

**From:** [Michael Ayele](#)  
**To:** [MO Audit](#); [Media](#)  
**Cc:** [Michael Ayele \(W\)](#)  
**Subject:** Sunshine Law Request  
**Date:** Wednesday, February 25, 2026 5:22:34 AM

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W (AACL)  
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Date.: February 26<sup>th</sup> 2026

Sunshine Request

Hello,

This is Michael A. Ayele sending this message though I now go by W and I prefer to be referred to as such. I am writing this letter for the purpose of filing a request for records with your office. The basis for this records request is Michael A. Ayele (a.k.a) W's listing on Missouri's Accountability Portal after December 23<sup>rd</sup> 2013.<sup>[i]</sup>

I) Requested Records

What I am requesting for prompt disclosure are records in your possession detailing your discussions about [1] the legal obligations of local/state government agencies in Missouri to list the name and annual salary of their employees; [2] the mechanism and the website in use by local/state government agencies in Missouri for the purpose of listing the name and annual salary of their employees; [3] the decision of the Missouri state government to identify Michael A. Ayele (a.k.a) W as a former employee of the Missouri Department of Mental Health (MODMH) Fulton State Hospital (FSH) who has earned approximately (i) \$19,189 (nineteen thousand one hundred and eighty-nine American dollars) in Calendar Year 2013; (ii) \$2,322 (two thousand three hundred and twenty two American dollars) in Calendar Year 2014; [4] Michael A. Ayele (a.k.a) W as a Black man who (i) has never denied being employed for the MODMH (FSH) in Calendar Year 2013; (ii) was on (or around) December 20<sup>th</sup> 2013 "dismissed" from the MODMH (FSH); (iii) was on (or around) December 20<sup>th</sup> 2013 informed that he would "get his final paycheck from" the MODMH (FSH) after he returns his Missouri state government issued badge and uniform that consisted of 5 (five) white polo T-shirts; (iv) had on December 20<sup>th</sup> 2013 returned his Missouri state government issued badge; (v) had on December 23<sup>rd</sup> 2013 returned his Missouri state government issued uniforms that consisted of 5 white polo T-shirts; (vi) was not provided on (or around) December 23<sup>rd</sup> 2013 the "final paycheck" he was promised on (or around) December 20<sup>th</sup> 2013 after the return of his Missouri state government issued badge and uniform; (vii) made numerous telephone calls between December 24<sup>th</sup> 2013 and December 30<sup>th</sup> 2013 to the MODMH (FSH) for the purpose of obtaining the "final paycheck" that was still owed to him; (viii) received no response to the numerous telephone calls he made between December 24<sup>th</sup> 2013 and December 30<sup>th</sup> 2013 for the purpose of obtaining the "final paycheck" that was owed to him; (ix) was arrested on (or around) December 30<sup>th</sup> 2013 after going in-person to the MODMH (FSH) to obtain his employment file as well as the "final paycheck" that was owed to him; (x) has witnessed his key questions on Title VII of the 1964 and 1991 Civil Rights Act being subjected to frenzy before they were filtered and distorted on internet search engines (ISE) such as AOL, Bing/MSN, Google and Yahoo;<sup>[ii]</sup> [5] the decision of the AOL and Bing/MSN ISE to filter and distort Michael A. Ayele (a.k.a) W's key questions on Title VII of the 1964 and 1991 Civil Rights Act by generating

unwelcome and unapproved queries such as “*michael ayele title vii*,” “*Michael A. Ayele’s Impact on Civil Rights*,” “*Michael Ayele human rights articles*,” and “*michael ayele redistribution agreement*.” <sup>[iii]</sup>

## II) Request for a Fee Waiver and Expedited Processing

The public has a compelling and legitimate interest in this information because:

- 1) The requested records will shed light on the legal obligations of Missouri local/state government agencies to list the names and annual salaries of the people they employ.
- 2) The requested records will shed light on the website used by Missouri local/state government agencies to list the names and annual salaries of the people they employ.
- 3) The requested records will shed light on the listing of Michael A. Ayele (a.k.a) W on Missouri’s Accountability Portal particularly after December 23<sup>rd</sup> 2013.
- 4) The requested records will shed light on how your state government agency ensures the accuracy, consistency, and integrity of employment and payroll information that is later disseminated to the public, including whether errors or omissions are corrected once an individual is no longer employed.
- 5) The requested records will shed light on whether decisions affecting public reporting of employee information are made pursuant to written policies, discretionary practices, or ad hoc determinations, a distinction that bears directly on transparency and accountability in government administration.
- 6) The requested records will shed light on the police brutality Michael A. Ayele (a.k.a) W experienced between December 30<sup>th</sup> 2013 and May 2014 when he was last living in the State of Missouri.
- 7) The requested records will shed light upon the manner in which Michael A. Ayele (a.k.a) W’s key questions on Title VII of the 1964 and 1991 Civil Rights Act were filtered and distorted by internet search engines (ISE) such as AOL and Bing/MSN.

Expedited processing is justified because:

- 1) According to the National Registry of Exoneration, “*race is central to every aspect of criminal justice in the United States.*”
- 2) This records request pertains to instances of governmental misconduct and the exercise of coercive state authority, including arrest and police use of excessive force, matters for which delayed disclosure would only serve to further decrease public confidence.
- 3) This records request puts into question the government’s integrity about the way that people are treated in the U.S.A on account of their gender, their racial backgrounds, their national origins and their disability status.
- 4) Michael A. Ayele (a.k.a) W’s lived experiences in the State of Missouri between December 30<sup>th</sup> 2013 and May 2014 bear numerous striking parallels with the testimonies that were provided to the Department of Justice (DOJ) for the purpose of their March 04<sup>th</sup> 2015 report.

In my judgment, the facts presented in this request for a fee waiver and expedited processing will not bolster public confidence in the circumstances that led to Michael A. Ayele (a.k.a) W’s December 30<sup>th</sup> 2013 arrest at the Fulton State Hospital (FSH) (in Fulton, Missouri) because it (the arrest) was done without probable cause. Indeed, (as you may be aware,) Michael A. Ayele (a.k.a) W was on (or around) December 20<sup>th</sup> 2013 hand-delivered a letter informing him that he would be “*dismissed from his employment*” at the FSH, and that in order to get his “*last paycheck*,” he needed to return his badge and his uniform.

Upon reading the December 20<sup>th</sup> 2013 letter hand-delivered to him, Michael A. Ayele (a.k.a) W immediately turned in his badge. However, because December 21<sup>st</sup> 2013 and December 22<sup>nd</sup> 2013 fell on a Saturday and Sunday (respectively), Michael A. Ayele (a.k.a) W was unable to return his Missouri state government issued uniforms until December 23<sup>rd</sup> 2013 (which fell on a Monday). Nonetheless, on Monday, December 23<sup>rd</sup> 2013, Michael A. Ayele (a.k.a) W drove from his home to the FSH to return his uniforms. At the time Michael A. Ayele (a.k.a) W returned his uniforms on December 23<sup>rd</sup> 2013, he had presented to personnel of the FSH the letter he was hand-delivered on December 20<sup>th</sup> 2013 informing him that he would get the one-time lump sum payment he was owed for the work he performed upon the return of his badge and uniform, but unfortunately, he was not provided with the one-time lump sum payment that was promised to him in writing. When this happened, Michael A. Ayele (a.k.a) W began verbally inquiring with urgency (on December 23<sup>rd</sup> 2013) when he would get the "final paycheck" that was promised to him (in writing) on December 20<sup>th</sup> 2013, but he got no straightforward answers (from the FSH personnel that took his uniform and gave him a "receipt"). In other words, despite having complied with the conditions set forth in the December 20<sup>th</sup> 2013 letter by returning his Missouri state government issued badge and uniforms, Michael A. Ayele (a.k.a) W was not paid the one-time lump sum payment he was explicitly promised on December 23<sup>rd</sup> 2013. Michael A. Ayele (a.k.a) W was also not provided with any written explanation, documentation, or lawful justification for the refusal to issue the payment that was owed to him (except the "receipt" confirming that he had returned his uniforms and his badge). Faced with this unfair and very unpleasant situation, Michael A. Ayele (a.k.a) W made (between December 24<sup>th</sup> 2013 and December 30<sup>th</sup> 2013) repeated, good-faith attempts to resolve the matter through telephone communications with personnel at the FSH, all of which were ignored or sent to voicemail. On (or around) December 30<sup>th</sup> 2013, feeling extremely frustrated, Michael A. Ayele (a.k.a) W drove to the FSH in person for the purpose of obtaining [1] the final paycheck he had been promised in writing; [2] access to his employment-related records. Unfortunately, though, Michael A. Ayele (a.k.a) W's wage and employment dispute were not resolved on December 30<sup>th</sup> 2013. Rather, personnel of the FSH chose to escalate the situation and caused Michael A. Ayele (a.k.a) W to be arrested—despite the absence of probable cause, a warrant, or any objectively reasonable basis to believe that he had committed a crime. [\[iv\]](#)

In my opinion, the facts presented in this request for a fee waiver and expedited processing will also not bolster public confidence in the case that had been assigned 14CW - CR00084 [which ended up pitting the State of Missouri against Michael A. Ayele (a.k.a) W: a former Missouri state government employee listed as such on Missouri's Accountability Portal]. One of the main reasons this records request will not bolster public confidence in the case that had been assigned 14CW - CR00084 is because Michael A. Ayele (a.k.a) W had decided to represent himself in that case, and he had filed an *Entry of Appearance* and requested the prompt disclosure of *Discovery*. However, before filing his *Entry of Appearance* and requesting the prompt disclosure of *Discovery*, Michael A. Ayele (a.k.a) W had held meetings with representatives of the Callaway County Prosecutor's Office informing them that they should not prosecute the case that had been assigned 14CW - CR00084. Unfortunately, though, the Callaway County Prosecutor's Office informed Michael A. Ayele (a.k.a) W (in meetings he had with them) that they will be prosecuting the case that had been assigned 14CW - CR00084. Regardless, after filing his *Entry of Appearance* and his request for the *Production of Document* (*Discovery*), Michael A. Ayele (a.k.a) W expected that the courts in Missouri would keep him up to date on the status of the case and any future probable cause hearing (either through email or postal correspondence or telephone) particularly given that he was proceeding pro-se (and that he didn't go to law school and that he only attended a few pre-law classes in college), but this didn't happen. In other words, there was no probable cause hearing that was held for the case that had been

assigned 14CW - CR00084. Moreover, Michael A. Ayele (a.k.a) W was informed that if he wished to get updates on the case that was assigned 14CW - CR00084, he would have to create an account on "Movans:" something he ended up doing. Unhappy with the police brutality (and the retaliatory employment related actions) he experienced on December 30<sup>th</sup> 2013 (and afterwards), Michael A. Ayele (a.k.a) W filed cross complaints against the Callaway County Prosecutor's Office, the judge who was overseeing the case 14CW - CR00084 before permanently leaving the State of Missouri in May 2014.

Approximately one year after the ordeal Michael A. Ayele (a.k.a) W went through in the State of Missouri, the Department of Justice (DOJ) published a report on (or around) March 04<sup>th</sup> 2015 about police and court practices in Missouri explaining how Missouri police officers *"frequently do not report the force they use at all."* In circumstances where force is reported, *"the force review process falls so short of policy requirements that it is ineffective at improving officer safety or ensuring that force is used properly."* According to the DOJ, Missouri's municipal court practices *"cause significant harm to many individuals who have cases pending before the court"* because of *"the court's routine use of arrest warrants to secure collection and compliance when a person misses a required court appearance or payment. In a case involving a moving violation, procedural failures also result in the suspension of the defendant's license."* Apparently, between 2012 and 2015, Missouri courts (in the City of Ferguson) had imposed *"roughly one Failure to Appear charge per every two citations or summonses issued by the Ferguson Police Department. Since at least 2010, the court has collected more revenue for Failure to Appear charges than for any other charge. This includes \$442,901 (four hundred forty-two thousand nine hundred and one American dollars) in fines for Failure to Appear violation in 2013, which comprised 24% of the total revenue the court collected that year. While the City Council repealed the Failure to Appear ordinance in September 2014, many people continue to owe fines and fees stemming from that charge. And the court continues to issue arrest warrants in every case where that charge previously would have been applied. License suspension practices are similarly unchanged. Once issued, arrest warrants can, and frequently do, lead to arrest and time in jail, despite the fact that the underlying offense did not result in a penalty of imprisonment. Thus, while the municipal court does not generally deem the code violations that come before it as jail-worthy, it routinely views the failure to appear in court to remit payment to the City as jail-worthy, and commonly issues warrants to arrest individuals who have failed to make timely payment."* [v]

More recently, (in Calendar Year 2022,) the National Registry of Exoneration had published a report affirming that *"race is central to every aspect of criminal justice in the United States. The conviction of innocent defendants is no exception. Thousands of exonerations across dozens of years demonstrate that Black people are far more likely than white people to be convicted of crimes they did not commit. What explains this stark racial disparity? (...) There is no one explanation for the heavy concentration of Black defendants among those convicted of crimes they did not commit. The cases we have identified run from inevitable consequences of patterns in crime and punishment to deliberate acts of racism, with many steps in between. (...) For instance, innocent Black people are about seven-and-a-half times more likely to be convicted of murder than innocent white people. That applies equally to those who are sentenced to death and those who are not. (...) A major cause of this disparity is the high homicide rate in the Black community, a tragedy that kills many Black people and sends many others to prison. (...) In addition, Black people who are convicted of murder are about 80% percent more likely to be innocent than other convicted murderers. (...) Part of that disparity is tied to the race of the victims. About 13% of murders by Black people have white victims, but twice as many - 26% of innocent Black murder exonerees - were convicted of killing white people. (...) The convictions that led to murder exonerations with Black defendants were almost 50% more likely to include misconduct by police officers than those with white defendants. (...) In addition, on average Black murder exonerees spent three years longer in prison before release than white murder exonerees. (...) Many of the convictions of Black murder exonerees were influenced by racial discrimination, from*

*unconscious bias and institutional discrimination to explicit racism. (...) Unfortunately, most innocent defendants who are convicted of crimes are not exonerated. Judging from the rate of false conviction among death sentences, at least several thousand defendants have been falsely convicted of murder in America in the past 40 years. Judging from the exonerations that have occurred, more than half of them were Black.”* [\[vi\]](#)

The core issues presented in this records request are as follows. 1) Are local/state government agencies in the State of Missouri under any legal obligations to list the name and the annual salary of their employees? If yes, will you promptly disclose those records? 2) Is the Missouri State Auditor under any legal obligations to monitor the listings of Missouri local/state government employees? If yes, will you promptly disclose those records? 3) Have you had conversations about the decision of the Missouri state government to use an accountability portal for the purpose of listing the name and annual salary of their current/previous employees? If yes, will you promptly disclose those records? 4) Have you had conversations about the decision of the Missouri state government to identify Michael A. Ayele (a.k.a) W as a former employee of the Missouri Department of Mental Health (MODMH) Fulton State Hospital (FSH) who has earned approximately \$19,189 (nineteen thousand one hundred- and eighty-nine-dollars American dollars) in Calendar Year 2013? If yes, will you promptly disclose those records? 5) Have you had conversations about the decision of the Missouri state government to identify Michael A. Ayele (a.k.a) W as a former employee of the MODMH (FSH) who has earned approximately \$2,322 (two thousand three hundred and twenty-two American dollars) in Calendar Year 2014? If yes, will you promptly disclose those records? 6) Have you had conversations about Michael A. Ayele (a.k.a) W as a Black man who has never denied being employed for the MODMH (FSH) in Calendar Year 2013? If yes, will you promptly disclose those records? 7) Have you had conversations about Michael A. Ayele (a.k.a) W as a Black man who was on (or around) December 20<sup>th</sup> 2013 “dismissed” from the MODMH (FSH)? If yes, will you promptly disclose those records? 8) Have you had conversations about Michael A. Ayele (a.k.a) W as a Black man who was on (or around) December 20<sup>th</sup> 2013 informed by the MODMH (FSH) that he “would get his final paycheck” from the Missouri state government upon the return of his Missouri state government issued badge and uniform that consisted of 5 (five) white polo T-shirts? If yes, will you promptly disclose those records? 9) Have you had conversations about Michael A. Ayele (a.k.a) W as a Black man who has on (or around) December 20<sup>th</sup> 2013 returned his Missouri state government issued badge for the purpose of obtaining the “final paycheck” that was owed to him? If yes, will you promptly disclose those records? 10) Have you had conversations about Michael A. Ayele (a.k.a) W as a Black man who has on (or around) December 23<sup>rd</sup> 2013 returned his Missouri state government issued white polo T-shirts for the purpose of obtaining the “final paycheck” that was owed to him? If yes, will you promptly disclose those records? 11) Have you had conversations about the MODMH (FSH) as a state government agency which refuses to deny that Michael A. Ayele (a.k.a) W was on (or around) December 20<sup>th</sup> 2013 informed that he would receive a one-time lump sum payment for the work he did at the MODMH (FSH) upon the return of his Missouri state government issued badge and uniform? If yes, will you promptly disclose those records? 12) Have you had conversations about the MODMH (FSH) as a state government agency which refuses to deny that Michael A. Ayele (a.k.a) W returned his Missouri state government issued badge on (or around) December 20<sup>th</sup> 2013? If yes, will you promptly disclose those records? 13) Have you had conversations about the MODMH (FSH) as a state government agency, which refuses to deny that Michael A. Ayele (a.k.a) W returned his Missouri state government issued uniform that consisted of 5 (five) white polo T-shirts on (or around) December 23<sup>rd</sup> 2013? If yes, will you promptly disclose those records? 14) Have you had conversations about the MODMH (FSH) as a state government agency which refuses to deny that Michael A. Ayele (a.k.a) W was not provided the one-time lump sum payment that was promised to him on December 20<sup>th</sup> 2013 even though he had by December 23<sup>rd</sup> 2013 returned his Missouri state government issued badge and uniform? If yes, will you promptly disclose those records? 15) Have you had conversations about the MODMH (FSH) as a state

government agency which refuses to deny that Michael A. Ayele (a.k.a) W made numerous telephone calls to the MODMH (FSH) between December 24<sup>th</sup> 2013 and December 30<sup>th</sup> 2013 for the purpose of obtaining "*the final paycheck*" that was owed to him? If yes, will you promptly disclose those records? 16) Have you had conversations about the MODMH (FSH) as a state government agency which refuses to deny that Michael A. Ayele (a.k.a) W made numerous telephone calls to the MODMH (FSH) between December 24<sup>th</sup> 2013 and December 30<sup>th</sup> 2013 for the purpose of obtaining his employment file? If yes, will you promptly disclose those records? 17) Have you had conversations about the MODMH (FSH) as a state government agency which refuses to deny that Michael A. Ayele (a.k.a) W telephone calls to the MODMH (FSH) between December 24<sup>th</sup> 2013 and December 30<sup>th</sup> 2013 were either ignored or sent to voicemail? If yes, will you promptly disclose those records? 18) Have you had conversations about the MODMH (FSH) as a state government agency which refuses to deny that Michael A. Ayele (a.k.a) W came in-person to the MODMH (FSH) on (or around) December 30<sup>th</sup> 2013 to demand that he be compensated with the one-time lump sum payment that was owed to him? If yes, will you promptly disclose those records? 19) Have you had conversations about the MODMH (FSH) as a state government agency which refuses to deny that Michael A. Ayele (a.k.a) W came in-person to the MODMH (FSH) on (or around) December 30<sup>th</sup> 2013 to demand that he be provided with his employment file? If yes, will you promptly disclose those records? 20) Have you had conversations about the MODMH (FSH) as a state government agency which refuses to deny that Michael A. Ayele (a.k.a) W was arrested for the first time of his life on (or around) December 30<sup>th</sup> 2013 for demanding that he be compensated with the one-time lump sum payment that was promised to him on (or around) December 20<sup>th</sup> 2013? If yes, will you promptly disclose those records? 21) Have you had conversations about the MODMH (FSH) as a state government agency which refuses to deny that Michael A. Ayele (a.k.a) W was arrested for the first time of his life on (or around) December 30<sup>th</sup> 2013 for demanding that he be provided with his employment file? If yes, will you promptly disclose those records? 22) Have you had conversations about the decision of Internet Search Engines (ISE) such as AOL, Bing/MSN and Yahoo to filter and distort Michael A. Ayele (a.k.a) W's key questions on Title VII of the 1964 and 1991 Civil Rights Act by generating unwelcome and unapproved prompts such as "*michael ayele title vii*," "*Michael A. Ayele Impact on Civil Rights*," "*Michael A. Ayele human rights articles*" and "*michael ayele redistribution agreement?*" If yes, will you promptly disclose those records? 23) Have you had conversations about the judicial branch of the U.S government holding in *Sibron v. New York* that "*before an officer places a hand on the person of a citizen in search of anything, he must have constitutionally adequate, reasonable grounds for doing so?*" If yes, will you promptly disclose those records? 24) Have you had conversation about the judicial branch of the U.S government holding in *Ornelas v. United States* that "*the principal components of a determination of reasonable suspicion or probable cause will be the events which occurred leading up to the stop or search, and then the decision whether these historical facts, viewed from the standpoint of an objectively reasonable police officer, amount to reasonable suspicion or to probable cause?*" If yes, will you promptly disclose those records? 25) Have you had conversations about the judicial branch of the U.S government holding in *Beck v. Ohio* that "*the validity of an arrest depends upon whether, at the moment of the arrest, the police officer had probable cause (or a warrant) to believe that the individual could be arrested?*" If yes, will you promptly disclose those records? 26) Have you had conversation about the judicial branch of the U.S government holding in *Florida v. Royer* that a "*police officer restraint of a person amounting to seizure is invalid unless justified by probable cause for the purposes of the Fourth Amendment?*" If yes, will you promptly disclose those records? 27) Have you had conversations about the judicial branch of the U.S government holding in *Hayes v. Florida* that "*police officers acting without a probable cause and without a warrant violate the Fourth Amendment when they forcibly remove a person from his home or other place where she/he was entitled to be?*" If yes, will you promptly disclose those records? 28) Have you had conversations about the judicial branch of the U.S government holding in *Dunaway v. New York* that "*the Fourth Amendment's proscription of unreasonable searches*

*and seizures applies to arrests, and an arrest without probable cause is unreasonable?" If yes, will you promptly disclose those records? 29) Have you had conversations about the judicial branch of the U.S government holding in *Marilyn Centanni v. Eight Unknown Police Officers* that "the seizure and removal of a person to a police station constitutes a de facto arrest requiring probable cause?" If yes, will you promptly disclose those records? 30) Have you had conversations about the judicial branch of the U.S government holding in *Kenneth Daugherty v. Campbell* that a "strip search, regardless of how professionally and courteously conducted, is an embarrassing and humiliating experience?" If yes, will you promptly disclose those records? 31) Have you had conversations about the judicial branch of the U.S government holding in *Graham v. Connor* that "to determine the appropriate amount of force used by a law enforcement officer, one should examine the severity of crime of the crime at issue, the extent to which the suspect poses an immediate threat to the safety of the officers or others, and whether the suspect is actively resisting arrest or attempting to evade arrest by flight?" If yes, will you promptly disclose those records? 32) Have you had conversations about the judicial branch of the U.S government holding in *Yvonne Alexis v. McDonald Restaurants of Massachusetts* that "the force with which police officers effected the sudden, unannounced, violent seizure and removal of Yvonne Alexis's person was not objectively reasonable, especially since there is no evidence or suggestion that she posed a risk of flight, attempted to resist or evade arrest, or threatened the peace, property or safety of anyone?" If yes, will you promptly disclose those records? 33) Have you had conversations about the judicial branch of the U.S government holding in *Michael Deorle v. Rutherford* that "problems posed by, and thus the tactics to be employed against, an emotionally distraught individual who is creating a disturbance or resisting arrest are, and must be, differentiated from those involved in efforts to subdue an armed and dangerous criminal who has committed a serious offense?" If yes, will you promptly disclose those records? 34) Have you had conversations about the judicial branch of the U.S government holding in *City of Houston, Texas v. John Hill* that a "municipal ordinance that makes it unlawful to interrupt a police officer in the performance of his duty is substantially overbroad, and therefore invalid on its face under the First Amendment?" If yes, will you promptly disclose those records? 35) Have you had conversations about the judicial branch of the U.S government holding in *Simon Jean v. Massachusetts State Police* that "the First Amendment protects the right of individuals to record police officers performing their official duties in public, and police officers may not interfere with or attempt to prevent individuals from engaging in such conduct?" If yes, will you promptly disclose those records? 36) Have you had conversations about the judicial branch of the U.S government holding in *James Butterworth v. Smith* that the "First Amendment protects the right of individuals to discuss their own testimony before a grand jury. A gag order restricting this right is not justified by the state's interest in maintaining grand jury secrecy?" If yes, will you promptly disclose those records? 37) Have you had conversation about the judicial branch of the U.S government holding in *Jeffrey Jones v. Buchanan* that "prisoners have a right to file grievances and lawsuits without facing retaliation. The First Amendment guarantees the right to petition the government for redress of grievances, and prison officials cannot retaliate against prisoners for exercising this right?" If yes, will you promptly disclose those records? 38) Have you had conversations about the judicial branch of the U.S government holding in *Brady v. Maryland* that "the suppression by the prosecution of evidence favorable to an accused violates due process where the evidence is material either to guilt or punishment, irrespective of the good faith or bad faith of the prosecution?" If yes, will you promptly disclose those records?*

Thank you for your attention to this matter.

Michael A. Ayele (a.k.a) W  
Anti-Racist Human Rights Activist  
Audio-Visual Media Analyst  
Anti-Propaganda Journalist

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## Work Cited

[i] Michael A. Ayele (a.k.a) W Listing on Missouri's Accountability Portal (MAP).: <https://mapyourtaxes.mo.gov/MAP/Employees/Employee/SearchResults.aspx?last=Ayele&first=Michael&year=0&agency=0>

Michael A. Ayele (a.k.a) W Listing on MAP for Calendar Year 2013.: <https://mapyourtaxes.mo.gov/MAP/Employees/Employee/EmployeeDetails.aspx?last=Ayele&first=Michael&agency=0&row=118538&year=2013>

Michael A. Ayele (a.k.a) W Listing on Map for Calendar Year 2014.: <https://mapyourtaxes.mo.gov/MAP/Employees/Employee/SearchResults.aspx?last=Ayele&first=Michael&year=0&agency=0>

[ii] Even though Michael A. Ayele (a.k.a) W has never sought nor ever solicited nor ever contacted anyone to have his written publications listed and featured prominently on the AOL, Bing/MSN, Google and Yahoo internet search engines (ISE); Michael A. Ayele (a.k.a) W has uncovered many instances where his written content were filtered, distorted, misused and misattributed. At the time Michael A. Ayele (a.k.a) W started to publish his key questions on Title VII of the Civil Rights Act of 1964 and 1991, Michael A. Ayele (a.k.a) W had not signed any binding agreement that subjected his correspondence with the United States government to evaluation, examination and unsolicited comments on the AOL, Bing/MSN, Google and Yahoo internet search engines (ISE). In other words, Michael A. Ayele (a.k.a) W has never agreed to take on the role of the "Student" for his published works while the AOL, Bing/MSN and Yahoo ISE took on the role of "Professor." Likewise, Michael A. Ayele (a.k.a) W has never agreed to take on the role of "Plaintiff" and/or "Defendant" for his published works while the AOL, Bing/MSN and Yahoo ISE took on the role of "Judge, Jury and Executioner." More importantly, Michael A. Ayele (a.k.a) W had started to publish some of his correspondence with the United States government on matters related to Title VII of the Civil Rights Act because of a commitment he had made that he would disseminate any and all responsive records to members of the general public at no financial expense to them. To the best of his ability, Michael A. Ayele (a.k.a) W has fulfilled this commitment by disseminating the most pertinent records in his possession about the charge of employment discrimination that had previously been assigned Case No.: 28E - 2014 - 00485C.

Michael Ayele (a.k.a) W was an employee of the Missouri Department of Mental Health (MODMH) Fulton State Hospital (FSH) during the second half of Calendar Year 2013. He has towards the end of Calendar Year 2013 filed a charge of employment discrimination pursuant to Title VII of the 1964 and 1991 Civil Rights Act against the MODMH (FSH). The charge of employment discrimination filed by Michael Ayele (a.k.a) W with the EEOC was previously assigned Case No.: 28E - 2014 - 00485C and has been subject of intense frenzy. In e-mail conversations he has had with his former employers, Michael Ayele (a.k.a) W has been informed that 9 (nine) charges of employment discrimination were filed against the MODMH between January 01<sup>st</sup> 2010 and December 17<sup>th</sup> 2021. Of those, the MODMH opted to engage in the alternative dispute resolution (ADR) program offered by the EEOC on 4 (four) occasions. They also declined to engage in the ADR program offered by the EEOC on 5 (five) occasions.

As of this writing, it remains unclear to Michael A. Ayele (a.k.a) W why the MODMH opted to

engage in certain ADR sessions offered by the EEOC while refusing to do so for others. As a matter of principle, Michael A. Ayele (a.k.a) W unequivocally condemns discrimination on the bases of gender, racial background, sexual orientation, national origin, religious affiliation and/or disability status. Michael A. Ayele (a.k.a) W has effectively put the EEOC on notice that given their processing of Charge No.: 28E – 2014 – 00485C, they have forfeited their rights to legally represent Missouri state employees (in the judicial branch of the U.S government: the courts), who [1] have opposed discriminatory practices in the service of healthcare pursuant to the Health Insurance Portability and Accountability Act (HIPAA); [2] have been subjected to racially motivated internal investigation (and were afterwards cleared of that investigation); [3] have been fired from their jobs as retaliation for opposing discrimination in the service of healthcare; [4] have been arrested for demanding the payment of their salary for the job they have performed.

Given the frequent unsavory dealings of Michael A. Ayele (a.k.a) W with the Equal Employment Opportunity Commission (EEOC), Michael A. Ayele (a.k.a) W strongly advises people who are filing charges of employment discrimination pursuant to Title VII of the 1964 and 1991 Civil Rights Act to ask the following questions to their Fair Employment Practice Agency(ies) (FEPA) and the EEOC. 1) Has my current/former employer previously faced a charge of employment discrimination pursuant to some state and/or federal law? 2) Have the EEOC and/or the FEPA become aware of the charge of employment discrimination my current/previous employer has faced? 3) Were the EEOC and/or the FEPA responsible for the processing of the charge of employment discrimination filed pursuant to the Americans with Disabilities Act (ADA), the Genetics Information Nondiscrimination Act (GINA), Section 504 of the 1973 Rehabilitation Act and/or Title VII of the 1964 and 1991 Civil Rights Act against my current/former employer? 4) Have the EEOC and/or the FEPA previously processed a charge of discrimination against my current/former employer that presented similar issues to mine? If yes, what was the outcome of the charge of discrimination that presented similar issues to mine? 5) What were the exact circumstances, which ultimately convinced the EEOC and the FEPA to ask my current/former employer to engage in the ADR program? Why has my current/former employer opted to engage in certain ADR program offered by the EEOC but not others? 6) If the EEOC opts not to legally represent the charge of discrimination (I have filed with them) in the judicial branch of the U.S government (the courts), should I file a *Civil Complaint* with an EEOC "Right to Sue" letter? Do the EEOC and/or the FEPA have an obligation to make clear to the judicial branch of the U.S government (the courts) that a charge of employment discrimination does not have "*less merit*" because it doesn't have their backing and/or their recommendation for the Department of Justice (DOJ) to prosecute? Do the EEOC and/or the FEPA have an obligation to make clear to the general public and representatives of the media the specific charges of employment discrimination they will not back and/or recommend for the DOJ not to prosecute?

[iii] Unfortunately, I regret to inform you that the decision of internet search engines (ISE) to filter and distort Michael A. Ayele (a.k.a) W's key questions on Title VII of the 1964 and 1991 Civil Rights Act [1] was not an isolated incident, but part of a repeated pattern; [2] has undermined transparency, accountability, and informed public understanding of the circumstances that ultimately led Michael A. Ayele (a.k.a) W to file a complaint of employment discrimination in Calendar Year 2013; [3] has exacerbated racism and discrimination online, causing direct harm to the name, the image and the likeness of Michael A. Ayele (a.k.a) W.

Bing/MSN Unwelcome and Unapproved Query "*Michael Ayele Title VII.*"  
<https://www.bing.com/search?q=michael+ayele+title+vii>

Bing/MSN Unwelcome and Unapproved Query "*Michael Ayele Redistribution Agreement.*"

<https://www.bing.com/search?q=michael+ayele+redistribution+agreement>

[iv] Michael A. Ayele (a.k.a) W December 30<sup>th</sup> 2013 Arrest at the Missouri Department of Mental Health (MODMH) Fulton State Hospital (FSH).: [https://www.youtube.com/watch?v=0t\\_nibmp33Q](https://www.youtube.com/watch?v=0t_nibmp33Q)

[v] *We have concerns not only about the obstacles to resolving a charge even when an individual chooses not to contest it, but also about the trial processes that apply in the rare occasion that a person does attempt to challenge a charge. While it is "axiomatic that a fair trial in a fair tribunal is a basic requirement of due process," (...) the adjudicative tribunal provided by the Ferguson, Missouri's municipal courts appears deficient in many respects. Attempts to raise legal claims are met with retaliatory conduct. In an August 2012 email exchange, for instance, the Court Clerk asked what the Prosecuting Attorney does when an attorney appears in a red light camera case, and the Prosecuting Attorney responded: "I usually dismiss them if the attorney merely requests a recommendation. If the attorney goes off on all of the constitutional stuff, then I tell attorney to come ... and argue in front of the judge – after that, his client can pay the ticket." We have found evidence of similar adverse action taken against litigants attempting to fulsomely argue a case at trial. (...) Even where defendants opt not to challenge their charges, a number of court processes make resolving a case exceedingly difficult. City officials and FPD officers we spoke with nearly uniformly asserted that individuals' experiences when they become embroiled in Missouri's municipal code enforcement are due (...) to those individuals' lack of "personal responsibility." But these statements ignore the barriers to resolving a case that court practices impose, including: 1) a lack of transparency regarding rights and responsibilities; 2) requiring in-person appearance to resolve most municipal charges; 3) policies that exacerbate the harms of Missouri's law requiring license suspension where a person fails to appear on a moving violation charge; 4) basic access deficiencies that frustrate a person's ability to resolve even those charges that do not require in-court appearance; and 5) legally inadequate fine assessment methods that do not appropriately consider a person's ability to pay and do not provide alternative to fines for those living in or near poverty. Together, these barriers impose considerable hardship. We have heard repeated reports, and found evidence in court records, of people appearing in court many times – in some instances on more than ten occasions – to try to resolve a case but being unable to do so, and subsequently having additional fines, fees, and arrest warrants issued against them.*

Department of Justice (DOJ). March 04<sup>th</sup> 2015. Investigation of the Ferguson, Missouri Police Department.: [https://www.justice.gov/sites/default/files/opa/press-releases/attachments/2015/03/04/ferguson\\_police\\_department\\_report.pdf](https://www.justice.gov/sites/default/files/opa/press-releases/attachments/2015/03/04/ferguson_police_department_report.pdf)

[vi] *About 38% of murder victims in the United States are white. (...) Many studies in at least 15 states have shown that defendants who are charged with killing white victims, regardless of their own race, are more likely to be sentenced to death than those charged with killing Black victims. The disparities we see in our data suggest that innocent defendants who are charged with killing white victims are more likely to be sentenced to death, and sometimes no doubt executed, than those charged with killing Black victims. There are also sentencing disparities among murder exonerees who avoided death sentences. More than half of non-capital murder exonerees were sentenced to life imprisonment or to life without the possibility of parole (535/1,033), and the rest were sentenced to prison for terms shorter than life. Fifty-eight percent of non-capital murder exonerees who were convicted of killing white victims were sentenced to life imprisonment (262/448), compared to 46% of those who were convicted of killing Black victims*

(206/444). In other words, judging from exonerations, the pattern of harsh sentencing for murder convictions with white victims and lighter sentencing for those with Black victims is not restricted to death sentences. If they avoid the death penalty, innocent murder defendants in white-victim cases are also more likely to be sentenced to life in prison than those charged with killing Black victims. (...)

Seventy-two percent of the murder prosecutions that led to exoneration included official misconduct that we know about (845/1,167). We have identified many different types of misconduct. The most common is concealing exculpatory evidence – often called “Brady violations” after the landmark 1963 Supreme Court case *Brady v. Maryland* – which occurred in 63% of the cases (736/1,167). The next most common type is witness tampering – everything from misleading a witness at a lineup, to threatening a witness, to suborning perjury – which occurred in 35% of murder exoneration cases (416/1,167); followed by perjury by a state official, which happened in 20% of the cases (230/1,167). The rate of official misconduct is considerably higher among murder exonerations with Black defendants than those with white defendants, 78% (500/638) compared to 64% (236/369). The overall rate of misconduct is a bit higher in capital cases – up from 73% to 78% (105/134) – but the difference by race is similar: 85% (63/74) of Black exonerees who were sentenced to death were victims of official misconduct, compared to 70% (32/46) of white death-row exonerees. Most of these differences by race are due to misconduct by police officers. The rate of misconduct by prosecutors is about the same for all murder exonerations regardless of race, 48% for Black defendants (308/638) and 45% for white (167/369). (There is a slightly larger difference in prosecutorial misconduct among capital exonerations, 65% for Black defendants (48/74) and 59% for white defendants (27/46).) On the other hand, there is a substantial difference in the rate of misconduct by police: 58% for Black murder exonerees (370/638) compared to 38% for whites (142/369). The high rate of misconduct by police in murder cases with Black defendants is reflected in the nature of the misconduct that occurs. Eighty four percent of perjury by government officials is committed by police officers. It happened in 21% of murder exonerations with Black defendants (136/638) and 14% of those with white defendants (51/369).

Witness tampering is also committed primarily by police officers. It happened in 42% of murder exonerations with Black defendants (271/638) but only 25% of those with white defendants (91/369). In 17% of Black defendant murder exonerations the witness tampering included violence or threats to the witness (106/638), compared to 7% for white defendant cases (24/369). For example: Kendrick Scott and Justly Johnson were arrested and charged with murder within hours after Lisa Kindred was shot and killed in Detroit on May 09<sup>th</sup> 1999, and convicted in 2000. Antonio Burnette and Raymond Jackson had been arrested hours earlier as part of the same investigation, and they told the police – and later testified in court – that Scott and Johnson told them that they had committed the murder. Scott and Johnson were exonerated in 2018 after the victim’s son – who witnessed the killing at close range when he was eight, but was never questioned by anyone before trial – testified that he was certain that neither Scott nor Johnson was the gunman. In addition, Burnette testified that the police “whooped” him during his interrogation and that he was afraid he would be charged with the murder himself if he did not say what they wanted to hear, and a cousin of Jackson’s testified that before he died in 2008, Jackson told her that he had lied because he was afraid of the police and the prosecution.

Tainted identification procedures are a particularly dangerous form of misconduct. They occurred in 10% of murder exonerations, that we know (112/1,167): 5% of cases with white defendants (18/369), and more than twice as often – 12% – of those with Black defendants (75/638). Their purpose, often successful, is to produce false evidence that an eyewitness to the crime identified the defendant based on their memory of what they saw. These are cases in which police (and, rarely, prosecutors) tell witnesses, in one form or another, who to identify in a lineup or other identification procedure. Sometimes they use visual cues (...) and sometimes they use threats. (...) Police used threats in 52% of tainted

identification procedures that produced false identification of Black murder exonerees (29/75), compared to 11% of those that produced false identifications of white exonerees (2/18). We only know about misconduct that is reported in documents we can obtain. Official misconduct in criminal cases is under-reported because, by its very nature, most misconduct is deliberately concealed – and much if not most remains hidden. That means that wrongful murder convictions are also more likely to include undiscovered misconduct when the defendant is Black: in exonerations for which some misconduct already is known, in those with no known misconduct, and among false murder convictions that have not resulted in exoneration. Black murder exonerees spend longer before release than white murder exonerees, about 16 years on average compared to about 13, whether or not they were sentenced to death. Three additional years in prison is a severe penalty. For reference, the average total time spent in prison for drug crime exonerees is about one year; excluding those who served no time because they got probation, it's still under two years. This longer pipeline to exoneration also means that, at any given time, a larger proportion of Black murder defendants who will eventually be exonerated are still in prison. Murder exonerations with known misconduct do take longer than those without, 17.7 years to 12.2 years, on average. The higher rate of misconduct in cases with Black exonerees may cause some of the longer average time they wait to be exonerated, perhaps because the authorities resist exoneration more strenuously in cases with government misconduct. The longer time to exoneration for Black exonerees may also contribute to the higher rate of known misconduct because it provides a better opportunity for misconduct that occurred to be discovered. In any event, differences in time to exoneration by race persist even after controlling for government misconduct. Among murder exonerations with official misconduct, the average time to exoneration is 19.1 years for Black exonerees and 16.6 years for white exonerees; among murder exonerations without misconduct, it's 13.3 years for Black exonerees and 11.3 for whites.

It seems that innocent Black people who are convicted of murder are at a disadvantage not only because their convictions were more likely to have been influenced by official misconduct, but also simply because of their race. Consider this case: In 1984, 19-year-old Henry McCollum and his 15-year-old half-brother, Leon Brown, were sentenced to death for the rape and murder of 11-year-old Sabrina Buie in Robeson County, North Carolina. McCollum and Brown were from New Jersey; they were visiting relatives in North Carolina. Both were intellectually disabled, and both falsely confessed under pressure from police. No physical evidence connected them to the crime. In 2010, after decades of unsuccessful efforts to prove their innocence through the courts, the North Carolina Inquiry Commission agreed to investigate the case. It determined that DNA from a cigarette butt found at the scene of the crime came from Roscoe Artis, a proven serial murderer and rapist who was himself sentenced to death for raping and killing an 18-year old woman in the same county about a month after McCollum and Brown had confessed. Artis had been a suspect in the Sabrina Buie rape-murder. In 1984, the police had asked the North Carolina State Bureau of Investigations to compare the fingerprints on beer cans at the crime to those of Artis – but they hid that request from the defense. The authorities also concealed the fact that a witness who testified at trial that McCollum and Brown had admitted to the murder, had not only previously denied knowing anything about the case, but had taken a lie detector test that confirmed his denial. McCollum and Brown were exonerated in 2014, after nearly 31 years in prison. They were pardoned by the Governor of North Carolina in 2015 and received \$750,000 each in compensation from the state. Even so, after their release the prosecutor who sent them to death row told *The New York Times*: "No question about it, absolutely they are guilty."

Certainly, there was misconduct that contributed to the conviction of McCollum and Brown, and that may have contributed to the decades of resistance to reopening the case. Did it also matter that the defendants were Black – as well as strangers to the community and intellectually disabled? Did their race contribute to authorities unjustified and apparently unexamined confidence in their guilt even as evidence of innocence mounted? That would fit the data we see across cases. McCollum and Brown are two of 75 innocent death-row

*defendants who spent 30 years or longer in prison before they were exonerated, 67% of whom are Black (50/75). The racial pattern is similar for all murder exonerees, regardless of sentence. Of the 181 exonerees who spent 25 years or longer in prison before release, 68% are Black; among the ten who lost 40 or more years to prison, it's 80%. (...)*

*We don't know the number of false criminal convictions, for murder or any other crime. Most by far remain hidden – false convictions far outnumber exonerations – and we have too little information to estimate that hidden figure. Except in one context: death sentences. Death sentences have a far higher rate of exoneration than other criminal convictions, and we have far more detailed data on them than any other category of criminal sentences. A study published in the Proceedings of the National Academy of Sciences made use of these unique characteristics to calculate "a conservative estimate of the proportion of false convictions among death sentences in the United States" – 4.1%. As the study is careful to point out, this estimate is for death sentences only. It cannot be applied to all crimes, or even to all murders. Still, it's a starting point; it suggests that the rate of miscarriages of justice for murders in general is somewhere in the general vicinity of the rate for capital murders. Assume for a moment that the proportion of innocent defendants among all murder convictions is half the rate for death sentences, 2%. That would mean there would be about 3,300 innocent defendants among the estimated 165,000 inmates who are in American prisons for murder convictions plus thousands more among the comparable number of defendants who were convicted of murder in the past 40 years but are not now in prison because they were released or have died. In short, it's likely that at least several thousand defendants have been falsely convicted of murder in the time period covered by the Registry, and judging from the exonerations we have seen – more than half of them were Black. (...) Race and Wrongful Convictions in the United States 2022. University of Michigan Law School.:*

<https://www.law.umich.edu/special/exoneration/Documents/Race%20Report%20Preview.pdf>