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November 15, 2024

BY EMAIL

[REDACTED]
Senior Legal Counsel
U.S. Department of Justice
[REDACTED]

[REDACTED]
U.S. Department of Justice
[REDACTED]

Re: Department of Justice's Emmet Till Act Review of the Tulsa Race Massacre

Dear [REDACTED]

We write on behalf of our clients, the survivors and descendants (“Clients”) of the Tulsa Race Massacre (“Massacre”) in response to your October 28, 2024 email request for documents and information (the “Request”). Our production of documents and information includes a hyperlinked spreadsheet containing links to documents, images and other source materials in connection with the Massacre.¹ Given what the Department of Justice (“DOJ” or “Department”) has noted regarding the timeframe to complete its review, this production encompasses all materials we intend to send at this time.

In addition to providing information about our production, our Clients have asked that we take this opportunity to express their profound disappointment with the scope of the DOJ’s mandate and the limited time the Department allocated to its review and evaluation of the Massacre. Black Tulsans have waited over 103 years for their federal government to investigate the horrific crimes stemming from the Massacre. As you know, our Clients have been ready and willing to share their time and painful memories in the hopes that their government would finally explore *all angles* of the Massacre, including many of the current actions taken by the City of Tulsa that evidence its efforts to escape accountability for potential crimes and civil rights violations.

¹ In connection with our request for the Department of Justice to open an investigation into the Massacre, our office has been providing your Department with documents, testimony, and other information since August 13, 2021.

Although our Clients appreciate the Department's visit to Tulsa, they were discouraged after hearing that the Department would not use its subpoena power to obtain documents from key entities or individuals, failed to transcribe or record witness interviews to establish a more certain record, and ignored information pertaining to recently discovered mass grave sites which house the desecrated remains of Massacre victims. The refusal to include the mass graves in your inquiry is particularly disappointing given President Biden's remarks during the Massacre centennial that "a proper accounting of the dead"² never occurred. Moreover, the body of C.L. Daniel,³ a Massacre victim identified in July 2024, was found desecrated on what is likely federal land.⁴ Based on our knowledge, there has been no effort by the federal government to seek out information regarding the mass graves or investigate this crime scene. As a result of the Department's absence of action, our Clients believe that they participated in yet another historical accounting of the Massacre, which is certainly not a novel undertaking, nor representative of the breadth of the DOJ's authority to investigate potential crimes and civil rights violations in this country.

Ultimately, it appears that the Department's review and evaluation was our Clients' last hope for any semblance of a federal inquiry into the Massacre. We remain deeply concerned that your final report will fail to include many of the facts and circumstances that encompass the full impact of the Massacre and its continuing harm on Greenwood and its residents, and that the Department will again miss the opportunity to investigate ongoing civil rights and criminal violations stemming from the Massacre.

Given the changing administrations and the prospective policy shifts at the DOJ, it is highly unlikely that there will be another opportunity to fully investigate the most horrific act of domestic terrorism in the United States of America. This failure to fully investigate the Massacre is a tragedy of epic proportion and once again informs those who seek to harm the most vulnerable among us that they will never be held accountable for their heinous crimes. Our Clients believe that they were used in a box-checking exercise, which not only discredits their pain, but once again heightens their disbelief in the power of the American justice system to do right by its Black citizens. Our Clients want to know: Is this the America *this* Department of Justice wants?

We implore the Department to take all necessary steps to immediately broaden the scope of its review into a formal investigation that explores all angles of the Massacre and its continued harm. We understand that time is limited, but believe that the DOJ possesses the resources to make this right. This Department must act now before it is too late.

We thank you for your attention to our concerns.

² *Remarks by President Biden Commemorating the 100th Anniversary of the Tulsa Race Massacre*, <https://www.whitehouse.gov/briefing-room/speeches-remarks/2021/06/02/remarks-by-president-biden-commemorating-the-100th-anniversary-of-the-tulsa-race-massacre/>, (June 2, 2021).

³ Sofia Sutter, *First person identified in Tulsa Massacre mass grave*, NBC NEWS.COM, July 12, 2024, <https://www.nbcnews.com/news/nbcblk/tulsa-massacre-oklahoma-mass-grave-cl-daniel-rcna161599>.

⁴ Jamie Ehrlich and Ariane de Vogue, *Supreme Court rules broad swath of Oklahoma is Native American land for purposes of federal criminal law*, CNN.COM, July 9, 2020, <https://www.cnn.com/2020/07/09/politics/tribal-territory-supreme-court-ruling/index.html>.

Sincerely,

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