

June 2, 2021

Via Electronic and U.S. Mail (Tracking No. 9405503699300403945488)

Anderson “Andy” Dotson III
East Baton Rouge Parish Attorney
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adotson@brla.gov

Dear Mr. Dotson:

We represent Thomas Frampton, an attorney and associate professor of law at the University of Virginia School of Law.

As you know, your office recently settled a case filed by Prof. Frampton involving what Judge Brian Jackson described as a “serious and wanton disregard for [the Green Family’s] constitutional rights” by BRPD officers. Following that settlement, the Green Family shared body-worn camera footage of the BRPD officers’ action with news media through Prof. Frampton. The footage was released at the behest of and with the consent of all concerned members of the Green Family. This footage—which documents their mistreatment by BRPD—was initially provided by the U.S. Attorney to Clarence Green as discovery in his (adult) criminal prosecution. The United States made the relevant footage public in November 2020,¹ and the region’s largest newspaper independently obtained and described it in January 2021.²

On Friday, May 28, 2021, at the precise moment BRPD began a press conference to address the officers’ misconduct, Prof. Frampton received a court filing submitted in your name. It asked that he be held in contempt for disseminating the body-worn camera footage and included an order signed by a juvenile court judge—apparently during an *ex parte* proceeding—setting a contempt hearing. Your filing purported to rely on La. Ch. C. art. 412, which provides:

Records and reports concerning all *matters or proceedings* before the juvenile court, except traffic violations, are confidential and shall not be disclosed except as expressly authorized by this Code.

La. Ch. C. art. 412(A) (emphasis added).

¹ See Rec. Doc. 26, *United States v. Green*, Case No. 20-CR-00049 (M.D. La. Nov. 20, 2020) (electronic exhibits).

² See John Simerman and Lea Skene, *Federal judge voids gun charges, calls bad BRPD bust a ‘foul’ against justice system*, BATON ROUGE ADVOCATE, Jan. 12, 2021 (“But Camallo’s bodycam video shows him pushing open the apartment door and walking inside with another officer . . .”).



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Alanah Odoms
Executive Director

Nora Ahmed
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Here, Prof. Frampton could not possibly be in violation of Art. 412 because, *inter alia*, there is not now (nor has there ever been) a “matter or proceeding before the juvenile court” related to the events depicted on the videos.³ You were aware of this fact, as (1) your filing used a *sui generis* caption (*In Re: BRPD File # 20-225 Records in Possession of Chief Murphy J. Paul Jr.*), which makes no reference to any juvenile proceeding, and (2) your attorney failed to provide notice to the juvenile whose “records” might be unsealed, as ordinarily required by La. Ch. C. art. 412(E)(2).

By seeking to jail a law professor who lawfully shared video of police misconduct, your actions directly implicate the First Amendment. Your office moved for contempt less than 24 hours after *CBS Evening News* broadcast a story about the BRPD officers’ actions, and the filing itself complains that “the City of Baton Rouge has received an [sic] substantial amount of negative correspondence from the public.” Prof. Frampton received the court filing during a BRPD press conference on the topic. These circumstances—coupled with the fact that the City is moving for contempt of a proceeding that does not now exist and has never existed—create an inescapable impression of retaliation for protected speech.

We ask that you let us know by June 7, 2021, at 10:00 a.m., whether you will withdraw the request for contempt.

Very truly yours,



Nora Ahmed

cc: Mayor-President Sharon Weston Broome at mayor@brla.gov
Councilman Brandon Noel, District 1 at council-dist1@brla.gov
Councilwoman Chauna Banks, District 2 at council-dist2@brla.gov
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Councilwoman Jennifer Racca, District 12 at councildistrict12DL@brla.gov

³ See *Mulloney v. United States*, 79 F.2d 566, 579 (1935) (“Criminal proceedings cannot be said to be brought or instituted until a formal charge is openly made against the accused, either by indictment presented or information filed in court, or at least by a complaint before a magistrate.”)



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