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NAACP Legal Defense Fund Sends Letter to U.S. Attorney in St. Louis Requesting an Investigation into Police Actions at Ongoing Protests

Today, the NAACP Legal Defense and Educational Fund, Inc. (LDF) sent a letter to Jeffrey B. Jensen, newly-confirmed U.S. Attorney for the Eastern District of Missouri, calling for an independent investigation into police actions taken against people peacefully protesting the September 15 ‘not guilty’ verdict of former St. Louis Metropolitan Police Department Officer Jason Stockley in the killing of Anthony Lamar Smith.

“After the police-involved death of Michael Brown in the summer of 2014, our nation was intently focused on the unrest in Ferguson and law enforcement’s unacceptably militarized response,” said Sherrilyn Ifill, LDF President and Director-Counsel. “Though the reportedly violent response by police in St. Louis in recent weeks has failed to capture the country’s attention in the same way, it is no less alarming. In response to a request made by St. Louis Mayor Krewson, the U.S. Attorney vowed to investigate specific allegations of unlawful policing practices during peaceful protests following the acquittal of former St. Louis officer Stockley. Our letter provides detailed reports of allegations of police misconduct coming out of St. Louis. We urge the St. Louis Mayor and Acting Police Chief to provide to the U.S. Attorney identities of the officers who allegedly engaged in misconduct. The right to peaceful protest cannot be curtailed by police force.”

The letter contains a summary of troubling incidents that support an investigation to identify officers who have acted in violation of federal civil rights laws. Citing victim and witness testimony and supported by video footage, the letter outlines widespread accounts of physical assault, such as unjustified and aggressive use of chemical agents against peaceful protesters (including against restrained individuals) and “kettling”—a technique in which police officers surround and block individuals to prevent them from leaving.

“The police actions in St. Louis warrant both criminal investigations of particular officers for alleged incidents of misconduct as well as an independent investigation into local law enforcement’s policies and practices in general,” said Monique Dixon, Deputy Director of Policy and Senior Counsel of the Policing Reform Campaign at LDF. “The sheer volume of allegations of wrongdoing demonstrates the intense need for individual accountability and systemic policing reforms.”

In addition to detailing specific examples of police misconduct, the letter also outlines how police leadership has effectively sanctioned the violations being reported. Accordingly, the
letter also urges U.S. Attorney Jensen to investigate whether and to what extent Commissioner O'Toole and police supervisors in the chain of command directed or encouraged, implicitly or expressly, aggressive tactics against protesters.

Since LDF’s Thurgood Marshall Institute launched its Policing Reform Campaign in 2015, it has worked to transform policing culture and practices, eliminate racial bias and profiling, and end police violence against citizens. The Campaign advocates for unbiased and accountable policing by advancing laws, policies, and practices at the national, state, and local levels. From the Campaign’s start, policing in Ferguson, and the surrounding St. Louis County, has been a key focus.

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Founded in 1940, the NAACP Legal Defense and Educational Fund, Inc. (LDF) is the nation’s first civil and human rights law organization and has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights. LDF’s Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the NAACP Legal Defense Fund or LDF.