



U.S. Department of Justice

Civil Rights Division

Federal Coordination and Compliance Section-NWB
950 Pennsylvania Avenue, NW
Washington, DC 20530

(b) (6) Privacy, (b) (7)(C) Enforcement

OCT 14 2014

Ms. Vicki Simons
Director
Office of Civil Rights
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Mail Stop 1201A
Washington, D.C. 20004

Dear Ms. Simons:

Enclosed for your review is a letter received by the Federal Coordination and Compliance Section of the Civil Rights Division of the U.S. Department of Justice. The matter does not appear to be within the jurisdiction of our office.

However, the issues raised may fall within the jurisdiction of your agency and, therefore, we are referring it to you for appropriate disposition. The writer has been notified of the referral.

Thank you for your assistance in this matter.

Sincerely,


Deeana Jang
Chief

Federal Coordination and Compliance Section
Civil Rights Division

Enclosure

RECEIVED
NOV 06 2014

FEDERAL COORDINATION
AND
COMPLIANCE SECTION

2014 JUL -7 AM 11: 03

(b) (6) Privacy, (b) (7)(C) Enforcement Privacy

Chattanooga, TN 37415

(b) (6) Privacy, (b) (7)(C) Enforcement Privacy

July 3, 2014

Mr. Brian Smith
Federal Coordination and Compliance Section - NWB
Civil Rights Division
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

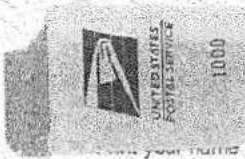
RE: Report of Civil Rights Violations and Request for Investigation

Dear Mr. Smith:

Per our conversation yesterday I have attached the documents that were sent to your office on September 20, 2012 (via FedEx) and June 11, 2014 (via US Postal Service).

Thank you.

(b) (6) Privacy, (b) (7)(C) Enforcement Privacy



COMPLETE THIS SECTION

1, 2, and 3. Also complete 4 if Restricted Delivery is desired.
Write your name and address on the reverse so that we can return the card to you.
■ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
Federal Coordination and Compliance Section - NWB
Civil Rights Division
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

2. Article Number (Transfer from s) 7013 2630 0000 5783 2373

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Agent Addressee

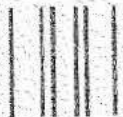
B. Received by (Printed Name) C. Date of Delivery
C. Date of Delivery: JUN 11 2014

D. Is delivery address different from item label? Yes
If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

UNITED STATES POSTAL SERVICE



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• Sender: Please print your name, address, and ZIP+4 in this box •

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Chattanooga, TN 37415



MEMORANDUM OF COMPLAINT

Federal Coordination and Compliance Section - NWB
Civil Rights Division
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Report of Civil Rights Violations and Request for Investigation

Issues:

Conspiracy to violate Title VI of the 1964 Civil Rights Act 42 USC Sec. 2000d et. seq.
Violation of the Civil Rights Act of 1871 42 USC Sec. 1983
Malicious Prosecution
Falsification of Government Documents
Perjury
Environmental Racism

RE: Update

Please provide an update on the enclosed letter I sent to your office requesting a formal investigation.

Signed

(b) (6) Privacy, (b) (7)(C) Enforcement Privacy

Date: June 6, 2014

FedEx Express NEW Package US Airbill

FedEx Tracking Number: 8015 3773 5893

NOTE: Delivered Sept. 20, 2012 @ 9:02 A.M. Signed by: A. OWENS Form ID No. 0200

1 From Please print and press hard. Sender's FedEx Account Number

Date Sept. 19 2012

Sender's Name **(b) (6) Privacy, (b) (7)(C) Enforcement Privacy**

Company _____

Address **(b) (6) Privacy, (b) (7)(C) Enforcement Privacy**

City Chattanooga State TN ZIP 37415

2 Your Internal Billing Reference

Use if invoice is not subject to invoice

3 To Recipient's Name FEDERAL COORDINATION AND COMPLIANCE SECTION-NWB

Company CIVIL RIGHTS DIVISION U.S. DEPARTMENT OF JUSTICE

Address _____

We cannot deliver to PO boxes or P.O. ZIP codes. **HOLD Weekday** (FedEx Home Delivery) REQUIRED: Not available for FedEx Home Delivery

Address 950 PENNSYLVANIA AV, NW **HOLD Saturday** (FedEx Home Delivery) REQUIRED: Not available for FedEx Home Delivery and FedEx 2Day/Select Overnight

City WASHINGTON State DC ZIP 20530

4 Express Package Service *To most locations. Packages up to 150 lbs. For packages over 150 lbs, use the new FedEx Express Freight US Airbill

NOTE: Sender pays for weight. Please consult a broker.

<input checked="" type="checkbox"/> FedEx First Overnight Earliest next business morning delivery to select US cities. Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.	<input type="checkbox"/> FedEx 2Day A.M. Saturday Delivery NOT available
<input checked="" type="checkbox"/> FedEx Priority Overnight Next business morning. Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.	<input type="checkbox"/> FedEx 2Day Second business morning. Thursday shipments will be delivered on Friday unless SATURDAY Delivery is selected.
<input type="checkbox"/> FedEx Standard Overnight Next business afternoon. Delivery by Monday, NOT available.	<input type="checkbox"/> FedEx Express Saver Three business days. Saturday Delivery NOT available.

5 Packaging *Declared value limit \$500

FedEx Envelope FedEx Pak FedEx Box FedEx Tube Other

6 Special Handling and Delivery Signature Options

SATURDAY Delivery
NOT available for FedEx Standard Overnight, FedEx 2Day A.M., or FedEx Express Saver.

No Signature Required
Packages can be left without obtaining a signature for delivery.

Direct Signature
Signature at recipient's address. Fee applies.

Indirect Signature
If no one is available at recipient's address, someone at a neighboring address may sign for delivery for residential deliveries only. Fee applies.

Does this shipment contain dangerous goods? (See box on the checklist)

No Yes As warranted Shipper's Declaration Yes Hazmat Declaration not required Dry Ice (Dry Ice 2.00K 100) Cargo Aircraft Only

Dangerous goods (including dry ice) cannot be shipped in FedEx packaging, or placed in a FedEx Express Direct Box.

7 Payment Bill to: Enter FedEx Acct. No. or Credit Card No. below

Sender Recipient Third Party Credit Card Cash/Check

FedEx Acct. No. _____ Credit Card No. _____

Total Packages _____ Total Weight _____ Total Declared Value! _____

Easy new Peel-and-Stick airbill. No pouch needed.
Apply airbill directly to your package. See directions on back.

Our liability is limited to USD\$100 unless you declare a higher value. See back for details. By using the Airbill you agree to the service conditions on the back of this Airbill and to our current FedEx Service Guide, including terms that bind our liability.

Ref: Form 1-10 • Part 4 (07/02) • ©2012 FedEx • PRINTED IN U.S.A. 507

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Chattanooga, TN 37415

(b) (6) Privacy, (b) (7)(C) Enforcement Privacy

MEMORANDUM OF COMPLAINT

Federal Coordination and Compliance Section - NWB
Civil Rights Division
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

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Violation of the Civil Rights Act of 1871 42 USC Sec. 1983
Malicious Prosecution
Falsification of Government Documents
Perjury
Environmental Racism

RE:

UNITED STATES DISTRICT COURT
EASTERN DIVISION OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA

v.

No. 1:09-CR-144
JUDGES COLLIER/CARTER

(b) (6) Privacy, (b) (7)(C) Enforcement Privacy

Defendants

(b) (6) Privacy, (b) (7)(C) Enforcement Privacy is an African American engaged in the construction/demolition industry in Chattanooga, Hamilton County, Tennessee who is being prosecuted in the United States District Court for the Eastern District of Tennessee (No. 1:09-CR-144)

based on false allegations of EPA regulatory violations by agents and employees of the Chattanooga-Hamilton County Air Pollution Control Bureau.

This is a formal request for your office to investigate multiple violations of federal statutes, regulations and Executive Orders relevant to Title VI of the 1964 Civil Rights Act, 42 USC 2000d et. seq. and the United States Environmental Protection Act rules under Title 40 CFR. At issue, among other things, is the misuse of federal funds in a fashion that encourages, entrenches, subsidizes or results in racial discrimination by the City of Chattanooga, a municipal corporation, and the Hamilton County General Government, a division of the State of Tennessee, through the Chattanooga-Hamilton County Air Pollution Control Bureau, a regulatory body jointly funded by federal, state and local governments. This agency and its employees have engaged in the intentional falsification of government documents, perjury, racial discrimination and Environmental Racism.

After years of advocating for the opportunity to participate in construction contracts receiving federal monies in the Chattanooga, Hamilton County area, Mr. (b) (6) Privacy, (b) (7)(C) Enforcement Privacy has been falsely accused of violating EPA regulations with regards to the alleged removal of toxic materials (asbestos) while completing a construction demolition contract.

The circumstances of the case before the Court reveal that:

1. The Government witnesses from the Chattanooga-Hamilton County Air Pollution Control Bureau introduced *perjured testimony*, including *falsified government documents* during the trial of (b) (6) Privacy, (b) (7)(C) Enforcement Privacy in the United States District Court. The Bureau alleges that (b) (6) Privacy, (b) (7)(C) Enforcement Privacy engaged in the removal of toxic waste from a construction site without proper certification to handle and dispose of toxic materials. Relevant to this issue is the Chattanooga Hamilton County Air Pollution Control Bureau Incident Report # 05-298. This document contains a statement where agents of the Control Bureau, including Kathy Jones, Air

Monitoring Manager, allege that [REDACTED] submitted an application to obtain an asbestos removal permit. She states that she filled out the application on behalf of [REDACTED] due to his alleged "inability to read and write." The application is a falsified government document; and

2. The Court appointed attorney for [REDACTED] refused to utilize the testimony of key expert witnesses for the Defense, a former US EPA grant recipient, Mr. Milton Jackson, President of STOP (Stop Toxic Pollution an environmental safety activist organization) and member of Board of Scientific Counselors ASTDR, The key role of the members of the Board of Scientific Counselors ("Board"), NCEH/ATSDR is to provide advice and guidance to the Secretary, HHS, the Director, CDC and the Director, NCEH/ATSDR and member of the Tennessee Department of Environment and Conservation Environmenatal Justice Steering Committee. Mr. Jackson resides in the Chattanooga community (see attached article) and has first hand knowledge of the *selective enforcement of EPA regulations concerning toxic waste removal in the African American community* (Environmental Racism) by the Chattanooga-Hamilton County Air Pollution Control Bureau that [REDACTED] was alleged to have violated during the relevant periods in question; and
3. During the course of the trial the appointed attorney was severely injured in an automobile accident, which affected her memory and cognitive skills. The Court allowed this ill prepared attorney to continue to attempt to defend [REDACTED] amounting to *ineffective assistance of counsel*; and
4. The investigation by the United States Environmental Protection Agency (USEPA) Criminal Investigation Division relied upon to support the Government's case is ill prepared, faulty and factually inaccurate misstating relevant information by months and years.

The totality of the facts and circumstances of this case would lead an objective observer to conclude that the Chattanooga-Hamilton County Air Pollution Control Bureau, a state/county/municipal regulatory agency, acted under color of state or local law, to deprive [REDACTED] of rights guaranteed by the U.S. Constitution, or federal law, in violation of the Civil Rights Act of 1871 codified at 42 USC Sec. 1983, and that this agency, together with other government witnesses engaged in the construction/waste removal industry, conspired to violate the federal equal protection rights of [REDACTED] under the 6th and 14th Amendments to the United States Constitution, as well as the United States Environmental Protection Act and Title VI of the 1964 Civil Rights Act pursuant to 42 USC Sec. 2000d.

For the reasons stated herein, I hereby: (1) formally request a meeting with your office to more fully discuss our concerns and to present the necessary documentation that will enable the Civil Rights Division of the United States Department of Justice to (2) authorize an immediate investigation into these concerns, and (3) intervene in the wrongful prosecution of [REDACTED] in the United States District Court for the Eastern District of Tennessee.

Signed:
[REDACTED] (Electronic Signature)

Date:
September 18, 2012

Copy:

[REDACTED] President
[REDACTED]
Decatur, GA 30034

[REDACTED] Vice President
National Action Network
[REDACTED]
Atlanta, GA 30310

Charles Steele, Jr., CEO
Southern Christian Leadership Conference (SCLC)
P.O. Box 89128
Atlanta, GA 30312

(b) (6) Privacy, (b) (7)(C) Enforce
National Vice Pres.

(b) (6) Privacy, (b) (7)(C) Enforcement
[Redacted]
Atlanta, GA 30303

(b) (6) Privacy, (b) (7)(C) Enforcement Privacy
[Redacted]
Decatur, GA 30034

FAX COVER SHEET

TO	Brian Smith
COMPANY	Dept of Justice
FAX NUMBER	12023070595
FROM	(b) (6) Privacy, (b) (7)(C) Enforcement Privacy
DATE	2014-07-03 17:56:16 GMT
RE	(b) (6) Privacy, (b) (7)(C) Enforcement Privacy

COVER MESSAGE

Attached are the documents that were misplaced by your office