that it has been over a year since the publication of the Project, we wanted to see what other steps, if any, LSCO has taken to address bias in its ranks.

Racist and violent social media postings from police officers threaten to erode the public's trust in the LCSO, particularly considering the current social movement to protest racist police practices and excessive use of force against Black people. Against the backdrop of a law enforcement community that is much whiter than the community it is meant to serve, the LCSO must provide more fulsome answers to the subculture exposed by the Project.⁶

Floridians across Lake County have demonstrated in peaceful protests against police brutality following the murder of George Floyd in May.⁷ The magnitude of this nationwide protest movement makes it urgently clear that police departments, including LCSO, must actively work to eliminate racism and bigotry within their own ranks.

For these reasons, we request that you provide the Subcommittee with information and documents sufficient to show:

1. The details of all internal investigations launched in response to the Plain View Project's identification of current and former YCPD officers, including:
 - a. the criteria used to determine whether to launch a formal investigation;
 - b. for any officer for whom no formal investigation was launched, the reason why;
 - c. for any officer for whom a formal investigation was launched, the scope, status, and outcome of the investigation;
 - d. whether LCSO took any disciplinary action against each of the officers investigated;
 - i. if LCSO did not take disciplinary action, why not;
 - ii. if LCSO did take disciplinary action, what was that action and how did LCSO determine what action to take;

⁵ *Lake County Sheriff's Office Clears Employees for "Offensive" Posts Exposed by Plain View Project*, Orlando Sentinel (July 25, 2020) (online at www.orlandosentinel.com/news/lake/os-ne-lake-county-sheriffs-office-investigation-facebook-posts-20190725-ceq7o3awlfcg7awytuqsk3zrsa-story.html).

⁶ *Central Florida Police Forces Whiter Than Communities They Serve / Special Report*, Orlando Sentinel (June 25, 2020) (online at www.orlandosentinel.com/news/crime/os-ne-orlando-police-agencies-racial-diversity-20200625-5lmo2awyazderesw7kuyypaovu-story.html).

⁷ *"No Justice, No Peace:" Protesters Demonstrate in Clermont*, Orlando Sentinel (June 3, 2020) (online at www.dailyccommercial.com/news/20200603/rsquono-justice-no-peacersquo-protesters-demonstrate-in-clermont).

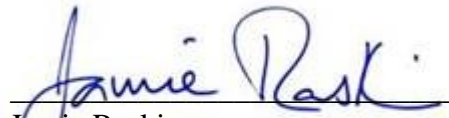
2. Whether LCSO made any effort to determine if additional officers not identified by the Project had problematic social media posts, and if so:
 - a. what were those efforts;
 - b. for each additional officer identified:
 - i. the officer's identity;
 - ii. the problematic social media posting(s);
 - iii. whether LCSO launched a formal investigation, and if so, the information responsive to items 1 a-d above;
3. Whether LCSO provided any training to officers in light of the Project, and if so;
 - a. a complete description of the training, including the subject matter, content, and duration;
 - b. who was required to complete the training;
4. Whether any of the officers referenced in items 1 and 2 above had and complaints filed against them or prior disciplinary action, including:
 - a. the date, nature, and outcome of the complaint;
 - b. the date, reason for, and nature of the discipline;
5. Prior to the release of the Project, what LCSO policies covered officers' activity on Facebook and other social media platforms;
6. What policy changes LCSO had made to address the activity revealed by the Project;
7. Whether and how, in the future, applicants or employee social media profiles will be screened;
8. Whether and how LCSO screens applicants and employees for racial, gender, or any other bias that could impact policing;
9. Whether LCSO took any action against former LCSO officers identified by the Project, including, but not limited to;
 - a. notifying their current employers, if those employers are law enforcement agencies; and

- b. placing a note in their personnel files that will prevent officers from being rehired or from receiving a positive reference from LCSO.

Please provide the requested information by October 15, 2020. The Committee on Oversight and Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X.

An attachment to this letter provides additional instructions for responding to the Subcommittee’s request. If you have any questions regarding this request, please contact Subcommittee staff at (202) 225-5051.

Sincerely,

A handwritten signature in blue ink that reads "Jamie Raskin". The signature is written in a cursive, flowing style.

Jamie Raskin
Chairman
Subcommittee on Civil Rights and Civil Liberties

Enclosure

cc: The Honorable Chip Roy, Ranking Member