



NEW BEDFORD BRANCH  
NATIONAL ASSOCIATION FOR THE ADVANCEMENT  
OF COLORED PEOPLE

95 Cedar Street or P.O. Box 1711, New Bedford, Massachusetts 02741 • 508-991-4416

—Chartered 1917— Historic Home of Frederick Douglass - Lewis Temple - Sgt. William H. Carney

June 22, 2012

District Attorney C. Samuel Sutter  
Office of the Bristol County District Attorney  
888 Purchase Street  
New Bedford, Massachusetts 02740

Dear District Attorney Sutter:

As you know "For more than 100 years, the NAACP has been a powerful champion for civil rights in our nation and in our cities". Founded in 1909, the NAACP is the nation's oldest and largest civil rights organization.

Our mission of the National Association of the Advancement of Colored People and our local branch here in the City of New Bedford, Massachusetts is to insure the political, educational, social and economic equality of rights of all the persons and to eliminate race based discrimination.

The purpose of this letter is to formally and officially request that you allow an independent investigation to be done on the shooting and killing of Malcolm Gracia, age 15, from the City of New Bedford, Massachusetts, by a police officer of the New Bedford Police Department on May 17, 2012.

We respectfully request that you include the Department of Justice Civil Rights Division and the U.S. Attorneys Office of Massachusetts as part of your investigation. Also, we would encourage you to put together a Civil Complaint Review Board to do an internal investigation of the New Bedford Police Department officers involved in the shooting and killing of a 15 year old boy suspect who allegedly attacked a police officer.

Secondly, we request that all investigation reports be released to the public and made available to the public at large. The reports that we are looking to read and study are:

Bristol County District Attorney full report investigation  
The State Police Detective Unit in Bristol County full report  
The New Bedford Police Department with a full report of the investigation with all police communications, such as all videos, all tapes and police radio communication on the night of May 17, 2012 and beyond regarding Malcolm Gracia.

The reason for these requests is there are many conflicting stories and mis-statements of facts and outstanding questions in the community and in the City at large about this shooting and killing of this young boy. For example:

**Did the New Bedford Police Officers have to shoot and kill Malcolm Gracia?**

- Was it a rush to judgment?

- Was it police misconduct?
- Was it unreasonable force?
- Was it police brutality?

There are so many unanswered questions that people in the community are asking, such as:

1. Why were the police officers attempting to talk to these boys?
2. Was there any probable cause of action to stop these boys?
3. What law were the boys breaking that night before the police encounter?
4. What crime was committed?
5. Why were the police officers chasing these boys with their guns drawn?
6. How did the fight start?
7. How many times was Malcolm tasered?
8. How many times was he shot?
9. Was it more than one officer who shot Malcolm?
10. Where on his body was he shot?

The people of this City and the community need to know the facts and the truth of what happened on the night that Malcolm Gracia was shot and killed. We encourage you to let the facts speak for themselves.

If this was a Justifiable Homicide, let the facts in this investigation speak for themselves and release all the reports and all communication to the public. If this is a justifiable homicide, let it be known to all and explain the actions of the New Bedford Police Department.

If they were attacked, tell it all; if it was self-defense, the public should know. If the police officers acted within the law, let it be known. If the police officers did their job and their actions were legitimate and proper under the law, please show all the facts and evidence of this case for the integrity and the defense of the New Bedford police officers who were involved and also for the integrity of all of the law enforcement officers.

We strongly encourage you as a District Attorney to take the lead on getting the facts out to the community and start the healing process for the City of New Bedford and surrounding communities. As you must know, the relationship between the New Bedford Police Department and the community, is one of mistrust.

We hope that by releasing all of the investigative reports and getting a special investigator to investigate this homicide case, it will start the healing process.

Again, the main question that the community has for you and your law enforcement officers is:

**Did the New Bedford Police Officer have to shoot and kill Malcolm Gracia.?**

Please release all information, investigative reports, radio, video communication before you declare this as a "Justifiable Homicide Case"

We thank you for your time and consideration in this matter and we would like to give you an open invitation to come to any of our meetings.

Respectfully,

*Rev. Mark Green Sr. President*

**The New Bedford Branch of NAACP Officers  
And Executive Committee**

**Cc: Mayor Jon Mitchell  
New Bedford Police Department  
Bristol County State Police  
Governor Deval Patrick  
Boston Branch NAACP  
Washington D.C. NAACP Headquarters  
New Bedford Standard-Times  
Boston Globe  
Rahsaan D. Hall, Deputy Director Lawyers Committee of Civil Rights**