



SJ:RO:RG:JC:NP:MW  
207-41-7

Special Litigation Section - PHB  
950 Pennsylvania Ave, NW  
Washington DC 20530

September 12, 2018

VIA E-MAIL AND U.S. MAIL

Ronnie Walton  
City Attorney  
Glover, Young, Walton & Simmons, PLLC  
P.O. Box 5514  
Meridian, MS 39302

**Re: United States' First Assessment of the City of Meridian's Compliance with the Settlement Agreement**

Dear Mr. Walton:

We write to provide you with the Department of Justice's ("DOJ") assessment of the City of Meridian's ("City") progress in complying with the terms of the Settlement Agreement ("Agreement") entered in *U.S. v. Meridian*, Civ. Act. No. CV-978 (filed Sept. 18, 2015).

As you know, in January 2018, the Independent Police Auditor filed a final report with the Court assessing the City's compliance with the terms of the Settlement Agreement. The Auditor determined, and the City and DOJ agreed, that the City was in substantial compliance with all provisions of the Agreement. Pursuant to Section V.F. of the Settlement Agreement, the parties agreed to transition this case to monitoring by the United States.

This is the first assessment issued by DOJ since the case transitioned to United States' monitoring. The assessment measures the progress made by the City during the first six months of 2018. Since the beginning of Settlement Agreement implementation, the City has maintained a collaborative approach to the compliance process. We value the effort the City and Meridian Police Department chief and staff have put into addressing the requirements of the Settlement Agreement, preparing self-assessment compliance reports evaluating the City's compliance with the Agreement, and cooperatively providing supporting documentation and information to DOJ staff and consultants.

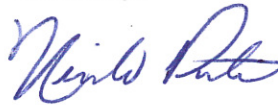
In the enclosed assessment table, and similar to reports filed by the former Independent Police Auditor, we provide a compliance rating and comments for each provision of the Settlement Agreement. The definition of each rating type is as follows:

- “Substantial compliance” means that the City has achieved all or nearly all of the components of a particular provision.
- “Partial compliance” means that the City has made notable progress in achieving compliance with key components of the provision, but substantial work remains.
- “Beginning compliance” means that the City has made notable progress in achieving compliance with a few, but less than half, of the key components of the provision.
- “Non-compliance” means that the City has made no notable progress in achieving compliance on any of the key components of the provision.

DOJ reports that for the January-June 2018 assessment period, the City has remained in substantial compliance with the provisions of the Settlement Agreement.

We appreciate the strides the City has made thus far towards ensuring sustainable reform. Please feel free to contact us if you have any questions about this letter. We look forward to continuing to work with you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Nicole Porter".

Nicole Porter  
Trial Attorney  
Special Litigation Section

**Meridian Police Department (MPD)**  
**Settlement Agreement Compliance Assessment Table**

**III. SUBSTANTIVE REMEDIAL MEASURES**

**A. School Arrests and Probable Cause**

1. Policy and Practices

a. Within 90 days of the Effective Date, Meridian Police Department shall have adopted practices, policies, procedures, and training consistent with the principles below:

(i) Officers shall only conduct school-based arrests of juveniles under the following circumstances:

- a. Officers have probable cause, to the extent required by law, to believe that a juvenile has committed a felony; or
- b. A criminal offense that involves a real and immediate threat to students, teachers, or public safety; or
- c. A misdemeanor or other indictable offense occurs in the officer’s presence, except for offenses identified in (iii)(a); or
- d. A judicial warrant or custody order specifically directs the arrest of a student in a school.

(ii) Officers shall avoid executing a judicial warrant at a school. A felony warrant may be executed at a school when it is not practical to conduct the arrest at alternative locations.

<b>Independent Auditor Compliance Rating as of January 2018</b>	<b>June 2018 DOJ Compliance Rating</b>	<b>Supporting Documentation Reviewed</b>
Substantial Compliance	<b>Substantial Compliance</b>	MPD charge classification reports; school juvenile arrest logs
<b>DISCUSSION:</b>		

MPD’s charge classification reports list all juvenile arrests conducted from January to June 2018, and the location of those arrests. MPD also runs a separate log that lists any juvenile arrests occurring at the five junior high, high, and alternative schools in Meridian (Carver Junior High, Kate Griffin Junior High, Northwest Junior High, Meridian High School, and Marion Park Alternative School). We reviewed the charge classification reports, along with the school juvenile arrest logs, to determine whether MPD conducted any school-based arrests during the compliance rating period. No school-based arrests were conducted. As stated in prior reports of the Independent Police Auditor, in 2016, MPD drafted and finalized a school-based arrest policy that incorporated the requirements of the Settlement Agreement. In 2017, MPD trained its officers on the policy. Thus, MPD remains in substantial compliance with this provision of the Settlement Agreement.

- (iii) Officers shall not respond to requests for school-based arrests for behavior that is appropriately addressed as a school discipline issue, including incidents involving:
  - a. public order offenses including disorderly conduct, disruption of schools or public assembly, trespass, loitering, profanity, dress code violations, and fighting that does not involve serious physical injury or a weapon.

Compliance Rating as of January 2018	June 2018 DOJ Compliance Rating	Supporting Documentation Reviewed
Substantial Compliance	<b>Substantial Compliance</b>	MPD calls for service records; charge classification reports; school juvenile arrest logs

**DISCUSSION:**

From January – June 2018, there were 257 calls for service at the junior high, high school, and alternative schools in Meridian. Meridian Public Schools District Police Department (MPSDPD) officers responded to 150 of those calls. MPD officers handled, or assisted in handling, 107 calls. 184 of the 257 calls pertained to “false alarms” sounding at the schools. Other calls involved incidents or interactions that occurred well outside of school hours. MPD call responses to the schools during school hours were relatively infrequent and

conducted in accordance with the Memorandum of Understanding between MPD and MPSDPD.

In reviewing the calls for service records, we noticed that MPD conducted sixteen “observation” calls at various Meridian public schools immediately before or shortly after school hours. MPD officers resolved these calls without incident, and did not detain or arrest any individuals during the calls. According to MPD, it initiated these calls to assist with traffic before and after school and provide visibility at special events in the hopes of reducing traffic and congregation around the school during evening hours. We ask that MPD continue to initiate and handle these observation calls with caution, so as not to run afoul of the Settlement Agreement’s prohibition on conducting school-based arrests for public order offenses such as public assembly or loitering.

MPD remains in substantial compliance with this Settlement Agreement provision.

- b. Officers must document in sufficient detail the basis for any school-based arrest, including any factors that justify arresting the youth at school and factors that support a determination of probable cause:

Compliance Rating as of January 2018	June 2018 DOJ Compliance Rating	Supporting Documentation Reviewed
Substantial Compliance	<b>Substantial Compliance</b>	MPD charge classification reports; school juvenile arrest logs
<b>DISCUSSION:</b>		
<p>As stated earlier, DOJ reviewed the charge classification reports, along with the school juvenile arrest logs, to determine whether MPD conducted any school-based arrests during the compliance assessment period. No school-based arrests were conducted. MPD remains in substantial compliance with this provision.</p>		

- (i) Officers must provide a *Miranda* warning as soon as a juvenile is placed in a situation where a youth, based on the youth’s mental and psychological maturity, would reasonably believe they are not free to leave.

Compliance Rating as of January 2018	June 2018 DOJ Compliance Rating	Supporting Documentation Reviewed
Substantial Compliance	<b>Substantial Compliance</b>	MPD charge classification reports; school juvenile arrest logs; calls for service records
<b>DISCUSSION:</b>		
<p>As stated earlier, MPD did not conduct any school-based arrests during this assessment period. MPD calls for service records further indicate that no Miranda warnings were given to juveniles or required. MPD remains in substantial compliance with this Settlement Agreement provision.</p>		

- (ii) Officers must notify the juvenile’s guardian of the arrest as soon as practicable, generally no more than three hours after the arrest. If a parent is not notified within three hours, the arresting officer must document, in writing, the reason for the delay.

Compliance Rating as of January 2018	June 2018 DOJ Compliance Rating	Supporting Documentation Reviewed
Substantial Compliance	<b>Substantial Compliance</b>	MPD charge classification reports; school juvenile arrest logs; calls for service records
<b>DISCUSSION:</b>		
<p>MPD did not conduct any school-based arrests during this assessment period. MPD remains in substantial compliance with this Settlement Agreement provision.</p>		

- (iii) Officers shall only interview a detained youth in the presence of the juvenile’s guardian or attorney.

Compliance Rating as of January 2018	June 2018 DOJ Compliance Rating	Supporting Documentation Reviewed
Substantial Compliance	<b>Substantial Compliance</b>	MPD charge classification reports; school juvenile arrest logs; calls for service records
<b>DISCUSSION:</b>		
MPD did not conduct any school-based arrests during this assessment period. A review of calls for service records and charge classification reports further indicate that MPD officers did not detain any juveniles during this assessment period. MPD remains in substantial compliance with this Settlement Agreement provision.		

2. Training

- a. Within six months of the Effective Date, Meridian Police Department shall provide officers with pre-service and annual in-service training regarding interactions with juveniles while on Meridian Public School District premises, including de-escalation techniques, conflict resolution, child and adolescent development, and age appropriate responses and bias-free policing.

Compliance Rating as of January 2018	June 2018 DOJ Compliance Rating	Supporting Documentation Reviewed
Substantial Compliance	<b>Substantial Compliance</b>	N/A
<b>DISCUSSION:</b>		

As stated in prior reports of the Independent Police Auditor, in July 2017, MPD provided officers with annual in-service de-escalation, conflict resolution, and child and adolescent development training. In October 2017, MPD provided officers with annual in-service bias-free policing training. In 2017, MPD officers also received roll call training on MPD’s new school-based arrest policy and its Internal Affairs policy, which detailed how MPD will receive and investigate school-based complaints.

In April and May of this year, MPD officers received additional training focusing on juvenile justice issues. The online training focused on juvenile gun violence, the links between drugs and delinquency, and identifying effective strategies and programs to reduce juvenile violations. MPD did not hire any new recruits during the assessment period; thus, it did not conduct any pre-service training on juvenile justice issues. MPD remains in substantial compliance with this provision of the Settlement Agreement.

b. This training shall be conducted by qualified instructors.

<b>Compliance Rating as of January 2018</b>	<b>June 2018 DOJ Compliance Rating</b>	<b>Supporting Documentation Reviewed</b>
Substantial Compliance	<b>Substantial Compliance</b>	N/A
<b>DISCUSSION:</b>		
<p>As stated in prior reports of the Independent Police Auditor, qualified instructors conducted the bias-free policing training, as well as the de-escalation, conflict resolution, and child and adolescent development training. MPD remains in substantial compliance with this provision of the Settlement Agreement.</p>		

c. MPD shall provide roll call trainings regarding these policies as needed.

<b>Compliance Rating as of January 2018</b>	<b>June 2018 DOJ Compliance Rating</b>	<b>Supporting Documentation Reviewed</b>
Substantial Compliance	<b>Substantial Compliance</b>	N/A



<b>DISCUSSION:</b>		
<p>There was not a demonstrated need for any roll call training on the policies during this assessment period, as MPD officers had received in-service training and roll call training in 2017. MPD remains in substantial compliance with this provision of the Settlement Agreement.</p>		

- d. MPD shall document that all officers have received the required training.

<b>Compliance Rating as of January 2018</b>	<b>June 2018 DOJ Compliance Rating</b>	<b>Supporting Documentation Reviewed</b>
Substantial Compliance	<b>Substantial Compliance</b>	MPD roster for April and May 2018 online training
<b>DISCUSSION:</b>		
<p>As stated in prior reports of the Independent Police Auditor, in 2017, MPD provided signature logs verifying officer attendance at the bias-free policing, de-escalation, and roll call trainings. MPD also provided DOJ with a roster of the MPD officers who attended the April and May 2018 online training. MPD remains in substantial compliance with this provision of the Settlement Agreement.</p>		

3. Civilian Complaints and Discipline

- a. Within six months of the Effective Date, MPD shall ensure that an effective process is in place to consider complaints regarding MPD conduct in the schools, including school-based arrests. MPD shall ensure that community members, including students and parents or guardians, have access to complaint forms to express concerns about MPD. To achieve this outcome, MPD shall ensure that complaint forms are available from the MPD and at City Hall, public libraries, and police stations. MPD shall also make the complaint form available on its website and work with the Meridian Public School District to make forms available at the schools.

Compliance Rating as of January 2018	June 2018 DOJ Compliance Rating	Supporting Documentation Reviewed
Substantial Compliance	<b>Substantial Compliance</b>	N/A
<b>DISCUSSION:</b>		
<p>As stated in prior reports of the Independent Police Auditor, in 2017, MPD revised its Internal Affairs policy to incorporate protocols regarding MPD receipt and investigation of school-based complaints. The complaint forms are available on MPD’s website and at City Hall, Meridian public library, and the police station. Despite the City’s efforts, the Meridian Public School District did not agree to make complaint forms available at its schools. PD remains in substantial compliance with this provision of the Settlement Agreement.</p>		

- b. MPD shall specifically track complaints arising from school-based arrests.

Compliance Rating as of January 2018	June 2018 DOJ Compliance Rating	Supporting Documentation Reviewed
Substantial Compliance	<b>Substantial Compliance</b>	MPD spreadsheet listing IA complaints received by case number, complainant, date of incident, location of incident, date filed, officer involved, nature of complaint, and whether complaint was school-related
<b>DISCUSSION:</b>		
<p>MPD received nine complaints from members of the public during this assessment period. None of the complaints pertained to school-based arrests or MPD conduct in schools. MPD remains in substantial compliance with this provision of the Settlement Agreement.</p>		

- c. MPD shall routinely assess the need for improvements to its training based on these complaints.

Compliance Rating as of January 2018	June 2018 DOJ Compliance Rating	Supporting Documentation Reviewed
Substantial Compliance	<b>Substantial Compliance</b>	MPD spreadsheet listing IA complaints received by case number, complainant, date of incident, location of incident, date filed, officer involved, nature of complaint, and whether complaint was school-related
<b>DISCUSSION:</b>		
As stated previously, none of the complaints received by MPD during this assessment period pertained to school-based arrests or MPD conduct in schools. MPD remains in substantial compliance with this provision of the Settlement Agreement.		

- d. Officers who violate MPD’s juvenile arrest policies shall be held accountable through the department’s disciplinary system.

Compliance Rating as of January 2018	June 2018 DOJ Compliance Rating	Supporting Documentation Reviewed
Substantial Compliance	<b>Substantial Compliance</b>	MPD charge classification reports; school juvenile arrest logs
<b>DISCUSSION:</b>		
MPD did not conduct any school-based arrests during this assessment period. Additionally, none of the complaints received by MPD during this assessment period pertained to school-		

based arrests or MPD conduct in schools. MPD remains in substantial compliance with this provision of the Settlement Agreement.

4. Data Collection

- a. MPD shall collect statistical data on the number of juveniles referred to the MPD by the Meridian Public School District and the number of arrests that arise out of behavior allegedly occurring in the Meridian public schools or at school events, including age, race, gender, and alleged misconduct.

Compliance Rating as of January 2018	June 2018 DOJ Compliance Rating	Supporting Documentation Reviewed
Substantial Compliance	<b>Substantial Compliance</b>	MPD calls for service records; charge classification reports; school juvenile arrest logs; MPD quarterly compliance reviews for the first and second quarter of 2018
<b>DISCUSSION:</b>		
MPD did not conduct any school-based arrests during this assessment period. Additionally, the Meridian Public School District has not referred any juveniles to MPD during this assessment period. MPD remains in substantial compliance with this provision.		

- b. This data shall be made public on the City’s website on a semi-annual basis.

Compliance Rating as of January 2018	June 2018 DOJ Compliance Rating	Supporting Documentation Reviewed
Substantial Compliance	<b>Substantial Compliance</b>	MPD calls for service records; charge classification reports; school juvenile arrest

		logs; MPD quarterly compliance reviews for the first and second quarter of 2018; City website
<b>DISCUSSION:</b>		
<p>MPD did not conduct any school-based arrests during this assessment period. Additionally, the Meridian Public School District has not referred any juveniles to MPD during this assessment period. The City provides information pertaining to referrals and school-based arrests in its quarterly compliance reviews and compliance reports, which are posted on the City’s website. MPD remains in substantial compliance with this provision.</p>		

5. Coordination with Meridian Public School District Police Department
  - a. Consistent with ¶92 of the MPSD/EOS Agreement, within 90 days of the effective date, the City shall seek a Memorandum of Understanding (“MOU”) between the Meridian Public School District Police Department and the MPD that delineates authority and specifies procedures for effectuating arrests of students while on school grounds.

<b>Compliance Rating as of January 2018</b>	<b>June 2018 DOJ Compliance Rating</b>	<b>Supporting Documentation Reviewed</b>
Substantial Compliance	<b>Substantial Compliance</b>	MPD calls for service records
<b>DISCUSSION:</b>		
<p>As stated in a prior report of the Independent Police Auditor, in 2017, MPD and MPSDPD entered into a Memorandum of Understanding (MOU) that delineated authority and specified procedures for effecting arrests of students while on school grounds. The MOU was approved by the Meridian City Council and the Meridian School Board. A review of MPD calls for service records indicate that both departments are performing their responsibilities consistent with the MOU. MPD remains in substantial compliance with this Settlement Agreement provision.</p>		

**IV. COMMUNITY INPUT**

- A. Within six months of the Effective Date, the City, in consultation with the Police Independent Auditor and the United States, shall develop and implement a community input program to keep the community informed about the progress of its reforms as outlined herein and to hear ongoing community questions and concerns regarding the implementation of this consent decree. The community input program shall include a process for receiving and responding to input from interested members of the community.

<b>Compliance Rating as of January 2018</b>	<b>June 2018 DOJ Compliance Rating</b>	<b>Supporting Documentation Reviewed</b>
Substantial Compliance	<b>Substantial Compliance</b>	N/A
<b>DISCUSSION:</b>		
<p>As stated in a prior Independent Police Auditor report, in May 2016, the City and MPD developed and implemented a community input plan to keep the community informed of its compliance efforts and hear community questions and concerns about Settlement Agreement implementation. The community input plan is compliant with the Settlement Agreement and is used by MPD and the City on an ongoing basis. The City remains in substantial compliance with this Settlement Agreement provision.</p>		

- B. The community input program shall require at least one open community meeting every six months for the duration of this Agreement. A representative for the City shall be required to attend the open meeting so long as this Agreement is in place. A representative for the United States will also attend. The open meetings shall inform the public about the requirements of this Agreement, the City’s progress in each substantive area of the Agreement, and address community concerns related to the implementation of this agreement. The meetings shall be held in a location that is accessible to the public. At least one week before the open meetings, the City shall widely publicize the meetings using print media, radio, and the internet.

<b>Compliance Rating as of January 2018</b>	<b>June 2018 DOJ Compliance Rating</b>	<b>Supporting Documentation Reviewed</b>

Substantial Compliance	<b>Substantial Compliance</b>	Public Notice of Meridian Police Department Community Meeting held on May 17, 2018; Meridian Facebook page posting; DOJ observation of community input meeting
<b>DISCUSSION:</b>		
<p>On May 17, 2018, the City held its third community meeting at Mount Olive Missionary Baptist Church in Meridian. At the meeting, the City and MPD informed the public about the requirements of the Agreement and the City’s progress, and answered community questions about MPD implementation. The City advertised the meeting through publication in the local newspaper, announcements on local radio stations, and the City’s website. For the very first time, the City also advertised the meeting through the City’s Facebook page. Despite the increased social media outreach efforts, only five residents attended the meeting. The City has stated that it will brainstorm about and implement new strategies to increase community participation. These strategies will include reaching out directly to members of the public who attended prior meetings.</p> <p>The City remains in substantial compliance with this Settlement Agreement provision.</p>		

- C. The community meetings shall include summaries of the Action Plan and Compliance Reports required by this Agreement during the period prior to the meeting and any policy changes or other significant actions taken as a result of this Agreement. The City shall make any written summary of policy changes or other significant actions taken as a result of this Agreement publicly available on a public website they create or maintain.

<b>Compliance Rating as of January 2018</b>	<b>June 2018 DOJ Compliance Rating</b>	<b>Supporting Documentation Reviewed</b>
Substantial Compliance	<b>Substantial Compliance</b>	Action Plan and Compliance Report provided at the May 17, 2018 community meeting; Second Compliance Report; MPD quarterly compliance reviews for the first and

		second quarter of 2018; City website
<b>DISCUSSION:</b>		
<p>At the May 2018 community meeting, the City provided the public with copies of its Action Plan and Compliance Report. The City also provided the public with its quarterly compliance review for the first quarter of 2018. (The quarterly compliance review is the City and MPD’s self-assessment of its compliance efforts.) The Action Plan and Compliance Report, Second Compliance Report, and quarterly compliance reviews for the first and second quarter of 2018 are available on the City’s website.</p> <p>The City remains in substantial compliance with this Settlement Agreement provision.</p>		