

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
 PLAINTIFF,)
) No. 4:16-cv-00180-CDP
vs.)
)
CITY OF FERGUSON, MISSOURI,)
)
 DEFENDANT.)

STATUS HEARING

**BEFORE THE HONORABLE CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE**

JULY 14, 2026

APPEARANCES:

Independent Monitor: Natasha Tidwell, Esq.
SAUL EWING LLP - BOSTON

For Plaintiff: Jeffrey R. Murray, Esq.
DEPARTMENT OF JUSTICE - CIVIL RIGHTS
DIVISION

For Defendant: Apollo Carey, Esq.
Ryan Prisock, Esq.
LEWIS RICE LLC

Consent Degree Coordinator: Patricia Washington

Reported by: Erikia T. Schuster, RPR
Official Court Reporter
United States District Court
111 South Tenth Street, Third Floor
St. Louis, MO 63102 (314) 244-7926

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(Proceedings began at 10:04 a.m.)

THE COURT: Good morning. We are here in the case of the United States of America versus the City of Ferguson, Case No. 4:16-CV-180. We are here for a quarterly public status meeting in this matter. So before we begin, let me start by asking the attorneys to introduce themselves. So would counsel for the United States please identify yourself.

MR. MURRAY: Good morning, Your Honor. Jeffrey Murray for the United States.

THE COURT: Thank you. And for the City of Ferguson?

MR. CAREY: Good morning, Judge. Apollo Carey for the City of Ferguson.

MR. PRISOCK: Ryan Prisock for the City of Ferguson, Your Honor.

THE COURT: All right. I'll ask you in a moment to introduce people, but I don't need you to do that yet. And for the Monitor.

MONITOR TIDWELL: Good morning, Judge. Natasha Tidwell, on behalf of the Monitoring Team.

THE COURT: All right. As I said, this is the quarterly status conference, and I do have written comments from some members of the public that were provided to me by the Monitoring Team. I have reviewed those and so I just wanted the people here -- I recognize there are a number of people

here, so I wanted you all to know that I have read those. And I would -- I guess I'll ask Mr. Carey for you to begin. I do want to express my condolences for the unexpected death of Mr. Noll who has been a very active participant in all of these matters, and I know that is a loss to the City.

MR. CAREY: Thank you, Judge. That is very kind. As you know, we've worked with Mr. Noll over the years in his capacity both as the head of the CRB, but even prior to that, Mr. Noll was a very active community member. He was on several task forces as it related to the Consent Decree and just a very active member of the community that cared about the City of Ferguson and was very instrumental in the progress that the City has made both with Consent Decree compliance and just general headed in the right direction as a city because we had -- and we still do have -- citizens who are as committed to the City as Mr. Noll was. And so thank you so much. I'm sure the City really appreciates those thoughts.

I'll go ahead and start, Your Honor, by introducing some of the folks that are here in the courtroom, a lot of whom you know already because of our work here with the Consent Decree. But let me turn around. Our city manager, Dave Musgrave, is front and center and then we have -- we've got behind him Carmen Black, who is the new city clerk, and then next to her is LaVetta London-Pearson, and she is the acting deputy clerk, but she's also a Swiss Army knife at the City so

she does several other things that I won't necessarily bore you with today, but she is very instrumental with the City. Next to her we have Jonathan McMiller, who is our HR manager, and then next to her we have Mary Pierce -- Michelle Richmond. I'm going crazy. And I've seen Michelle, but my head is saying Mary. I don't know why my head is saying Mary, so forgive me for that. But she is our court administrator, as you know.

And we have some counsel folk in the audience. Councilwoman Naquittia Noah is here. And our mayor Adrian Shropshire is here.

THE COURT: Who is here in a different role than he's been here before, but I know he's been to all of these hearings, but I now know he is the mayor.

MR. CAREY: That's right. He is the mayor now. And then you can see that Captain Dilworth is here as well, as well as a lot of the citizens that are here pretty much every time that we have these hearings. Again, I mentioned at the beginning when we were talking about Mr. Noll that the City of Ferguson has really dedicated citizens who are very interested in the progress that we are making not only with the Consent Decree but keeping the City moving in the right direction generally speaking, so we'll always have a good contingency of citizens who are here as well.

Judge, as you know, I don't like to talk too much here because we have a fabulous Consent Decree Coordinator who

knows much more about a lot of the progress items that we talk about than I do, but I do want to just acknowledge the Court's -- and show some appreciation for the Court's patience as well as the parties, the DOJ and the Monitor. I guess you guys know that the City, we had to cut a lot of money from our budget and those budget cuts impact the City's operations, impact the City's ability to provide, you know, the services that the citizens need, and it has even had an impact on our police department as well.

However, despite that impact, you know, the City has continued its efforts in Consent Decree compliance. The fact that the budget has been cut has not dampened at all the spirit of the City of Ferguson in moving forward with its compliance efforts. We think it is really notable and thanks to the hard work of starting with, you know, Chief Doyle, who is not here right now, but I think he is on vacation, and his staff and everybody within FPD as well as Mr. Musgrave and the folks that he has put in place to help sustain that effort despite some of the financial challenges that the City is experiencing right now. I just wanted to make sure that that was sort of put at the forefront here for the Court and the public.

So without, again, stealing Ms. Washington's thunder, I'll go ahead and yield the floor to Ms. Washington who will give you much more of a detailed update in terms of where you are unless you have any questions for me.

THE COURT: I don't. I want to hear what everyone has to say. As the parties and the lawyers know, I'm well aware of the serious issues that are going on in terms of the financial situation. And although, I guess, every municipality is different, and this one -- it came as a surprise to me, and I questioned Mr. Musgrave about it in one of our monthly calls and I understand more or less what happened, but Ferguson is not the only city going through things like this right now. It is happening to a lot of municipalities and I'm concerned, but I am concerned generally about how government is going to function when we don't have any money all over the place. So it is a concern, and I know you all are working very hard, and you-all have told me in our monthly calls the various things that have been happening. It is tough, but I appreciate everybody carrying on because it is really essential. And I know I've said this before, but we're getting so close.

MR. CAREY: Yeah. I think that is right, Your Honor. I know that the City sees this as an opportunity to demonstrate to the Court and the public that despite some of the challenges that we are facing we still believe in constitutional policing. We still believe in implementing the reforms that we have, and obviously, we don't have as big of a team as we used to have internally or even, you know, we just now kind of deal with Mr. Murray. The DOJ doesn't have as big of a team as they had historically in this case. But the City

just continues to soldier on, and we continue to do what we need to do to implement the reforms that we promised our citizens we would implement. And I just think it is very noteworthy and commendable of my client to, you know, face the challenges that they've continued to face, but continue to push forward.

So with that said, I'll let Ms. Washington come up and give you a little bit more detail about what the City is doing.

THE COURT: Ms. Washington, yes. We're ready to hear your report and as always appreciate all your efforts.

MS. WASHINGTON: Thank you. Good morning, Judge. Good morning, everyone. I, too, want to echo our thoughts and sentiments regarding Mr. Gerry Noll. He was a key member of the Civilian Review Board, chairing it, but he was also someone in this community who embraced really what humanity and dignity should be. His family is planning a memorial for him in Ferguson on July 25 at one o'clock. I don't have all of the details on location, but I'll share that with all the parties and the public as soon as we get that information. We will miss him, but as Attorney Carey just said, we will have to soldier on. And I'll tell you a little bit about the CRB and what they are doing in this sort of interim period when we get further down in my update.

So I want to start with the staffing updates. We

talked a lot about some of the budget issues and the budget challenges, and I just want to commend the city manager and members of council for their sincere desire to have the police department, particularly those patrol areas, left as unscathed as possible throughout this process so we definitely appreciate that.

We are currently at 45 all sworn officers within the police department, that includes six in the command, including the chief. So we are -- we continue to be in a place where we can provide quality policing to the City of Ferguson, even though we are not staffed optimally. So we are able to continue to provide that, and I do want to commend all of the officers -- because it doesn't take much. One person is on vacation. One person is sick. We've got three people now who are out on light duty. It doesn't take much for those dominos to start falling when you are staffed just enough. And so I want to, if I can, just commend them for taking extra shifts, coming in early, staying late and doing what they need to do to make sure that we can continue to protect and serve Ferguson the way that Ferguson deserves.

Although we didn't have a budgetary impact that impacted patrol, we did have budgetary impacts that support a lot of the supports for patrol. Because behind every police officer that you see, there are at least three or four other people who are supporting that officer, whether it is records

clerks, somebody from dispatch, training, somebody in our public information. These are the people who provide that kind of support so that the officers can do their job and do it well.

And so those impacts did reach into the nonsworn staffing for the police department, and we are now reallocating duties and responsibilities. We are ensuring that there is nothing that is a critical function that is left to fall through the cracks. And so I do commend Ms. Mary Peterson and Beverly Arps in our records department. They are taking on additional responsibilities.

It is not the first time that we've all had to pull together. When the chief went without a secretary or an office manager previously, we all had to come together and share duties and responsibilities to ensure that we continued to function and that critical things did not get lost in the process and so we are doing that again. It is not new to us. It requires a lot of personal and professional sacrifice, but I do want to give kudos to the team for stepping up and assuming these additional duties and responsibilities so we can continue to function.

I want to move to training because that continues to be a significant part of the work that we are doing, even in this reporting period. We are looking at more cost effective ways to deliver training as we talked about previously on our

calls. And part of that includes finding ways to deliver training that does not require us to pull officers off the street for eight, ten hours at a time, sometimes three, four days. We're trying to find ways that we can deliver training that is still high quality and still gets us to what we need in terms of knowledge and knowledge transfer, but how do we do that using more efficient methods.

And one of the things that the chief saw that was an advantage for us to invest in is using some of the software systems that allow us to create curriculum and deliver training in a virtual mode. So we have invested in a platform that allows us to take curriculum that is developed by our qualified and approved subject matter experts and take those plans and put them into a software program that will then create learning videos that are on demand that our officers can access that we can ensure that they are not just skipping through the videos. You know, there are built-in methodologies that we can determine whether they are actually completing the refresher trainings as required.

Because in the Consent Decree, as you know, there is the initial round of training that is a lot of heavy lifting, the subject matter experts, the contrast, developing the curriculum, delivering the training in person on scenario training, but there is also another requirement that is for ongoing and refresher training.

And so we have found that the ongoing and refresher training can be delivered in a high quality fashion more cost effectively and more efficiently building these digital libraries. So I want to commend our training coordinator, Lisa Stephens, for truly embracing this platform. She has become the go-to person for training, for development of these platforms using this particular model, and that is an example of how this department has to be resilient and has to be resourceful in order to make sure that we are meeting our commitments, because it is even more difficult when you are -- I won't say short staffed, but when you are just at what you need to function, to then add on a tier of laborious training, it can be very disruptive to the patrol operations and to readiness in terms of policing. And so we're trying to find ways that we can lessen that impact on them and working with that is one.

So the three -- I think there are three trainings that we have now that we are using from that software, and they are all under -- we have a First Amendment training. That lesson plan was developed by our subject matter expert that we have used before, that is retired Lieutenant Ray Rice of Right Now Solutions. He was approved and has been approved a couple of different times by both the DOJ and the Monitor to provide training for us. So he has created a curriculum that we have now transferred into -- that can be delivered digitally.

Our bias-free policing lesson plan has been developed, again, by Lieutenant Ray Rice. The DOJ did have some concerns about some of the verbiage used in this training. The training initially when we delivered it in person focused on implicit bias, and that was the training that was delivered by Lieutenant Rice. This refresher, we framed in the same manner, around implicit bias as a refresher for ongoing training for our officers. However, there has been some concern with use of the term implicit bias. So I'm going to leave it to Mr. Murray to maybe address it a little bit more. We do have his comments and we have discussed them and we discussed it in our last call a little bit, and I do believe that we can together, all the parties, come to some understanding and agreement for how we want to deliver this training and capture the essence and tenets that it was meant to capture in part without watering down the training or without leaving those who participate in the training lacking in some sort of -- in any manner.

We also have the stop, search and seizure model. That lesson plan was developed by Matthew Brown, who is an attorney, and he is another subject matter expert that was approved by both the Monitor and DOJ. The Training Committee did improve the lesson plan, and it is now being reviewed I think by the DOJ, but I do believe -- I'll check my notes, but I do believe that we received a reply from Mr. Murray late

yesterday, and I'll take a look at that, but I believe for now we can just wait for the comments and reply from the Monitor on that particular training.

If there are no questions about that part, I'd like to talk a little bit now, Judge, about our Police Training Officer Program. As you know, we have had quite a bit of -- quite a few challenges in getting this fully implemented. The primary challenge in just simply being staffing, being able to identify officers who are, one, qualified; two, wanted to be police training officers; and then finding supervisors who had the time and the desire to be the managers of the program.

So we got past that hurdle and then we got past the hurdle with the help of the Training Committee of creating a training curriculum that we could get approved by all parties. We did that and then we kind of had to sit because, again, staffing issues prevented us from being able to fully implement the program, and we did not have candidates coming out of the academy in order to be able to put them through the PTO program.

However, during this reporting period, we did hire five new police officers. These officers are very experienced officers who came to us from another law enforcement agency, but even with their experience, you know, we obviously had to put them through our training program and our onboarding.

So we started with five. One of those officers

chose to return to his previous law enforcement agency in another role. He is doing well, and we wish him the best there.

The other four are still with us, and they have just completed their modified PTO onboarding and training. It is modified because of their experience. They are not just coming out of the academy. They are not newbies, if you will. These are veteran police officers so we modified the PTO delivery in order to ensure that they got the heart of what we need for constitutional policing, our understanding of it and implementation of it in Ferguson, our problem solving using the SARA model, making sure they understand our Community Engagement Strategy and our Crime Prevention Plan. So they have had several weeks of onboarding and then they started with their Police Training Officers, their PTOs.

So they have just completed their training, and I do want to mention Captain Dilworth, Sergeant Brittany Richardson, Ms. Stephens and Scott Amos, I want to thank them for ensuring that this training was executed successfully. It is a lot of work and a lot of conversation about really how we make sure this is meaningful for officers who have so much experience.

And so they have our police training officers, Officer Nay, Officer Knighten, Officer Patrick and Sergeant Glover finally have completed their oversight of these new officers. Captain Dilworth has completed his final

evaluations, and he is preparing his report including any additional training or support that these officers may need to be successful in their journey here in Ferguson.

The new officers will also be presenting their evaluations of their Police Training Officers. So that is also a requirement of the program. So I'm looking forward to seeing what their experience was and how that relationship with their training officers impacted and will continue to impact them in their role here.

The officers also have as part of the PTO program, a Neighborhood Portfolio Exercise, it is called an NPE, and that portfolio exercise is designed to give the officers an opportunity to present to the Board of Evaluators a PowerPoint presentation that will focus on some of the things that they have learned through their onboarding and their training process.

They will present information about the communities and the sectors in which they serve. It will look at the demographics and some of the history of the neighborhoods and the cultural trends, some of the crime stats in that neighborhood, and they will also identify a problem that they encountered during their training and they will use their SARA model knowledge to present a solution to the problem that they choose to present to us. So I'm really looking forward to that presentation and looking forward to reporting back to the Court

the next time we meet on how that went.

So, again, this is a modified PTO program. It is not our full PTO program. But with these officers now being trained and them now assuming their individual responsibilities fully as officers in Ferguson, we can turn our attention to training the recently selected PTOs and get their full training and refresher in so that we are prepared so that when we do resume hiring and we do have candidates coming in, we can put them through the full PTO program.

So this is really exciting for us. It's been a long journey with the PTO program, but with every step there have been quality control measures. We've gone back to the table. We have gone back to the Training Committee. We debated amongst ourselves about things, but I do believe that we have a program that when officers go through this program they will be well indoctrinated into the Ferguson community and into the culture of the Ferguson Police Department.

Did you have any questions for me so far?

THE COURT: No. That is very helpful. Thank you.

MS. WASHINGTON: Supervisory use of force. I want to talk about that training. We have had three modules that were approved by both the DOJ and the Monitor and this, Judge, really leads into how well are our supervisors prepared to lead the department. We are requiring a lot of our officers and it is imperative that the supervisors who lead them be as sharp as

the officers that they are -- that are in their command.

And so one module that we have is the supervisory use of force training. There are three subsets in that. One of them is use of force response and investigation. That one has already been delivered. These were curated by Captain Dilworth, and he's been delivering these trainings.

The other one is use of force reporting. That one has already been completed. We have one left in the trilogy, and that is the use of force investigation and reporting assessment. We plan to deliver that one in late July or early August, and that would be the final three supervisory use of force trainings that we're offering for this quarter.

Another area that we focused on during this reporting period has been officer wellness. This is a really big issue for our department because, as we talked about earlier, the staffing levels are such that we have officers who are working double shifts. They are taking -- coming in early, they're staying late, and everybody is doing their part, but with that comes burnout, comes mental health issues. We are seeing more and more officers who are getting sick, and so we really want to try to focus on what we can do for them to address some of those issues that we're seeing, particularly around burnout and managing their stress triggers and how that impacts their body physically.

So there are a couple of things that I wanted to

share with the Court. One of them, for our male officers, we are partnering with a local nonprofit that focuses on prostate cancer and the impact of stress on men's health, and we will be doing a public service campaign with them called Give Me Ten, and we will ensure that all of our officers, our male officers, are screened. It is a ten-minute screening for prostate cancer by blood. It is a quick blood draw.

So we're going to have that health fair within the Give Me Ten campaign, but we're also utilizing our officers, they've also asked us to work with our fire department to put forth a public service campaign that will be on television, on social media and it is about prostate cancer awareness, but also the impact of high levels of stress on men's health. So I'm excited that we're able to get that done.

The other thing that we've noticed is the lack of space physically in our police department for our officers to sort of decompress after a stressful critical incident. We do have counseling services available for them, but every space in our department is a working space. Whether it is the roll-call room, administrative offices, interview rooms, every space has a functional purpose and there is very little space in there where they can go into that space, relax, recharge, and think about, you know, the end of their day before they go home, because too often our officers take their day home with them, and that has an impact on the entire family.

So we are looking to create spaces within the police department that allow them to calm down, to decompress, to deescalate and focus on whatever it is that has triggered them during that day and just be in touch with that as part of a complete mental health and wellness program within the police department.

So Captain Dilworth has agreed to help me with that. I've talked to a couple of different companies who are interested in donating items for that particular space. There's been the joke that if we create that space we'll have to go find them, they'll never leave that safe space and that quiet space, but we will make sure that they understand the purpose of it and be responsible in how to use that space. They might find me in there more often than they think.

So the next thing I'd like to talk about is community policing. That is a big part of the work that we do under the Consent Decree, and I wanted to share with you just some recent updates about some programs and where we need to go next.

Previously, I talked to you about forming the Chief's Community Engagement Counsel. I put that counsel together because I wanted to pull as many resource partners in the area together to better serve residents, particularly young people in the City of Ferguson. So we meet monthly, and we look at activities that range from job fairs, to health and

wellness events, to financial literacy programs.

And one of the things that we worked on during this reporting cycle was called The School's Out Youth Weekend, and it was a two-day event that we partnered with a number of organizations in Ferguson, including the Ferguson Youth Initiative. We partnered with some of the local businesses in the area, the Boys and Girls Club, and we had -- on Friday evening at Plaza 501, they had an evening of just being a kid where they can relax. They can play games. They can listen to music. They can really just enjoy themselves in a safe environment.

On that Saturday, at the Boys and Girls Club, we brought a number of resource partners together and had a resource room for families. We had utility assistance. We had St. Louis Family Courts there. We had faith-based opportunities for them. We had employers who were hiring. We had credit unions who were willing to open accounts.

And then for me the highlight for me, although the whole weekend was special, the highlight for me was the youth panel that was curated by youth for youth and hosted by youth and it was designed for them to talk to the police department about how they experience policing in our community. We had five young people who were on the panel. It was phenomenal. I got into a little bit of trouble. I had a mandate that the police were not to speak. They were not to say a word. They

were to listen and observe and be there for our young people to hear them. It was a wonderful afternoon. Very insightful comments from our young people. They were amazing, and they were very open and transparent about how they experienced what we do on a daily basis. Everything from them feeling, in some instances, seen and heard.

We had one young man who was on the panel and he lives in an apartment complex in our community that has a high call volume from the Ferguson Police Department, and this young man, just to see his face light up, not just from being on the panel but as he interacted with the officers that he sees in his community on a regular basis, and the support and that relationship and that bond was not a sense of fear. It was more of a sense of gratitude. It was a wonderful afternoon, and we're planning on doing more of those types of things and being able to curate those events so that our young people are driving some of the programs and they are shaping some of the policies that come out of our community based on their lived experience. So I was very excited about that.

We also are partnering with the St. Louis County Family Courts in September for the second juvenile courts town hall. That is going to be at our event space. We had the initial one last year that was very well attended. The family courts will talk about some of their intervention initiatives. They'll talk about some of the challenges that they face, and

they always share some of the statistics that are -- Judge Perry, they're alarming, and I know you know that and you see it, but to see it in a presentation and to really understand the dynamics of what is happening with our young people in the community, it is alarming. So we'll be hosting that second town hall in Ferguson in September, and we are encouraging the entire community to come out and listen to what the juveniles have to say.

I did talk a little bit earlier about the CRB with the loss of Chairman Noll. We do have a process where the vice president assumed the acting chair. They will be having their elections here within the next couple of weeks to elect new officers, and they are also anxiously awaiting some appointments from the city council. I think there are three seats on the CRB that are open, and so we are looking forward to filling those seats and ensuring that the CRB continues its function uninterrupted.

As you know, they play a vital role in monitoring the work that we do and how we respond to use of force cases and our investigations, and they work very well with Chief Doyle. I think you've heard Chairman Noll come before this Court and explain that sometimes there's disagreement, but for the most part they're in agreement in terms of how we are proceeding with our internal affairs and our use of force investigations. So we're looking forward for them continuing

as soon as we have a new chairman seated and they are fully appointed.

The other thing that I wanted to talk about briefly is the National Night Out. We have National Night Out coming out up the first Tuesday of October, which is October 6, and immediately preceding that Saturday before we have a neighborhood association rally on the parking lot of the police department. This year we want to really stress the formation of new neighborhood associations.

There's been great deal of interest in our community about reactivating some of those neighborhood associations that have not been active for several years, and we appreciate the interest in creating a strong network of neighborhood associations so we want to host that neighborhood assembly to give them the tools that they need to be successful and that is going to help us as we launch the Safe Streets Program, which I'll talk about next.

The Safe Streets Program has been -- is part of the Crime Prevention Plan, and it also overlaps into the Community Policing Plan. Again, we have not had an opportunity to fully launch that program simply due to staffing. So what I have offered to do with my colleagues is to step into the role of the point person to provide the crime statistics and trends to our neighborhood liaisons.

In these Safe Streets programs, each participating

neighborhood nominates a volunteer to serve as a liaison to their community. That liaison meets with a representative from the police department and an officer, typically a commander and an officer, and they go over -- they review all of the crime stats and the trends within their neighborhoods, and they work with the neighborhood associations and the police department to provide those neighborhood-based organic sort of interventions that are parallel with what we need to do from law enforcement.

So we have had to postpone that just due to staffing, but our workaround at this point is for me to work with our commanders to run that data, interpret that data, and I'll be their liaison for now until we're fully staffed so we can actually get this program kicked off in August, and I'm looking forward to that.

And the last thing I want to talk about is the Consent Decree management process. As you know, we meet with our team weekly and we review where we have blockages, where we have successes and where we need to go in order to prepare for either the next audit or to seek a compliance finding.

So one of the things that I encounter often is where are we, where are we, and when are we going to be finished. Because one of the challenges in a long running Consent Decree process, eventually the work becomes less visible. In the early stages, you have a lot of activity. There are policies being changed. There are municipal ordinances. There are town

hall meetings. There are neighborhood canvassing. There are all kinds of things that are going on, on the surface level that you can visibly see, structures are being built. But now we are in more of a maintenance phase in trying to ensure that the work that has been done, the policies created, the systems implemented are actually working. I call it our testing phase.

We are really proofing our work to see where we are. We've matured enough in the process that our compliance becomes less task based and what do we need to do next to ensuring that it is embedded in the culture and our practices and who we are and that we can measure that and we can learn through that and we can see evidence of that on a daily basis.

So as the implementation of the bigger projects ratchet down, we're just looking at are our systems working? Are the things that we are putting in place actually working as intended? And more importantly, how are we evaluating those systems? How is the work showing up on patrol, in command, in the administration? And so we're spending a great deal of time looking at how we're integrating the Consent Decree expectations into our normal supervisory practices. How are we imbedding these policies into the daily operations and assessing that evidence? Are we ensuring that we are capturing all of the elements of the Consent Decree into the culture of the police department and how are we looking at oversight, supervisory response? How are we evaluating community

reporting and data collection, and how are we looking at the interaction and input now following those various civilian committees, because their work also is different at this stage.

So I recognize that although we are entering a different phase of the reform, the reform is not ending and our focus now should be on monitoring those systems and ensuring that we are doing the quality checks and assurances that our community deserves.

So to that end, I owe the Monitor some documents, and she'll get those today. We did a first round dump of some information that she asked for. We missed a few things, and we've gone back and found those reports, and she'll talk a little bit more about that, certainly. But we are also just taking a look at what are our indicators of success. I always like to look at those. Sometimes when we are in our meetings, I'll just be very honest and candid. I ask a lot of questions, and that is not always appreciated, but the idea is to ensure that we are not -- that we are walking the talk, that what we say is supposed to show up actually shows up the way it is supposed to show up.

One example, I'd like to share with the Court today is just in the face of just a horrific tragedy in our community where a mother was shot and killed at a convenience store in front of her children and witnesses, and it's been all over the news, and it was just a horrific incident. But what I want to

focus on is how our officers responded and how some of the elements that we've trained on showed up in that high stressful situation.

So one of the things was officer wellness. I watched and was happy to see other officers tapping in for their colleagues who they could see were shaken. I could see the presence of the process that we instituted for notifying our chaplains, so that the chaplains can be on scene, not just for the families but for our officers as well. I could see the supervisory response and how that scene was protected and maintained. I can see the growth in some of our supervisors in managing some of those high stress and high critical incidents and I do have the opportunity -- I do what I can when I'm on scene trying to manage media, but the other part is really observing how are we approaching the work? And I am happy to say that I am seeing evidence of the training. I am seeing evidence of the systems that we are putting in place, and so we need to continue to do more of that. I want to spend more time debriefing with Chief Doyle and Captain Dilworth about the things that I am seeing that are showing the evidence and the proof of the work.

So I want to conclude, just to sum all of that up for me, we've done a lot of work. Not all of it is visible to the public, but it is critical and it is important.

Tomorrow, I'm going to Atlanta to see my son. I

haven't seen him in a while. So I'm going to Atlanta, and I was thinking about my flight there and the analogy of our Consent Decree. And when you talk to any pilot, they will tell you that the two most dangerous parts of a flight -- or segments of a flight are the takeoff and the landing. It is not so much the journey that is in the flight itself. And I feel like that is where we are with the Consent Decree. During the early parts, our flight for the takeoff for the Consent Decree, high stress, lots of involvement, lots of debate, lots of differing opinions, lots of political squabbles, but we've continued that flight and we've maintained what we need to do. And now, as we approach our landing, now is not the time to let up. Now is the time to be more focused, to be even more precise, to move with more precision, to ensure that our communication is aligned, to ensure that our practices become part of our DNA, that we are in a place where we can competently rely on the work that we've done and that it is fail safe. So not all of that can be seen from ten thousand or twenty thousand feet. It is what is on the ground and how we operate once we land that really matters. And so our focus going forward is really to ensure that after we land, after we are removed from federal oversight, that we are in a place where it is just automatic. It is not because someone is watching. It is not because there is a certain power structure in place. It doesn't depend on who is chief or mayor or

council. It is because that is how we work and that is the standard that we set for ourselves. That is what we're working on and that is my update, and I appreciate your indulgence. I know it was a rather long update, but I just wanted to try to give you a clear picture of what we are doing, because, again, not all of evidentiary -- you're not going to be able to see a lot of the work. So I'll take any questions that you have.

THE COURT: I don't have any. I do appreciate your very comprehensive report. I think it is really important for the public to understand that even though it isn't always visible every day what is going on, there is a lot of work being done. Your airport analogy is not a bad one because there is a lot still being done to see that these reforms continue and also continue improving. So I think that is a good analogy, and I appreciate your report.

MS. WASHINGTON: Thank you.

THE COURT: Mr. Murray, I'm ready to hear from the Department of Justice.

MR. MURRAY: This is hard following Ms. Washington.

THE COURT: Well, you don't have to take as long as she did.

MR. MURRAY: I guarantee that I will not. Let me begin by recognizing the work and the commitment of the FPD officers, especially in light of the budget problems. DOJ's main purpose with the police program now is to support police

officers and we feel like anything we can do to help them in this situation, let us know and we'll see if we can find ways to help out. And that's partly what underlies our interest in seeking termination in some of the parts of the Consent Decree, to continue recognizing achievement and also to reduce some of the costs of monitoring and the continued compliance work. I know that we've talked about this for the last several cycles and have yet to come forward with a motion. I do think something will be pending very soon.

As I've mentioned to the Court in a call last week, the draft that we had shared with the City and which we had a preliminary agreement on has now been revised internally with my leadership chain and we have not yet been cleared to share it, but we will soon in the hopes that either the City will join us or give us an objection and we have to consider whether to file it individually as just the plaintiff. But stay tuned for more on that. My hope is at least there will be things in there that the Court can consider dismissing at least in part.

As Ms. Washington noted, we have returned comments I think on three trainings now, the First Amendment, the bias-free and last night I returned comments on the stop, searches and seizures. Ms. Washington rightly pointed out that the United States had some concerns about the focus on implicit bias in the bias-free training. The recommended edits in our draft were largely designed to preserve the structure and

content of the training and just not to focus on the term implicit bias.

I was reviewing the comments partly during her presentation and was thinking though it wasn't intentional or it wasn't necessarily problematic, by broadening the focus, it allows the training to encompass affirmative bias, which is what the Department of Justice is still concerned about. Direct actions with intent arguably are not addressed in that training and by broadening a training goal that would be able to define the types of bias and not just implicit bias, I think opens the door for a little broader viewpoint of what would be objectionable conduct in the sense of biased policing. But we continue to talk about that and will find an artful solution where the parties and the Monitor can reach an accord on that. The other two trainings that I had comments on, they were just minor observations to tweak the presentation, and I think once you have time to look at those the City will be and FPD will be satisfied with those comments.

And beyond that, I'm looking forward to hearing the updates from the Monitor on her recent assessments and the further assessments going forward unless Your Honor has any questions for me.

THE COURT: I am curious, of course, to see what the Department is going to propose, and I know the parties need to talk first and so you said sometime soon.

MR. MURRAY: Yeah.

THE COURT: Okay. I understand. I understand. It is not all up to you. I do understand that.

MR. MURRAY: Yeah. It is an interesting dynamic. There has been ebbs and flows internally about let's get this done and they back off. And then in my experience in this matter in particular, six or eight months ago, let's file this and then let's hold off and then let's file this and then hold off, and we're in one of those peaks and valleys situations again so I don't know.

THE COURT: One of the things that is important is whatever the Department is -- whatever is going on there, the City is progressing and doing the work and continuing the work and that's what we really need to see. Nothing is holding up what is happening in the City and that is what --

MR. MURRAY: That is so encouraging. It is partly what drives this administration's motivation to move some of this stuff out of the agreement, because, you know, the full force and authority of the United States doesn't need to push some of these issues. The City has every right to do things its way, and it sounds like they are in many ways. The committees that Ms. Washington describes, the efforts to get community input, those can proceed with or without the Consent Decree, and that is the view of my leadership at this point.

THE COURT: Thank you.

MR. MURRAY: Thank you, Your Honor.

THE COURT: Ms. Tidwell, I'll hear your comments.

MONITOR TIDWELL: So much easier to follow Mr. Murray than it is Ms. Washington. Thank you, Judge. I'll start as usual by thanking the members of the community who made time to be here today as well as those who submitted written comments for our review. Their continued engagement is both valued and appreciated.

I'll be brief since Ms. Washington, as usual, has covered things thoroughly. I want to thank her for her comprehensive update, particularly the summary of the recent community events. When she described the young man from the local housing development engaging with officers, I was reminded of days past when Mr. Carey and I would have good natured back and forth about the relative depth and utility of ice cream socials. The City is a long way from that arguably superficial level of engagement, and it is hard work to build and sustain that, so I wanted to commend and thank Chief Doyle for his vision and Ms. Washington and the FPD officers and personnel for implementing the program and sustaining it in a consistent way.

As we discussed at prior hearings, the Monitoring Team has been working to complete a series of comprehensive audits so that we can update our compliance findings and assess the City's progress towards substantial compliance. Our audit

activities are focused on the core constitutional policing areas of use of force, First and Fourth Amendment protections and accountability.

Each audit evaluates whether Department policies, training and practices meet the Consent Decree requirements and identifies areas requiring additional corrective action. We appreciate Ms. Washington, Captain Dilworth and everyone at FPD for their timely responses to our records request. We know it has been a lot, and we know that they have other responsibilities, so we appreciate them working with us to get us the data that we need.

The use of force audit initiated in April is nearly complete. Darryl Owens, the lead subject matter expert in that area, is finalizing his review of use of force incidents, supervisory oversight and departmental reporting to assess whether FPD's practices align with the Consent Decree. The results thus far have been mostly positive.

Mr. Owens initially reviewed nine incidents from 2025 where FPD reported that force had been used. Later, we added two unreported force incidents that were identified during the Fourth Amendment audit that is being conducted separately. My understanding is that additional unreported force incidents may be identified in that parallel audit, and as such we won't formally finalize the use of force audit until the full population of cases is known and reviewed.

At a high level, I can say that the preliminary results revealed that in most cases FPD officers demonstrated sound constitutional decisionmaking by discontinuing force once subjects were under control, avoiding unnecessary or retaliatory force, accurately documenting incidents and ensuring that written reports were submitted by body-worn camera evidence. These findings reflect effective supervision, adherence to Departmental policy and a strong organizational commitment to constitutional policing.

The audit also identified a few recurring areas where additional coaching and training should further strengthen organizational performance. These include notification to subjects that they're being recorded, which is an area of noncompliance in the body-worn camera audit from last year. We will provide additional details about some of these learning and growth opportunities after we've had an opportunity to meet with the parties to discuss the audit's findings. We'll then update the compliance assessment tables and incorporate those revisions into the next semiannual report.

For the First and Fourth Amendment audit, which also began in the spring, Dan Gomez and Roger Nunez are examining stop, search and arrest practices to evaluate whether officers are conducting these activities in compliance with the Constitution and the Consent Decree.

As I previously reported, it does not appear that there is sufficient data from which the Monitoring Team can fairly assess FPD's compliance with the First Amendment provisions of the Consent Decree. We'll have to work with the parties to try to determine an alternative method to assess compliance in that area.

As for the Fourth Amendment sections, we are still working with FPD to complete the dataset of 2025, field interview reports and arrest reports. Our audit methodology recently called for a representative sample of 100 incidents from 2020 to 2025. As I previously reported, we had to move away from the random sampling based on challenges in using computer-aided dispatch calls for service to identify cases where the Fourth Amendment was implicated. We moved for more targeted searches and now have about 80 or so case files uploaded.

Although the SMEs are still collecting and reviewing incidents, they are about halfway through those 80 or so, and I do have some preliminary findings that I can share with the caveat, of course, that the results are not final.

As for the case with the use of force, the results are mostly positive. The SMEs, the subject matter experts, did not identified any legally insufficient arrests or other constitutional deficiencies. There are some concerns about officer's use of sort of boilerplate language to articulate

legal justification for their actions. However, the accompanying camera footage and related materials support that the actions were legally justified so the issue appears to be technical and not necessarily legal or constitutional. It is hopefully something that can be remedied through training for officers and supervisors as it is ultimately a supervisory issue because they are the parties approving and reviewing reports.

We know that there is an upcoming stop, search and arrest training as Ms. Washington described. So we're working to expedite the audit or at least some of the preliminary findings so that some of this feedback can maybe be incorporated into the upcoming planned sessions or future session.

Similarly, as was the case with the body-worn camera audit, officers are not sufficiently compliant with the requirement they alert subjects that they are being recorded. As is the case with the use of force audit, we'll provide additional information about some of these learning and growth opportunities after we meet with the parties to discuss the findings in more detail, and those findings will go into the revised compliance assessment for the semiannual report.

The remaining ongoing audit is in the accountability section. Julio Thompson and I are still working towards completion of part two of that audit focusing on disciplinary

outcomes and other areas that we did not have sufficient data to assess during last year's audit. We have received some case data from the CRB and I am preparing a supplement of data requests for FPD, so that that audit can be finalized in short order.

And lastly, Judge, I started by thanking the community members in attendance for their continued engagement in this process. I'll end by pausing to recognize one person who is not here, CRB Chair Gerry Noll. As the Court knows and as others have spoken, the Monitoring Team worked closely with Mr. Noll over the years. During that time, we came to appreciate his leadership and his insight. He deserves tremendous credit for the gains the CRB has made, and on behalf of the Monitoring Team, I extend my deepest sincere condolences to his family and to the Ferguson community for their loss. I'll end there unless the Court has questions.

THE COURT: I do not think I have questions. I think this has been a very comprehensive report from all parties, so thank you. You know, the audits are so important and it is -- the parties worked very hard in getting the data that is needed to keep going on these so that we can see where there are areas that do need improvement and where areas are being fulfilled, and that is not a very exciting stage of the airplane flight, right? We're just trying to make sure everything is being done the way it is supposed to and that way

if there are issues you can come back. And as you can see from the Monitor's report, some things like notifying people they're being recorded, that sounds technical, but it is part of what needs to be done and is important and so these are the things that we are trying to make sure that they become automatic and part of the role of what is being done in the policing in the City of Ferguson.

I do think, you know -- I appreciate what everyone said here today, and I'm still optimistic. I know there are complaints and concerns from the citizens. I heard some of them in the letters that I got, and I heard others that had some good things to say. I understand they keep going and that is how it is. There is always going to be some concerns, but we want to see more benefits than times where we just say it is not working. I believe it is working. It is working very well.

I just want to talk -- we're at a point in the Consent Decree where, you know, we've got another bump here with the financial condition. It is probably not just a minor blip. It is important. And the policing -- the police department has done so well and has been working so hard to do the right things, but the stress put on them by the inability to have more staff is huge and so I appreciate especially the way Ms. Washington and Ms. Stephens as well as, of course, all the officials have worked to try to work around and still come

up with ways to deliver the training that is necessary without it being as expensive or burdensome.

But one of the things that I don't want anybody to forget about is why this is all happening, and partly, you know, there was so much on the news about the 250th birthday of the Declaration of Independence and in a few years we'll be coming up with the 250th birthday of the Constitution, and it is really important that people understand and think about it, reflect a little, that constitutional policing is good for cities. It is good for the City of Ferguson. It is good for society. Running municipal courts fairly and constitutionally is good for cities, and it is good for society.

Government is supposed to be by the consent of the people who are being governed and that means it is supposed to be good for us, the citizens who are living and working in our city. And if you think about the issues we have faced, I mean having fair and just municipal courts is essential, and I think that Ferguson should be really proud of how they have accomplished what they have with their municipal courts, having constitutional policing.

The thing about constitutional policing that I think we all know, but we don't say enough is that what we're trying to do here is to reduce the danger of tragedies and have the people who serve us serve the whole community, and I know that that is what they are trying to do and they have -- I believe

we've -- the police department has made huge strides, and this is -- we worry about the money.

I know people worry about the money that the Consent Decree costs the City, but this is money that is going to pay off in the long run. This is good for the City to have the right way of living. You want Ferguson to be a city where people feel good about being there and don't feel oppressed, and I think -- there's a lot going on in our country right now, including some frankly what appear to me from what I've read in the news, which is all I know, to be some pretty senseless shootings of people by law enforcement officers nationwide, and we don't want that to be us. We don't want that to be Ferguson. We don't want it to be St. Louis. We don't want it to be a municipality and to the extent -- there may be very good reasons, et cetera, but our neighborhood police officers, our municipal police officers, that's where the vast majority of the work gets done, that's where the vast majority of the interactions with the public happen. And having those interactions be positive, where they are enforcing the law but they're not oppressing the people, is just essential. And I think the strides that have been made have been really important, and we shouldn't lose sight of that.

I know there are complaints about it is not going fast enough or there are things that haven't been done. Some people have complained -- one of the letters mentioned that it

was -- that hiring more police is not -- there's still too much crime, and there is still too much crime everywhere. As Ms. Washington mentioned, the issues with youth today, and I think there are some pretty serious issues going on, but everything you are doing in Ferguson is going to help with that problem.

And I think the example that you gave, and I'm sure there are others as well, of young people who have been influenced and have understood that it is not -- the police interactions are not all negative. They are not just to oppress people. They are there to make us safe and make everyone safe and live a good life in a good city. So I just think everyone needs to remember how important this is.

With the 250th anniversary of the Declaration, I've been rereading some more history. I have -- I go in stages where I read about the founding fathers because I think they are kind of fascinating people because they are so conflicted in the things they do. They don't always live the ideals that they expressed, but they had a lot of the reasons for what they did, and the system they came up with of government is pretty impressive, and so I want it to last. And I think it is important to remember that what we are doing is working hard for the benefit of Ferguson as well as all of the citizens of Ferguson. This is not just something that is being imposed and hurts and causes problems to the City. This is something that

is going to benefit the City in the long run.

And I especially thank all the police officers and the municipal authorities and employees who have done so much to try to make this happen because it is not easy and I know that. And I thank the citizens for their part in keeping an eye on them and criticizing them when they don't do what you think they should do. That is an important part of the process. That is what a democracy is. So thank you all for being here, and we will keep working, and I'll be talking with the lawyers, and I will see you all again in three months when we have the next public hearing, so thanks a lot.

(Proceedings concluded at 11:14 a.m.)

CERTIFICATE

I, Erikia T. Schuster, Registered Professional Reporter, hereby certify that I am a duly appointed Official Court Reporter of the United States District Court for the Eastern District of Missouri.

I further certify that the foregoing is a true and accurate transcript of the proceedings held in the above-entitled case and that said transcript is a true and correct transcription of my stenographic notes.

I further certify that this transcript contains pages 1 through 44 inclusive and was delivered electronically and that this reporter takes no responsibility for missing or damaged pages of this transcript when same transcript is copied by any party other than this reporter.

Dated at St. Louis, Missouri, 16th of July, 2026.

/s/ Erikia T. Schuster
Erikia T. Schuster, RPR
Official Court Reporter