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**Volunteers & Management of the
Original KWCP 98.9 LPFM / West
Central Student-Oriented Community
Radio, an unincorporated association,**
Claimants,

vs.

**John Barrow Neighborhood Association,
City of Little Rock,
City Director Doris Wright,
Carolyn Heitman,
Arvel Howe,
Betty Moore Snyder,
Mary M. Lee,
George A. Brown,
Larry Gilmore, and
Dana Dossett**
Respondents.

BEFORE THE FEDERAL
COMMUNICATIONS COMMISSION

INFORMAL COMPLAINT PURSUANT
TO TITLE 47 CFR PART 1 § 1.41

The Volunteers & Management of the Original KWCP 98.9 LPFM / West Central Student-Oriented Community Radio, an unincorporated association (hereinafter “Claimants”), respectfully file this informal complaint and request for action by the Federal Communication Commission (hereinafter “Commission”), as one unified voice for the purpose of reducing the amount of paper, ink, postage and time needed to affect this informal complaint, and to prevent the Commission from having to process and read 23 duplicate informal complaints. However, Claimants respectively ask that the Commission treat this informal complaint as 23 separate informal complaints so that it can be properly documented that it involves the concerns of 23 separate individual bonafide listeners of KWCP-LP 98.9 (Channel 255 in Little Rock, Arkansas).

With that said, Claimants state as follows:

CAUSE OF ACTION

1. On July 28, 2017, the John Barrow Neighborhood Association, the public non-profit organization that submitted application #BNPL-20131113AOI to the Commission through its then application contact representative, Doris Wright, and was thereafter granted the license to operate KWCP-LP 98.9 (Channel 255 in Little Rock, Arkansas), willfully and forcefully initiated a series of actions that led to violations of the following Commission rules and regulations: Title 47 CFR Part 1 § 73.1745(a) (Unauthorized operation); Title 47 CFR Part 1 § 73.1300 (Unattended station operation); Title 47 CFR Part 1 § 73.1201 (Station Identification); Title 47 CFR Part 1 § 73.1015 (Truthful written statements and responses to Commission inquiries and correspondences); Title 47 CFR Part 1 § 73.881 (Equal employment opportunity (EEO)); Title 47 CFR Part 1 § 73.850(b) (Operating schedule); Title 47 USC § 333 (Willful or malicious interference).

2. These willful and forceful acts in gross violation of the public trust and interest that said licensee is required by the Communications Act of 1934 (Pub.L. 73-416; 48 Stat. 1064) and the Local Community Radio Act of 2010 (Pub.L. 111-371; 124 Stat. 4072) to uphold. And, such acts left a chilling effect on the additional diversity in radio voices in central Arkansas by silencing those of Claimants, without cause and without due process, in violation of the First Amendment to the Constitution of the United States of America. Also, the Respondents' refusal to meet with Claimants to mutually resolve these issues defies the Commission's goal of developing and maintaining consensus.

3. Claimants allege that the willful and forceful acts of Respondents have substantially frustrated and impaired the objectives and implementation of the Communications Act, the Local Community Radio Act, and related statutes and regulations, causing the public interest harms to outweigh the public interest benefits.

PARTIES

4. The Volunteers & Management of the Original KWCP 98.9 LPFM / West Central Student-Oriented Community Radio, an unincorporated association (hereinafter “Claimants”), is the collective name of twenty-three (23) individual bonafide listeners, who also happened to have been volunteers, of KWCP-LP 98.9 (Channel 255 in Little Rock, Arkansas), namely: Dreama Parham, KWCP Youth Council President & Youth Volunteer Talk Show Host; Kenron Dunn, Youth Volunteer Talk Show Host; Isaiah Newburn, Youth Volunteer Talk Show Host; Joseph Reed, Youth Volunteer Producer; Tamara Davis, College Intern; Brittany Owens, College Intern & Volunteer Talk Show Host; Lee “DJ Lee” Clark, Volunteer Disc Jockey; Detrich “Lil’ Rock Obama” Elliott, Volunteer Disc Jockey; Charles “DJ Embe” Ray, Volunteer Disc Jockey; Maurice “L.T.” Schenck, Volunteer Disc Jockey & Producer; Anthony “DJ Ant” Tenner, Volunteer Disc Jockey; Sonia “Sonyke Tha Voice” Webster, Volunteer Disc Jockey; Bibi Nwamba, Volunteer Producer; Debra “D.C.” Clark, Volunteer Talk Show Host; Epiphany “Big Piph” Morrow, Volunteer Talk Show Host; Delisa Nash, Volunteer Talk Show Host; Tonisha Porter, Volunteer Talk Show Host; Tanya J. Robinson, Volunteer Talk Show Host; Frederick Webb, Volunteer Talk Show Host; Jasmine “Jaz” Williams, Volunteer Talk Show Host; Ronel Williams, Volunteer Talk Show Host; Clarice “DJ Kazi A-Bey” Abdul-Bey, Volunteer Assistant

Station Manager, Volunteer Disc Jockey & Talk Show Host; and Kwami “DJ Baba” Abdul-Bey, Station Manager, Volunteer Disc Jockey & Talk Show Host. Claimants have standing both as individual bonafide listeners of KWCP-LP 98.9 (Channel 255 in Little Rock, Arkansas) and as volunteers with a personal stake in the media industry. See *Office of Communication of the United Church of Christ v. FCC*, 359 F.2d 994 (D.C. Cir. 1966) and *Chet-5 Broadcasting, L.P.*, 14 FCC Rcd 13041 (1999).

5. John Barrow Neighborhood Association (hereinafter Respondent #1) is, in theory, the licensee of KWCP-LP 98.9 (Channel 255 in Little Rock, Arkansas), according to the official records of the Commission. It is a public non-profit organization under the Internal Revenue Code. It is not an educational institution according to its 501(c)(3) filing.

6. City of Little Rock (hereinafter Respondent #2) is, in practice, the operator of KWCP-LP 98.9 (Channel 255 in Little Rock, Arkansas). However, Respondent #1 and Respondent #2 have thus far refused to make public the Memorandum of Understanding (MOU) that legally defines the relationship they share in relation to KWCP-LP 98.9 (Channel 255 in Little Rock, Arkansas).

7. City Director Doris Wright (hereinafter Respondent #3) is a local elected official, and political candidate, that served as the then Contact Representative on Application #BNPL-20131113AOI, and, in practice, has served as the self-proclaimed owner, through words and actions, of KWCP-LP 98.9 (Channel 255 in Little Rock, Arkansas), using Respondent #1 and Respondent #2 as instruments to exert such power of ownership.

8. Carolyn Heitman (hereinafter Respondent #4) is an employee of Respondent #2 and the conflict-of-interest president of Respondent #1, who had never formally met with Claimants to

discuss any aspect of programming or management of KWCP-LP 98.9 (Channel 255 in Little Rock, Arkansas) until she recently dismissed them.

9. Dana Dossett (hereinafter Respondent #5) is the Director of Community Programs and the official representative of Respondent #2, as far as the undocumented relationship of Respondent #1 and Respondent #2 is concerned.

10. Arvel Howe, Betty Moore Snyder, Mary M. Lee and George A. Brown (collectively hereinafter Respondent #6) are the listed board members of Respondent #1, according to Application #BNPL-20131113AOI, who has never formally met with Claimants to discuss any aspect of programming or management of KWCP-LP 98.9 (Channel 255 in Little Rock, Arkansas).

11. Larry Gilmore (hereinafter Respondent #7) is an employee of Respondent #2 and the conflict-of-interest witness on Application #BNPL-20131113AOI who has pretended to function as Respondent #6, in their absence and without their knowledge, with the cooperation of Respondent #3, #4 and #5.

JURISDICTION

12. The Commission has exclusive jurisdiction, in accordance with the Communications Act of 1934 (Pub.L. 73-416; 48 Stat. 1064) and the Local Community Radio Act of 2010 (Pub.L. 111-371; 124 Stat. 4072), over all matters herein, except those arising from violations of Title 47 CFR Part 1 § 73.881 (Equal employment opportunity (EEO), which the Commission jointly shares jurisdiction with the Equal Employment Opportunity Commission (EEOC).

BACKGROUND

13. On July 28, 2017, Respondent #5 improperly and wrongfully terminated the part-time station manager, and dismissed the volunteer assistant station manager, in retaliation for their refusal to obey an order given by Respondent #3 to forcefully alter the station's programming, without any input whatsoever from Respondent #2's Department of Human Resources.

14. This was Respondent #3's third unsuccessful attempt to forcefully alter the station's programming.

15. Had such attempts been successful, they would have resulted in a total of four (4) locally-produced programs being replaced by one (1) soon-to-be syndicated program produced in Boston, Massachusetts, and in a live local prime-time show being replaced by a show previously was cancelled for violating Title 47 CFR Part 1 § 73.1208 (Broadcast of taped, filmed or recorded material).

16. Respondent #2 denied the part-time station manager's request for a grievance hearing to appeal Respondent #5's termination that, to this day, has not been properly documented.

17. Since said termination discriminates against the part-time station manager on the basis of religion and sex, and since such was also an act of retaliation, said wrongful termination violate Title 47 CFR Part 1 § 73.881 (Equal employment opportunity EEO)), and is thusly the subject of a pending EEOC complaint.

18. When the part-time station manager and the volunteer assistant station manager were made to gather their belongings and leave the premises of the main studio, they took with them their personally acquired and paid for music collection which constituted over eighty percent

(80%) of KWCP-LP's music offerings. The volunteer assistant station manager also took with her all of the production work that she had created as her own intellectual property.

19. Knowing how the station computer system works, the part-time station manager informed Respondent #5 of these takings of personal property and advised that such be immediately replaced so that KWCP-LP does not fall out of compliance with applicable regulations.

20. Respondent #5 failed to properly respond to this advisement, causing KWCP-LP to shortly thereafter go off air for a period of over twenty-four (24) hours, in violation of Title 47 CFR Part 1 § 73.1745(a) (Unauthorized operation) and Title 47 CFR Part 1 § 73.850(b) (Operating schedule).

21. On July 29, 2017, with the help of the wrongly terminated part-time station manager, over the telephone, three of KWCP-LP volunteers brought the station back on-air, as Respondent #3 and Respondent #5 watched.

22. For the next several days, Respondent #5 allowed KWCP-LP to run in an unattended mode, without a chief operator, without highly stable equipment, without automated monitoring, without normal office hours, without station identifications and without any locally originated programming, in violation of the main studio pledge and the local programming pledge on Application #BNPL-20131113AOI, Title 47 CFR Part 1 § 73.1300 (Unattended station operation), Title 47 CFR Part 1 § 73.1201 (Station Identification), and Title 47 CFR Part 1 § 73.850(b) (Operating schedule).

23. On August 2, 2017, Respondent #4 and Respondent #5 dismissed all of the remaining volunteers, informing them that the Commission had given them authorization to take KWCP-LP off air for a few months so that they could spend that time working to rebuild the station. They

offered no guarantees when the radio station would come back on air nor if the volunteers would be allowed to return.

24. KWCP-LP continued to run in unattended mode, without a chief operator, without highly stable equipment, without automated monitoring, without normal office hours and without any locally originated programming, until August 16, 2017, in violation of the main studio pledge and the local programming pledge on Application #BNPL-20131113AOI, Title 47 CFR Part 1 § 73.1300 (Unattended station operation).

25. On August 16, 2017, KWCP-LP went off air, and has remained so since then.

DISCUSSION

26. Since KWCP-LP 98.9 (Station 255 in Little Rock, AR) went on the air in November 2016, Claimants, representing a total of more than fifty (50) community volunteers, more than a third of whom were youth, have operated the low power radio station, in compliance with all applicable rules and regulations, in the public interest, with full consensus, and with regard to the goal of diversity in media voices, for the citizens—especially the youth—of the City of Little Rock, without fail.

27. Claimants have done this without any input whatsoever from Respondents #1, #2, #4, #6 and #7.

28. Claimants have done this with very minimal input from Respondents #5.

29. Claimants have done this with varying amounts of input from Respondent #3, mostly of which was accepted, when it did not violate rules and regulations, and when it fit with what Claimants had established.

30. Claimants initially took Respondent #3's input as advisory, until Respondent #3 threatened to shut down the entire radio station down after Claimants refused Respondent #3's request to prepare to replace several locally produced programs with one that produced out of state.

31. It was then that Respondent #3 began bullying Claimants, on top of sexually harassing at least two of the male volunteers.

32. None of Respondents claim to have been bonafide individual listeners to KWCP-LP.

33. Respondent #3, Respondent #4 and Respondent #7 have publicly stated that it is their goal to end the public interest and the diversity of media voices on the radio airwaves in central Arkansas that the Claimants offered, by re-programming KWCP-LP to sound more like the programming offered on the local commercial FM stations, in violation of the Local Community Radio Act of 2010.

34. It is with this understanding that Claimants conclude that Respondents have hijacked KWCP-LP from the very people who have vested interests in it due to the hundreds, if not thousands, of volunteer hours over the last year they have jointly invested to make KWCP-LP what it came to be: the highly regarded KWCP 98.9 LPFM / West Central Student-Oriented Community Radio. Through their actions, Respondents willfully and forcefully turned a deaf ear to the needs of the community of the City of Little Rock that KWCP-LP's coverage area serves, and is thusly required to represent. See 27 FCC Rcd 15,467 (2012).

REQUEST FOR ACTION

35. Claimants respectfully ask the Commission's Enforcement Bureau visit Little Rock, AR, to conduct a station inspection of KWCP-LP, in accordance with Title 47 CFR Part 1 § 73.878 (Station inspections by FCC; availability to FCC of station logs and records).

36. During this inspection, Claimants respectfully ask that the Commission sit down with both Claimants and Respondents, at the same table, to discuss and resolve these abovementioned issues with the public interests in mind, as Respondents have refused all of Claimants attempts to do this without the involvement of the Commission.

37. Claimants respectfully ask that the Commission issue to Respondents a Letter of Admonishment, with no monetary sanctions, provided that Respondents work with Claimants to achieve immediate resolution, in the form of a type of time share pursuant to Title 47 CFR Part 1 § 73.850(c) (Operating schedule) that will include reinstatement of the station management, as they are the only people in Little Rock who possess the knowledge and skill to properly operate the station and get it back up and running immediately, in the public interest.

38. Claimants respectfully ask that the Commission order Respondent #1 to amend its application to reflect the reality that it is NOT an educational institution, in accordance with Title 47 CFR Part 1 § 73.853(a)(1) (Licensing requirements and service), and in doing so, Respondent #1 admits a legal disability to be a licensee, thusly creating an emergency.

39. Claimants respectfully ask that the Commission, as an alternative to a time share option, allow Claimants to be temporarily assigned the KWCP-LP license, or have control of the station temporarily transferred to Claimants, pursuant to Title 47 CFR Part 1 § 73.3544 (Application to

obtain a modified station license), Title 47 CFR Part 1 § 73.3542 (Application for emergency authorization) and/or Title 47 CFR Part 1 § 73.3541 (Application involuntary assignment of license or transfer of control).

40. Claimants respectfully ask that the Commission order Respondent #2 to develop a MOU with a proper educational institution, to replace Respondent #1 as the licensee when the time for renewal comes.

41. Claimants respectfully ask that the Commission order Respondent #3, who is a local elected official and candidate for public office, to completely dissolve any direct and authoritative relationship with KWCP-LP, as the current abuse-of-power relationship is potentially in violation of Title 47 CFR Part 1 § 73.1943 (Political file), Title 47 CFR Part 1 § 73.1942 (Candidate rates), Title 47 CFR Part 1 § 73.1941 (Equal opportunity), and/or Title 47 CFR Part 1 § 73.1940 (Legally qualified candidate for public office).

42. Claimants respectfully ask that the Commission make this informal complaint a part of the permanent record of KWCP-LP 98.9 (Channel 255 in Little Rock, Arkansas).

43. Claimants respectfully ask that the Commission a Cease and Desist Order and a Declaratory Ruling in this matter, as it deems appropriate.

44. Claimants respectfully ask that the Commission issue any other applicable relief.

FURTHER CLAIMANTS SAITH NOT.

VERIFICATION & CERTIFICATE OF SERVICE

The electronically undersigned declare, in accordance with the provisions of Title 28 U.S.C. § 1746 (Unsworn declarations under penalty of perjury), that the information stated herein above is true and correct to the best of our current personal knowledge, information and belief. The

electronically undersigned also certify that this document was served through electronic e-mail to the persons listed below on September 6, 2017.

Respectfully submitted,

/s/Dreama Parham, KWCP Youth Council President & Youth Volunteer Talk Show Host
/s/Kenron Dunn, Youth Volunteer Talk Show Host
/s/Isaiah Newburn, Youth Volunteer Talk Show Host
/s/Joseph Reed, Youth Volunteer Producer
/s/Tamara Davis, College Intern
/s/Brittany Owens, College Intern & Volunteer Talk Show Host
/s/Lee "DJ Lee" Clark, Volunteer Disc Jockey
/s/Detrich "Lil' Rock Obama" Elliott, Volunteer Disc Jockey
/s/Charles "DJ Embe" Ray, Volunteer Disc Jockey
/s/Maurice "L.T." Schenck, Volunteer Disc Jockey & Producer
/s/Anthony "DJ Ant" Tenner, Volunteer Disc Jockey
/s/Sonia "Sonyke Tha Voice" Webster, Volunteer Disc Jockey
/s/Bibi Nwamba, Volunteer Producer
/s/Debra "D.C." Clark, Volunteer Talk Show Host
/s/Epiphany "Big Piph" Morrow, Volunteer Talk Show Host
/s/Delisa Nash, Volunteer Talk Show Host
/s/Tonisha Porter, Volunteer Talk Show Host
/s/Tanya J. Robinson, Volunteer Talk Show Host
/s/Frederick Webb, Volunteer Talk Show Host
/s/Jasmine "Jaz" Williams, Volunteer Talk Show Host
/s/Ronel Williams, Volunteer Talk Show Host
/s/Clarice "DJ Kazi A-Bey" Abdul-Bey, Volunteer Assistant Station Manager, Volunteer Disc Jockey & Talk Show Host
/s/Kwami "DJ Baba" Abdul-Bey, Station Manager, Volunteer Disc Jockey & Talk Show Host

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