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U.S. District Court
Eastern District of MO



December 10, 2018

The Honorable Catherine D. Perry
United States District Judge
Clerk of Court
United States District Court
Thomas Eagleton United States Courthouse
111 South 10th Street
St. Louis, MO 63102

Re: Additional Written Testimony for United States v. City of Ferguson, Case No. 4: 16 CV 180 CDP

Dear Judge Perry,

Thank you again for providing an opportunity to submit written comments on behalf of the Ferguson Collaborative. Given the extension of the period for written comments, the members of the Ferguson Collaborative would like to submit additional testimony.

[1] The Ferguson Collaborative is requesting that Judge Perry issues an order within 45 days that continues and extends all possible opportunities to hear from the public through oral and written testimony at every status update.

During status hearings where only parties speak, members of the public have heard updates that do not accurately or completely reflect the progress of the consent decree. This is detrimental to the faith in the consent decree for at least two reasons. First, the Judge solely relies on these updates and affirm the progress of the parties without knowing whether the update is actually being implemented in the way that the parties presented it. Second, by the time the community can respond to the inaccurate or incomplete portrayal of the progress, several months have passed, and the issue may no longer be ripe for community involvement or

court intervention. Please permit the community to submit written and oral testimony at every status update.

[2] The Ferguson Collaborative is requesting that the City of Ferguson and the Department of Justice collect, compile, and publish two separate summaries of input on the Ferguson Police Department policies: one from members of the community and one from the police.

Community engagement and input only matters if the community can track and determine whether the City of Ferguson is actually incorporating their ideas, thoughts, and feedback into the Ferguson Police Department's policies and procedures. Thus, we request a clear and published summary of community members' feedback, and a separate summary for input by police officers. By merging comments and feedback from a blended group of civilians and officers, the Ferguson Police Department risk only incorporating their own police officers' comments into the final drafts of the policies. To avoid this risk, and in the spirit of full transparency, we request that a member of the consent decree implementation team, a community member, and the community liaison provide drafts of FPD's policies and procedures to the community, separate and complete summaries of input, and final drafts displaying which sections have been modified based on the feedback process. This process should happen before FPD implements the policy. We hope that the Monitoring Team will send out the parties' response to this request via email and on the monitor's website before Feb. 1, 2019.

[3] The Ferguson Collaborative is requesting immediate improvements to the unclear process and policies related to the Civilian Review Board in the next 45 days.

The Civilian Review Board needs more training and more authority to have any serious chance at holding police officers accountability in their treatment of Ferguson residents and other members of our community.

The process for complaint submission is hard to locate online. The City of Ferguson's website has information about some parts of the process, but does not have a complaint form. The website and brochure are silent on whether the police have to tell members of the public to file a complaint, especially if the civilian reported abuse or mistreatment to another officer.

For training: Most importantly, the Civilian Review Board should undertake trainings that teach members about all rights that civilians have and are constitutionally protected. Civilian Review Board members must also learn FPD policies regarding resident encounters to determine whether officers violated any procedure. As FPD policies evolve during the community input process, the City of Ferguson must share the latest and best versions of these policies to guide the CRB's work.

For authority: The Civilian Review Board, as well as the public, must have access to any disciplinary matrix that the police use to guide enforce their policies. If such matrix does not

exist, then the Civilian Review Board should have the power to draft one to guide their work. Additionally, the CRB should have the power to discipline officers, including suspension and termination of current FPD officers, as well as to block the hiring of officers who have an adverse discipline history in other police departments.

Your time and attention to these matters are greatly appreciated,

A handwritten signature in black ink, appearing to be a cursive script, positioned above the typed names.

Felicia Pulliam and Emily Davis,
on behalf of the Ferguson Collaborative

Ferguson Collaborative
Ferguson, Missouri
www.fergusoncollaborative.org