

From: moderator@dearjcps.com
To: "Open Records"
Bcc: "moderator@dearjcps.com"; ~~Kimberly Tucker-Johnson; Valeria Quinn; Juvynia Stechame; Daniel Smith~~
Subject: RE: Custis Follow Up Request
Date: Friday, August 4, 2023 4:28:00 PM
Attachments: [image002.png](#)
[image003.png](#)

Thank you for this information,

My request was for an incident on "or about April 17, 2023," not specifically that date, as your response indicates.

Lacking any other way to reference it than "the incident best described as a Black elementary school student being placed in a chokehold by a white male FRYSC, resulting in a situation very much resembling a George Floyd/Derek Chauvin situation, (except this is a child in this educator's care, and he is required by law to be placed there!)" I ask if you wouldn't mind clarifying your response, since it appears to be at odds with a previous response I received from you.

In an earlier response, you acknowledged the incident took place (see screenshot below).

Your most recent response seems to deny an incident even took place.

So I ask you again,

Can you please confirm that there was an incident that fits the above description that is currently pending the results of an internal investigation, and also confirm that you will have something to share with the public once the investigation is complete. Can you also offer an approximate date I should check back?

The reason I ask again so soon is because 1) I've heard it had possibly been resolved recently and I'm not sure how else to know when his file is finally updated than to check back, and 2) because school starts again soon and parents, children and the community deserve to be forewarned if this man who represents a dangerous threat to some of their children will be returning to their building.

Mandatory reporters have assured me there should be video evidence of this child gasping for air and saying "I can't breathe" before collapsing on the floor and coughing up phlegm upon regaining consciousness. If you cannot provide the video now due to the ongoing investigation, please consider this a request to preserve it for release to public or for taxpayers' legal purposes in the future. Thank you.

When you consider the number of other offenses this man has been investigated for prior to and even after this Spring 2023 incident, I have to question what standards are being used to determine who gets removed and who is allowed to stay/return when abuses of children are discovered to have taken place. I hope race, gender and even disability, are not going to have been an undeniable factor in hindsight, but I suspect they already are. Someone really should look into that.

To top it off, we are discovering some complaints against him were NEVER reported or investigated. I believe this to be true because one incident I myself reported via the fraud hotline on your website does not appear to be in his file. How can I find out what happened to my complaint? Who else should I ask? My board member? The media?


This is not the first incident whistleblowers have tried to sound the alarm on abuses of Black children at this school by white caregivers, only to experience retaliation, retribution, harassment, demotions and assassination of character, myself included. Wouldn't it be a travesty to knowingly allow such behaviors to continue to be permitted in this mostly Black, historically impacted and marginalized community?

Sorry if my message is terse. Any tone taken is not directed at you, but at the system that we are all caught up in.

I look forward to your reply.

Gay

To: moderator@dearjcps.com

 You forwarded this message on 7/14/2023 1:58 PM.

Ms. Adelmann,

That incident is still part of an ongoing administrative investigation. Pursuant to KRS § 61.878(1)(i) and (j), both “preliminary drafts, notes, correspondence with private individuals, other than correspondence which is intended to give notice of final action to a public agency” and “preliminary recommendations, and preliminary memoranda in which opinions are expressed or policies formulated or recommended” are exempted from public inspection. Pursuant to KRS § 61.878(1)(h), records related to ongoing administrative investigations are not subject to release during the investigation.

The record you requested is not available at this time due to the ongoing investigation.



Amanda Herzog
Assistant General Counsel
Contracts, Insurance & Data Sharing
Jefferson County Public Schools
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Phone: (502)-485-3584 | Fax: (502) 313-2706

From: Open Records <open.records@jefferson.kyschools.us>

Sent: Friday, August 4, 2023 1:11 PM

To: moderator@dearjcps.com

Subject: RE: Custis Follow Up Request

Ms. Adelmann,

We do not possess any records responsive to your request. Pursuant to KRS § 61.878(1)(i) and (j), both “preliminary drafts, notes, correspondence with private individuals, other than correspondence which is intended to give notice of final action to a public agency” and “preliminary recommendations, and preliminary memoranda in which opinions are expressed or policies formulated or recommended” are exempted from public inspection. Documents consisting of documents relating to ongoing investigations have been withheld.

We do not have any information regarding an incident on April 17, 2023.



Amanda Herzog
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From: moderator@dearjcps.com <moderator@dearjcps.com>

Sent: Friday, July 28, 2023 3:30 PM

To: Open Records <open.records@jefferson.kyschools.us>

Subject: Custis Follow Up Request

CAUTION: This email originated from outside of JCPS. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

Have any write-ups, performance evaluations, grievances, grievance resolutions, investigation reports, letters of reprimand, incident reports, transfers, suspensions, settlement agreements, agreed orders, termination/resignation/demotion letters, and/or CPS reports to the extent they exist, been added to John Custis’ personnel file since the last inquiry, or any other records that have yet to be provided in previous requests? If so, please provide copies.

Please also provide a copy of a redacted video of an incident that took place in the hallway at Maupin on or about April 17, 2023 involving FRYSC John Custis and a black, male student.

Thanks,

Gay

Gay Adelman

Dear JCPS, Co-founder & President (2015 – Present)

Save Our Schools KY, Co-founder & President (2016 – Present)

Kentucky Alliance Against Racist and Political Repression, Board Member (2020-Present)

Coalition for the People's Agenda - Education Committee, Chair (2020-Present)

Candidate for JCPS School Board, District 3 (2022)

Candidate for KY Senate, District 36 (2018)

Governor's Commonwealth Institute for Parental Leadership (GCIPL) Fellow (2017)

15th District PTA Vice President (2014-2017)

Shawnee PTSA President (2013-2015)

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