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National Security

Justice Dept. review finds pattern of racial bias among Ferguson police



In this Nov. 25, 2014 photo, police watch the street as protesters gather outside the Ferguson Police Department. (Charlie Riedel/AP)

By [Sari Horwitz](#) March 3 at 2:31 PM





The Justice Department will issue findings this week that accuse the Ferguson, Mo. police department of racial bias and routinely violating the constitutional rights of citizens, including by stopping drivers without reasonable suspicion, making arrests without probable cause and using excessive force, officials said.

In hundreds of interviews and in a sweeping review of more than 35,000

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pages of Ferguson police records and other documents, Justice officials found that while African Americans make up 67 percent of the population in Ferguson, they accounted for 93 percent of all arrests between 2012 and 2014.

The findings come as Justice Department officials attempt to negotiate a settlement with the Ferguson Police Department to change its practices. If they are unable to reach agreement, the department could bring a lawsuit, as it has done against law enforcement agencies in other jurisdictions in recent years. A U.S. official said that Ferguson officials have been cooperating so far.

As part of its findings, the Justice Department also concluded that African Americans accounted for 85 percent of all people stopped by Ferguson police officers and 90 percent of all citations issued.

The Justice Department plans this week to release evidence of racial bias found in e-mails written by Ferguson police and municipal court officials. A November 2008 e-mail, for instance, stated that President Obama could not be president for very long because “what black man holds a steady job for four years.”

The Justice Department did not identify who wrote this and other racist e-mails and who they were sent to. Officials at the department spoke on condition of anonymity to discuss the review and its findings in advance of a planned release this week.

The review concludes that racial bias and a focus on generating revenue over public safety has a profound effect on Ferguson police and court practices and routinely violates the Constitution and federal law.

The Justice review also found a pattern or practice of Ferguson police using unreasonable force against citizens. In 88 percent of the cases in which the department used force, it was used against African Americans. In all of the 14 canine bite incidents for which racial information was available, the person bitten was African American.

In Ferguson court cases, African Americans are 68 percent less likely than

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others to have their cases dismissed by the municipal judge, according to the Justice review. In 2013, African Americans accounted for 92 percent of cases in which an arrest warrant was issued.

From October 2012 to October 2014, 96 percent of people arrested during traffic stops solely because of an outstanding warrant were African American, the review found.

Justice investigators also reviewed types of arrests and the treatment of detainees inside Ferguson's city jail by Ferguson police officers. They found that from April to September 2014, 95 percent of people held in the Ferguson jail longer than two days were African American. The Ferguson police department also "overwhelmingly" charges African Americans with certain "petty offenses," the investigation concluded.

For example, from 2011 to 2013, African Americans accounted for 95 percent of all "Manner of Walking in Roadway" charges, 94 percent of all "Failure to Comply" charges, and 92 percent of all "Peace Disturbance charges," the review found.

The Justice Department opened a civil rights investigation last fall into the actions of Darren Wilson, the white Ferguson police officer who fatally shot Michael Brown, an unarmed black teenager, in August. Officials told The Washington Post last fall that they had all but concluded [they did not have a strong enough case](#) to bring charges.

Attorney General Eric H. Holder Jr. had promised that before he stepped down, he would release findings from a broader review that [began on September 4, 2014](#) into whether the Ferguson police routinely engaged in racial profiling or a pattern of using excessive force.

Holder, who is expected to leave within the next two weeks, could release the findings as early as Wednesday, officials said.

Justice investigators spent about 100 days in Ferguson, observing police and court practices, including four sessions of the Ferguson Municipal Court. They conducted an analysis of police data on stops, searches and arrests, as well as data collected by the court, and met with neighborhood associations and advocacy groups. The investigators also interviewed city, police and court officials, including the Ferguson police chief and his

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command staff.

In the past five years the Justice Department's civil rights division has opened more than 20 investigations into police departments, more than twice as many as were opened in the previous five.

The department has entered into 15 agreements with law enforcement agencies, including consent decrees with nine of them, including the New Orleans and Albuquerque police departments.

Justice officials currently have seven open investigations, including a civil rights probe into the Cleveland Police Department. In December, the department issued a report accusing the Cleveland police of engaging in a "pattern or practice" of unnecessary force — including shooting residents, striking them in the head and spraying them with chemicals.

The department and Cleveland agreed to establish an independent monitor to oversee changes, including better training and supervision of officers.



Sari Horwitz covers the Justice Department and criminal justice issues nationwide for The Washington Post, where she has been a reporter for 30 years. Follow her @SariHorwitz.

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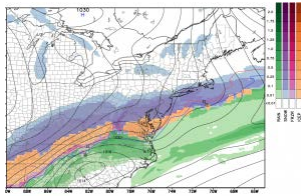
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