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NAACP Legal Defense Fund Files Suit Against U.S. Justice Department Over FOIA Violations

The NAACP Legal Defense and Educational Fund, Inc. (LDF) today filed a [lawsuit](#) against the U.S. Department of Justice challenging a partially denied Freedom of Information Act (FOIA) [request](#) to the Justice Department's Office of Community Oriented Policing Services (COPS Office).

LDF's FOIA request asked for all documents, data, and other information that the COPS Office received from the North Charleston, South Carolina Police Department (NCPD) and city officials. The requested documents included grant applications and reports, as well as information gathered as part of the COPS Office's comprehensive and independent assessment of the NCPD, which it began in May 2016. The COPS Office provided LDF only 62 pages and withheld 331 pages that are responsive to the request claiming the documents were exempt from disclosure. LDF is challenging the COPS Office's response, asserting that the withheld documents are not protected by an exemption under FOIA. Additionally, LDF contends the COPS Office failed to search for all documents responsive to the request, and that they did not respond in a timely manner to an administrative [appeal](#) filed by LDF.

"Our nation's freedom of information laws are designed to protect the public's right to transparency, not the government's desire for secrecy," said [Sherrilyn Ifill](#), LDF President and Director-Counsel. "After promising North Charleston leaders and residents an independent evaluation of their police department, the Justice Department reneged on their agreement and have failed to provide the city and its residents with a public report detailing meaningful reforms. The people of North Charleston are ready to move forward with changing the police department's policies and practices, and it's time that the federal government stops standing in the way and hands over critical information the city and residents need to begin that process."

LDF's complaint represents the latest attempt to secure information key to reforming the NCPD. In September 2017, the U.S. Attorney General [announced](#) that the COPS Office will no longer focus on working with police departments to conduct comprehensive assessments of problematic police practices embedded at certain agencies, such as excessive use-of-force and racial bias. These assessments were requested by several cities and law enforcement agencies, including North Charleston, to improve policing outcomes as well as relationships with communities. On October 18, 2017, Senator Tim Scott also sent a [letter](#) to the Justice Department requesting the results of the COPS Office's assessment of the NCPD, but the Department refused to release any information.

Since the tragic police-involved shooting death of Walter Scott at the hands of the NCPD in 2015, LDF has been on the ground in North Charleston working with local organizations, including the

North Charleston Branch of the NAACP, ACLU of South Carolina, Charleston Area Justice Ministry, and Community Resource Center, to reform the police department. In addition to meeting with local officials, holding town halls, and working to secure much needed federal support for the reform process, LDF [issued the findings of a comprehensive review](#) of NCPD citizen complaint reports in the summer of 2017.

Read the complaint [here](#).

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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.