

Jones Day OUT of Minneapolis!

What is Jones Day?

Jones Day is a right-wing, corporate law firm based in Ohio. The fifth largest law firm in the U.S., Jones Day is most recently known for involvement in Trump lawsuits to overturn the election. Jones Day served as outside counsel for the 2016 and 2020 Trump campaigns. The firm has been heavily involved in the Trump administration, including playing a lead role in bringing forth Supreme Court candidates Neil Gorsuch and Brett Kavanaugh. (Supreme Court Justice Antonin Scalia was an alumnus of Jones Day.) A Jones Day lawyer argued for Trump's Muslim Ban before the Supreme Court. Aside from Trump, other clients include Fox News, Big Tobacco, Walmart, Volkswagen (defending them during the diesel emissions scandal), Goldman Sachs, the pharmaceutical industry, and oil and energy companies. The firm grosses over \$2 billion annually.

Minneapolis: A Supposedly Progressive City Accepts Pro Bono Assistance from Jones Day

In December 2020, Jones Day approached the city of Minneapolis to offer pro bono (free) legal assistance with police reforms. Even after learning who Jones Day was, the City Council said, "Sure, why not?" and voted 9-4 in favor. In February 2021, the deal was finalized: Jones Day will provide legal advice regarding labor law, collective bargaining strategy, or other legal guidance specific to the police union. Jones Day will provide legal research, advice and drafting of police reform legislation. Jones Day will look into trial and appellate advocacy related to police reform. The firm will analyze Public Employees Retirement Association ("PERA") duty disability retirement notice responses and Minn. Stat. 299A.465 benefit appeals. Jones Day will be involved in data analytics, especially around 911 and 311 calls, along with investigating co-responder models (nonpolice-only responses to mental health calls) in other cities. Numerous Jones Day staffers are currently embedded in the Office of Police Conduct Review (OPCR), the office that pretends to investigate complaints against police officers but, in reality, has served as a rubber stamp for police brutality to such an extent that the public has given up, filing fewer complaints each year. Jones Day is in charge of investigating these complaints.

Analysis: Bypassing the Public

Remember the "year-long conversation" the mayor and city council members promised to have with Minneapolis residents following the murder of George Floyd? It never happened. Instead, Jones Day gets invited to the table to have this one-on-one conversation with the establishment and steer the direction of police reform for our city! Do you know about Mpls for a Better Police Contract, the coalition of local activists and members of the public who worked for 3 years to reform the police federation's contract? They were shut out. But now the Trump lawyers are invited in! Do you know about the local activists and community members who developed an alternative response model (whereby mental health professionals, rather than police, would be dispatched to people in the throes of a mental health crisis)? No city council member was willing to even introduce this alternate model. But now the Trump lawyers get the inside track! What kind of police "reform" is Jones Day even going to recommend? Local constituents and community stakeholders have a host of evidence-based ideas and tons of experience (all offered pro bono as well!), but they have been shut out of city commissions and working groups. No need for public input from the pesky local community when you've got professional "expertise" from a private, right-wing, corporate law firm, right?

Minneapolis: A Supposedly Progressive City Hires Jones Day

In August 2021, the city of Minneapolis kicked it up a notch. They *hired* Jones Day. They hired Jones Day as "the primary and lead law firm representing the City" *against* "the Department of Justice's investigation into the pattern and practices of conduct by the City of Minneapolis and the Minneapolis Police Department." All 13 council members voted yes. [Quick refresher on the DOJ investigation](#): The federal Department of Justice is looking at the Minneapolis police's use of force to determine whether they engage in racial discrimination. They are also investigating the use of force against protesters and police treatment of people with disabilities, including

people living with mental illness. We know, of course, that Minneapolis almost never holds police accountable, so the DOJ investigation is a welcome intervention. To make sure the DOJ gets the information they need to uncover the truth about Minneapolis policing, more than 1500 Minneapolis residents have stepped up to tell their stories about police abuse and share their hopes for change. If the investigation is done well, the DOJ will put together a "consent decree" – a list of required changes. The consent decree will be presented in court and Minneapolis will be ordered to follow it. If the city doesn't follow it, the federal government could take over the MPD, a process called "receivership." Overall, the DOJ investigation is one of the most significant opportunities we've had to implement changes in a city that has refused to change.

Analysis: Conflict of Interest and Resistance to Reform

For Jones Day to be advising the city on police reform (the first contract, pro bono) while simultaneously defending the city *against* the reforms that the DOJ will demand (the second contract, up to \$1 million annually, with the option to extend) is a consummate conflict of interest. On the one hand, Jones Day is using its power to recommend reforms, supposedly. On the other hand, Jones Day is using its power to resist and undermine reforms. In both cases, Jones Day has been granted access to power in city government, while the public is disempowered. Are we, the public, really going to leave the changes we want to see in the Minneapolis Police Department up to the discretion of the Trump law firm? Moreover, Jones Day will certainly advise the city on what to say and what not to say to the DOJ. And Jones Day's intimate access to city records may mean they try to bury any information that's not flattering to the city, all the while claiming "attorney-client privilege" for any lack of transparency. After the MPD murdered George Floyd, Minneapolis became the epicenter of a global uprising demanding police accountability. Since then, the mayor and city council have done *nothing* that would prevent another George Floyd from happening. We should be outraged that the city has hired Jones Day to undermine the DOJ investigation and to shield itself from police accountability and progressive changes.

... and the Biggest Conflict of All

It was Andrew Luger, a partner at Jones Day and former U.S. Attorney for Minnesota, who arranged for Jones Day to work with the city. Luger has consistently refused to hold cops accountable – failing to prosecute abusive officers involved in the corrupt Metro Gang Strike Force is perhaps the most glaring example. Now Luger is looking to become U.S. Attorney again. What's the problem? Well, aside from promoting an apologist for brutal policing, the U.S. Attorney's Office is "jointly conducting" the DOJ's investigation and implementing the consent decree. You're reading all of this correctly: If he becomes U.S. Attorney for Minnesota, then Andrew Luger, a Jones Day attorney with a documented unwillingness to hold the MPD accountable, will oversee the DOJ effort to hold police accountable. At the same time, his law firm, Jones Day, will be defending Minneapolis against him. The fix is in: The path we're headed down is paved by conflicts of interest. And unfortunately, this path ends in zero police accountability for the city and police department that murdered George Floyd and so many others.

Our Demand: Whose City? OUR City! No Corporate Takeover of Our City!

Elected officials in Minneapolis need to let the DOJ investigation play out – not defend themselves against it. Tell the Minneapolis City Council: Jones Day OUT of Minneapolis! End their contract! Tell President Biden and Attorney General Merrick Garland: Don't Confirm Andrew Luger as US Attorney for Minnesota! Go to cuapb.org to sign our petition.



Information provided by **COMMUNITIES UNITED AGAINST POLICE BRUTALITY**. Join us! We meet every Saturday at 1:30. For more information or for help with a police brutality incident, call our 24-hour hotline: **612-874-STOP** or see our website at **www.CUAPB.org**.