

CRITIQUE OF APPLICANTS FOR INDEPENDENT EVALUATOR BY COMMUNITIES UNITED AGAINST POLICE BRUTALITY

In the [Memorandum for Heads of Civil Litigating Components United States Attorneys](#), Merrick Garland lays out several principles for the use of consent decree monitors. These revolve around the core principle that monitors must be "independent, highly qualified, and free of conflicts of interest," which of course includes even the appearance of a conflict of interest. If we take a hardline approach, that should probably exclude anyone who has done business with the city before.

ADP Consulting

This is headed by Alfred Peters, who reached out to us in early October. A few of us met with him and liked what he had to say. He was seeking local people to work and we provided a few suggestions. Abigail Cerra is part of the team at our suggestion but so is Michele Phelps.

"I am a retired Major from the State Police in New Jersey. I currently and previously have worked on several consent decrees and am pursuing the position of Independent Evaluator in Minneapolis. I am seeking a known, knowledgeable, community activist to work with me and my team to improve relations between the MPD and the Community. I would welcome a phone call or email to begin conversations in this regard. You can check my biography on my website at www.adpconsultingllc.com. A quick response would be tremendously appreciated."

AEGIS Collaborative Solutions

This company is out of Richmond, Kentucky according to [Bizapedia](#) and have been in business less than two years. There is virtually no info on them on the web beyond the Bizapedia listing.

BakerHostetler

This is a huge law firm with 17 offices across the country but not one in Minneapolis. They are involved primarily in business law, serving a wide array of industries. They have absolutely no background in civil rights issues but plenty of background defending businesses from environmental violations, employment discrimination and similar suits.

<https://www.bakerlaw.com/>

CNA (Center for Naval Analysis)

A federally funded R & D center. Essentially a military contractor. We encountered CNA in the privatization of police accountability work group.

The city recruited CNA to do a report on MPD's staffing and organizational efficiency as well as the Minneapolis Emergency and Communication Center. Initially, the city started off doing this investigation in-house, but then handed it off to CNA. Here's [the report](#), which was issued in February 2022.

Takeaways: Their data on police primarily responding to 911 calls vs self-initiated police work was out of sync with CUAPB's recommendations (40% response to calls for service vs 60% self-initiated activity) and MPD's actual data (60% vs 40%).

Dorsey and Whitney

Headquartered in Minneapolis, the firm claims to "serve clients in nearly all industries," but specializes in "banking, development and infrastructure, energy and natural resources, food, beverage, and agribusiness, healthcare, and technology industry groups."

Clients have included 3M, General Mills, US Bankcorp, Wells Fargo, Xcel Energy, and Hormel. Representing management in labor negotiations/disputes. But they also provided legal services to some people detained at Guantanamo. Lawyers who have worked for Dorsey and Whitney include Amy Klobuchar, Walter Mondale, Jim Schultz (who ran for Attorney General last year on a police appreciation platform), and Judge Kathleen Sheehy.

For 40-plus years, the firm had been helping the City Attorney's office prosecute its cases. But on June 3rd 2020, the firm cut ties with the City, citing research that misdemeanor prosecutions disproportionately impact the Black community.

Takeaways: Historically, the firm has been complicit in the City and MPD's discriminatory policing. If the uprising hadn't happened, this firm would still be helping the city and harming the community. It's difficult to judge how real their newfound racial justice awakening really is -- maybe they *could* be an effective monitor. But the firm's historical record of siding with the powerful and its prior relationship with the city should be disqualifiers.

- <https://www.cbsnews.com/minnesota/news/law-firm-dorsey-and-whitney-ends-relationship-with-minneapolis-city-attorney/>
- <https://www.dorsey.com/newsresources/news/press-releases/2020/06/dorsey-ends-misdemeanor-prosecutions-program>
- <https://www.dorsey.com/about/history>

Effective Law Enforcement for All (ELE4A)

Essentially, the New Orleans monitoring team. Also played a role in monitoring the Baltimore consent decree. Includes lawyers, police chiefs and police policy experts, social science and data analysts. Overall seems like a strong team. Holds workshops on transforming police culture and on alternative first responder models. <https://ele4a.org/>

Greene Espel

A local law firm, they do a lot with employment law (management side), commercial litigation, intellectual property, municipal and securities litigation, and also construction, real estate, and land use and zoning law. (It would be good to know if they've had any involvement in the 2040 Plan.) They did an outside review of former city coordinator Heather Johnston and her role in fostering a "toxic, racist work environment." What do we think of this investigation? What other "outside" investigations have they done and what were the results?

[Here's one they did](#), apparently investigating several Golden Valley police officers. It looks like it wrapped up last year.

This [second one](#) should also be interesting to learn more about: The Archdiocese of Minneapolis and St Paul hired Greene Espel to investigate claims of inappropriate sexual conduct against Archbishop John Nienstedt. Nienstedt was the one who ordered the investigation. (The MPR headline was ["Archbishop Authorized Secret Investigation of Himself."](#)) It could be instructive to see how the firm maneuvered among these competing and self-serving interests.

Fun fact: Andrew Luger was a partner at Greene Espel from 1995 - 2014 before Obama appointed him as US Attorney for Minnesota for the first round (2014-17). After that, he joined Jones Day.

Gomez Oversight Group

Was the monitor team for the Virgin Islands Police Department consent decree. Made up entirely of former police chiefs and prosecutors, they make it clear that their goal is to primarily please the police department and city. In a proposal to the City of Springfield, Massachusetts, they state "The general operational undertakings of the SPD are entirely within the purview of the SPD, not within the authority of the Compliance Evaluator. In light of that, we will provide technical assistance when requested." In other words, a very hands-off approach that focuses on reviewing metrics and abiding by the desires of the police department and city, with little input from the community.

<https://www.justice.gov/media/1227521/dl?inline=>

Guidepost

Guidepost Solutions claims to be a leader in domestic and international investigations, compliance solutions, monitoring, and security and technology consulting. Guidepost is located in New York, headquarters in Danbury, CT.

Julie Myers Wood is current CEO with a focus on regulatory compliance and investigative work, regularly serving as an independent monitor/consultant appointed by the U.S. government. She was Assistant Secretary of Homeland Security (Immigration and Custom Enforcement) from 2006-2008; and Chief of Staff to Assistant Attorney General Robert D. McCallum, Jr. (Criminal Division), Department of Justice from 2002-2003.

Regarding investigations: Corporate internal investigations cover allegations of harassment or fraudulent conduct by employees. Private and personal investigations evaluate the fitness of potential personal relationships, business partners, and employees in order to protect business assets.

Regarding security: Security assessments are conducted with designs and implementation strategies for schools, colleges and universities to provide safe educational environments for students, faculty, and staff. <https://www.guidepostsolutions.com>

Hughes, Hubbard, Reed and Kroll LLC

International law firm with eight offices, none in Minneapolis. Brags on its website about beating the DOJ in a case. No history of involvement in civil rights work or monitoring consent decrees. <https://www.hugheshubbard.com/>

Jensen Hughes

Jensen Hughes provides security services for rich people. They are the parent company of Hillard Heintz, the outfit hired by the city to write an after-action report of the uprising after George Floyd was murdered. The report is a biased pro-cop whitewash designed to tell police how to more effectively put down future protests. Misconduct by police was not mentioned even once in the report but protesters were termed “outside agitators” who were not part of the community. Our analysis of that report is [here](https://www.jensenhughes.com/). <https://www.jensenhughes.com/>

Jones Walker Stout

Jones Walker Stout LLP is one of the largest law firms in the US with offices in DC, Florida, Georgia, Louisiana, Mississippi, New York and Texas. They provide a range of legal services to major multinational public and private corporations, Fortune 500 companies. No civil rights work and no history of overseeing consent decrees.

Mitchell Stein Carey Chapman

Law firm of ten attorneys out of Phoenix, AZ handling “the full range of criminal, regulatory and licensing cases.” No indication of any background doing civil rights work or overseeing consent decrees. <https://mscclaw.com/>

Pivot Consulting Group

From their website, “Pivot Consulting Group is a financial, accounting and operational consulting firm that provides resources to support the needs of businesses and entrepreneurs.” The “team” appears to be made up of two people who are both CPAs. It does not appear that they have ever had any involvement in any kind of social justice or civil rights work or any experience overseeing consent decrees.

Of the two principals, one is solutions-oriented and leads organizations to drive for results; and one has expertise in global mergers and acquisition integrations. Only two testimonials are on the website, one from a former business officer of Upland Software (provider of cloud-based tools) and one from a former Senior Director of “one of the largest global technology services companies.” There are no testimonials from current clients. <https://www.pivotconsultinggroup.com/>

Relman Colfax

Three of their attorneys met with us in the Spring. We really liked their plans for community engagement. Dr. Raj Setharaju, a local and well respected activist, is on their team. This is one of the law firms working on the civil suit over the Flint, MI water situation and they do other civil rights

cases including demanding equal rights for trans students and Gulla Geechee people as well as police brutality cases. <https://www.relmanlaw.com/>

Ropes & Gray LLC

Huge global law firm serving business, technology and government. They bill themselves as the “leading law firm for private capital.” Seven offices in the US with the nearest in Chicago, along with seven other international locations. They also seemingly do a lot of legal defense of people accused of white collar crimes by the feds but have zero experience with consent decree monitoring. <https://www.ropesgray.com/en>

Squire Patton Boggs

Per their website, they are a “full-service global law firm.” They have 42 offices around the world with a handful in the US—none in Minneapolis. Their practice areas include corporate law and defense of white-collar crime. No civil rights work and no history of overseeing consent decrees. <https://www.squirepattonboggs.com/en>

Tiffany Lacy Clark LLC

Tiffany Lacy Clark is the president and CEO of Behavioral Health Response (BHR) with 20 years' experience in behavioral health and business administration. She has a social services background, was previously executive director of mental health for the Illinois Department of Human Services, and is a Ph.D. candidate in organizational leadership/business psychology from the Chicago School of Professional Psychology (per Wikipedia, entry undated).

BHR is in St. Louis, MO. A search of the Missouri Secretary of State's Office for registered businesses showed Behavioral Health Response, Inc. as a nonprofit in good standing, created in 1994, with National Registered Agents, Inc. as the Registered Agent with a business address in Clayton, MO.

“BHR, Inc. is focused on making behavioral health care and crisis support more accessible by getting to know the people, breaking down barriers, and helping organizations and communities make mental health resources a priority.”

A Justice and Crisis Response Unit (CRU) was created as a “first-of-its kind street triage co-responder model where a trained J-CPU clinician partners with a St. Louis Metropolitan Police Department officer.” Clinicians travel on behavioral calls that are related to and include mental health, substance use, trauma, quality of life events, and self-sufficiency incidents. The goals of this program are to de-escalate individuals, stabilize and develop a crisis response/safety plan with the individuals in crisis, divert individuals from jail and hospitalization, provide support for the community, conduct follow up and care coordination, and track and report outcomes. BHR, Inc. also offers a 911 Call Diversion Program. <https://www.bhrstl.com>

Does not appear to have any experience monitoring consent decrees.

Unity Community Mediation Team

This is the team the city chose to mediate with through federal mediation in 2003 after the community elected a different team. The federal mediator (out of the DOJ office of community relations) allowed the city to pick the community team. They met with the city for 5 years and pretty much got nothing for the community out of the agreement except that the cops are supposed to give people business cards (try asking for one and see what happens!). The agreement is so bad that it even codifies hobble tying (hogtying), an extremely dangerous restraint method that has been universally condemned by police practices organizations. [See our analysis of the agreement.](#)

This team has continued on as the Chief's Advisory Committee through the last several chiefs, though most members have virtually no relationship with the movement and many of the members receive funding from the city. They were instrumental in supporting the city's narrative in the Amir

Locke killing, referring to it as “justified” after viewing the video, and have defended the city in other killings.

They have an active MOU with the city, which should disqualify them from being the Independent Monitor.

Beyond their role as outlined above, the team does not consist of individuals with backgrounds in data analysis, policy creation or compliance monitoring. Thus, they are deeply underqualified for the work of overseeing a consent decree.

Womble Bond Dickinson

International law firm with offices in the US and UK, but not in Minneapolis. They do primarily corporate law, including white collar defense. A search on their website under “consent decree” and “monitor” brought up nothing. <https://www.womblebond Dickinson.com/us>