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U.S. Department of Justice

Civil Rights Division

BY: .....

SR:TM:PC  
DJ 207-12C-0

Special Litigation Section - PHB  
950 Pennsylvania Ave, NW  
Washington DC 20530

SEP 09 2016

Simon Kilmurry  
International Documentary Association  
3470 Wilshire Blvd 980  
Los Angeles, CA 90010-3900

Dear Mr. Kilmurry:

The Attorney General has referred your letter, signed by members of the International Documentary Association, to the Civil Rights Division of the Department of Justice. Thank you for writing to us about recent harassment of individuals who use cameras and social media to document and distribute footage of law enforcement officers. We understand that you are requesting a full investigation into any and all actions taken against these individuals by police departments, and a larger pattern of abuse that you believe has emerged on a federal, state, and local level, including a threat to free speech and free press. Thank you for sharing your concerns with the Department of Justice.

The Special Litigation Section of the United States Department of Justice is responsible for enforcing the provision of the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. § 14141, that allows the Department to seek equitable relief to remedy a pattern or practice of misconduct by specific law enforcement agencies, such as police departments. We have the authority to investigate individual police departments to determine whether a systemic pattern or practice of conduct exists that violates federal law or the Constitution. If we determine that such a pattern or practice of conduct exists, we have the authority to initiate civil action against the jurisdiction (city, county or state) in order to remedy the misconduct. Additionally, the Section has the authority with regard to the anti-discrimination provisions of the Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C. § 3789d, and Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, which together prohibit discrimination on the basis of race, color, sex or national origin by police departments receiving federal funds.

We have investigated and made reforms in departments where officers were interfering with citizens' rights to record police activity, including our recent investigation of the Baltimore Police Department, and in our investigation of the Ferguson Police Department and Consent Decree with the City of Ferguson. Additionally, we issued a Statement of Interest in a 2012 case in the United States District Court for the District of Maryland, *Sharp v. Baltimore City Police Department* regarding citizens' rights to film police activity. You can find each of these reports and briefs on our website: <https://www.justice.gov/crt/conduct-law-enforcement-agencies>.

Our Section does not have the authority to represent individuals or organizations in legal matters or to give them legal advice. We will carefully consider the information you have provided, in addition to any other information we may receive, to determine whether a pattern or practice investigation is warranted.

Thank you for forwarding the letter from your constituent to the Department of Justice.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Mygatt', with a long horizontal stroke extending to the right.

Timothy Mygatt  
Deputy Chief