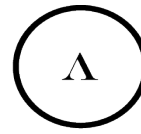


LOEVY & LOEVY

A CIVIL RIGHTS LAW FIRM



ACTION INJURY
LAW GROUP

October 6, 2021

Wichita Police Department
Captain Blake Mumma
Records Bureau Commander
455 N Main, 5th Floor
Wichita, KS 67202
BMumma@wichita.gov

Kansas Bureau of Investigation
1620 SW Tyler St.
Topeka, KS 66612
<https://www.kansas.gov/kbi/email.shtml>

Sedgwick County Sheriff
Lt. Benjamin Blick
Public Information Officer
141 W Elm, 2nd Floor of the Adult Detention Facility
Wichita, KS 67203
Benjamin.Blick@sedgwick.gov

Sedgwick County
Jennifer Scriven
Records Manager and Freedom of Information Officer
525 N. Main
Wichita, KS 67203
kora-fio@sedgwick.gov

Re: Demand for Records Regarding Death of Cedric Lofton

Dear Open Records Officials:

Our firm, along with Andrew Stroth of Action Injury Law Group and Steven Hart of Hart McLaughlin & Eldridge, represents Sarah Harrison and Chad Lofton, the parents of Cedric Lofton. Mr. Lofton was a 17-year-old student at Wichita East High School who died after suffering injuries incurred on September 24, 2021, while in the custody of the Juvenile Intake Assessment Center that we understand to be operated by Sedgwick County. We have been retained to assist the family in obtaining access to records about this tragedy.

Pursuant to the Kansas Open Records Act, our clients demand an inspection of all video and audio recordings of any interactions with Cedric Lofton that occurred on September 24, 2021. This includes dash cam, body cam, surveillance video, and any other audio or video recordings of interactions on that date. It includes without limitation his time at the Assessment Center and his interactions with law enforcement earlier that day. Any video or audio from that date that records Mr. Lofton in whole or in part is included within our request. Our clients will be accompanied by Mr. Andrew Stroth and Mr. Steven Hart for these inspections.

Mr. Lofton's parents and their attorneys are entitled to view body cam and vehicle-based recordings specifically pursuant to K.S.A. 45-254(b) within 20 days of the request. We request that the inspections occur on Tuesday, October 12, 2021, but insist that it occur no later than October 26, 2021, as required by law. Please contact us to make arrangements for the logistics of the inspections.

To the extent any of the video, including video taken in the jail, was taken by means other than body cam or dash cam, we contend that such video is within the spirit of K.S.A. 45-254 and request that it be made available for inspection at the same time as body or dash cam pursuant to that provision. To the extent you decline to do so under K.S.A. 45-254, we also request that you make such material available pursuant to the general open records provisions of K.S.A. 45-218.

While we recognize that there is an ongoing investigation, based on our experience litigating many such cases across the country, including in Kansas, we do not believe that any agency will be able to establish that release would interfere with any ongoing investigation, as required by law for requests under K.S.A. 45-218. That is especially so because (1) the family, at this time, is requesting only an inspection, not copies of any videos for public dissemination, and (2) KBI has already publicly commented about the incident, stating that Mr. Lofton was engaged in "a lengthy physical struggle," and that "[o]nce Lofton was under control, corrections staff were monitoring him and noticed he became unresponsive." Mr. Lofton's family is entitled to test the veracity of these claims, and if KBI can release that information without compromising its investigation, it surely can permit Mr. Lofton's family to view the videos themselves.

We look forward to your prompt attention to this matter, and are available to discuss at your convenience. We hope to resolve this without the need for litigation, but are prepared to push promptly and aggressively for this information so that Mr. Lofton's parents can better understand the circumstances under which their teenage child was killed.

Sincerely,

Matthew V. Topic

Andrew M. Stroth

Steven Hart

/s/ Matthew V. Topic

/s/ Andrew M. Stroth

/s/ Steven Hart

Loevy & Loevy
311 N Aberdeen St
3rd Floor
Chicago, IL 60607
matt@loevy.com
(312) 243-5900

Action Injury Law Group, LLC
191 North Wacker Drive
Suite 2300
Chicago, IL 60606
astroth@actioninjurylawgroup.com
(844) 878-4529

Hart McLaughlin & Eldridge
22 W Washington St
Suite 1600
Chicago, IL 60602
shart@hmelegal.com
(312) 955-0545

cc: Governor Laura Kelly
Mayor Brandon Whipple