

DOJ Announces Civil Rights Suit Against Ferguson

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FERGUSON, MO. -- The Department of Justice is suing Ferguson, Missouri, alleging a pattern of unconstitutional policing.

Attorney General Lynch and the head of the Department of Justice Civil Rights Division announced the legal action against Ferguson, Missouri, on Wednesday during a press conference.

This comes after Ferguson failed to fully approve to the agreement reached with the DOJ to resolve unconstitutional policing and court systems in the city.

Lynch said Ferguson's decision to reject the agreement left the department no choice except to sue.

"The residents of Ferguson have waited nearly a year for the city to adopt an agreement that would protect their rights and keep them safe. ... They have waited decades for justice. They should not be forced to wait any longer."

Ferguson has been under Justice Department scrutiny since 18-year-old Michael Brown, who was black and unarmed, was fatally shot by white officer Darren Wilson 18 months ago. A grand jury and the Justice Department declined to prosecute Wilson, who resigned in November 2014.

But a scathing Justice Department report was critical of police and a profit-driven municipal court system. Following months of negotiations, an agreement between the federal agency and Ferguson was announced in January.

A recent financial analysis determined the agreement would cost the struggling city nearly \$4 million in the first year alone. The council voted 6-0 Tuesday to adopt the deal, but with seven amendments.

Hours before the lawsuit was to be announced, Ferguson leaders said they were willing to sit down with Justice Department negotiators and hammer out a new agreement.

"We ask that if they (the Justice Department) feel there needs to be some additional changes to the agreement, we sit down and talk," Knowles said.

That seemed unlikely from the outset. Within hours of the Tuesday vote, Vanita Gupta, head of the Justice Department's Civil Rights Division, said in a statement that the department would take "the necessary legal actions" to ensure Ferguson's police and court practices comply with the Constitution and federal laws.

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Overview of *United States v. Ferguson* Case and Agreed Consent Decree Filed

In September 2014, the Department of Justice opened an investigation of the Ferguson Police Department (FPD) pursuant to the Violent Crime Control and Law Enforcement Act of 1994, the Omnibus Crime Control and Safe Streets Act of 1968, and Title VI of the Civil Rights Act of 1964. The investigation focused on allegations that Ferguson law enforcement engaged in a pattern or practice of violations of the Constitution and federal statutory law. On March 4, 2015, DOJ announced the results of the investigation, finding that FPD's police and municipal court practices systematically violate the First, Fourth and Fourteenth Amendments. DOJ determined that FPD's approach to

law enforcement is unduly focused on revenue generation and that its practices both reflect and exacerbate existing race bias. As a result, Ferguson's law enforcement practices discriminate against African Americans and decrease trust between the Ferguson community and law enforcement, hampering FPD's ability to ensure public safety. On March 17, 2016, the parties jointly filed a proposed consent decree in federal court to address the conduct that DOJ's investigation found. On April 19, 2016, the U.S. District Court for the Eastern District of Missouri approved and entered the parties' jointly-filed consent decree."

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