The Honorable Susan Brown
Harris County Criminal Administrative Judge
Harris County Criminal Justice Center
1201 Franklin, 17th Floor
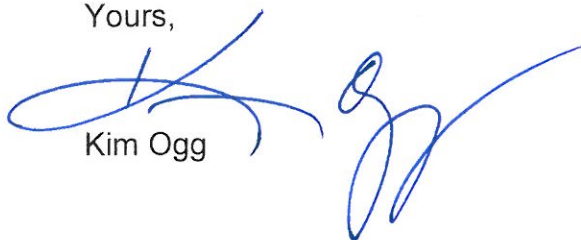Houston, Texas 77002

Your Honor,

I am writing today to ask you to contact Administrative Judge Olen Underwood and request a Court of Inquiry with a Special Prosecutor to investigate the District Attorney's role in withholding Brady and Morton Act information from defendants with cases originating in the Precinct 4 Constable's office of Harris County. You have the right under TCCP Art 52.01 to request a court of inquiry whenever you have probable cause to believe that an offense has been committed against the laws of Texas. Alternatively, I ask you to request that Devon Anderson herself disqualify the Harris County District Attorney's office from any investigation, audit, or other criminal case involving the missing evidence from Precinct 4.

There is evidence from her own statements that Anderson was aware of an evidentiary issue in Precinct 4 as early as February 2016, knew by March that there were multiple cases in which evidence was destroyed, and knew by July that at least 434 cases were affected. Yet she apparently did not inform trial court prosecutors with cases from Precinct 4 of these concerns until an urgent memo was emailed to her staff August 19, 2016. Because defendants and defense attorneys were not informed that the State's evidence may have been destroyed, there were dozens and potentially hundreds of convictions without Brady or Morton Act compliance. This misconduct must be investigated by an independent prosecutor, not Anderson's own office, to discover *what* prosecutors knew and *when*, and whether Anderson herself withheld this information. There is probable cause to believe this was an intentional violation of defendants' rights, which constitutes Official Oppression under TCCP 39.03(a)(2).

These questions deserve a special investigation with an independent prosecutor. I urge you to take all appropriate action to ensure justice in Harris County.

Yours,

Kim Ogg