



# HARRIS COUNTY CRIMINAL LAWYERS ASSOCIATION

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March 12, 2018

Hon. Kim Ogg

District Attorney for Harris County

1201 Franklin Street, Suite 600

Houston, Texas 77002

**Re: Criminal Investigation of Former Assistant District Attorney Daniel Rizzo  
and Other Prosecutors**

Dear Madam District Attorney:

In June 2015 the Harris County Criminal Lawyers Association called on your office to fully and publicly investigate the conduct of now-former Assistant District Attorney Dan Rizzo in connection with the prosecution of Alfred Dewayne Brown by your office.

We write again to ask, in light of recent disclosures by your office, that you request a special or *pro tem* prosecutor—either an elected official from a neighboring county, or a prosecutor appointed by the office of the Administrative Judge of the Harris County District Courts—to investigate the actions surrounding the prosecution of Alfred Dewayne Brown by your office.

Based upon your office's recent email disclosure of an email between a former investigator and Mr. Rizzo during Brown's prosecution, Mr. Rizzo and others committed acts during their tenure at the Harris County District Attorney's office that may have been criminal.

These criminal acts may have included official oppression, obstruction of justice, perjury, subornation of perjury, and criminal civil rights violations, and may have included attempted murder, and conspiracy to commit murder.

While we applaud your recent release of critical information revealing for the first time the intent of the individuals involved, it is simply not enough. Your office must go further. It must step away from oversight as it is clear that Mr. Rizzo's decades-long association with your employees makes any objective investigation impossible.

The law must apply to all. When prosecutors and investigators conceal evidence and deliberately intimidate witnesses, misuse grand juries, and knowingly ask for death for an innocent man, they must answer for it as any other citizen would.

We look forward to your reply, and to working together to move forward and restore public confidence in the administration of justice here in Harris County.

Sincerely,

Tucker Graves  
President