

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	
)	
SPRINGFIELD)	No. 3:22-cv-30043-KAR
POLICE DEPARTMENT)	
)	
and)	
)	
CITY OF SPRINGFIELD,)	
)	
Defendants.)	

PARTIES' JOINT NOTICE

Plaintiff, United States of America (“United States”), and Defendants, Springfield, Massachusetts Police Department (“SPD”) and City of Springfield, Massachusetts (“City”), hereby jointly and respectfully request that this Court take notice of the following in anticipation of the parties’ upcoming June 6 status conference: (1) the Compliance Evaluator selection schedule; (2) the relevant deadlines for the first year of implementation of the Settlement Agreement; and (3) the Parties’ proposed interactions with the Court throughout the implementation of the Agreement.

1. Compliance Evaluator Selection Process

Pursuant to the Agreement, within 90 days of the Effective Date, or additional time if agreed to by the Parties, the City and DOJ will together select a Compliance Evaluator. Settlement Agreement (SA) ¶ 185. The Compliance Evaluator is an independent person who will assess and report to the Court whether the requirements of the Agreement have been implemented, and whether this implementation is resulting in constitutional and effective

policing. SA ¶ 182. The Parties will select an individual of the highest ethics, expertise in law enforcement, and a demonstrated commitment and capacity to ensure constitutional policing. SA ¶ 185. The Parties' selection, which should be completed by July 28, 2022 (90 days from the Effective Date) will be subject to the approval of the Court. SA ¶ 185.

The Parties wish to keep the Court apprised of the timelines that the Parties have agreed upon to ensure that we can select a Compliance Evaluator by this deadline.

Event	Deadline
Compliance Evaluator applications due	June 10, 2022
Deadline for parties to narrow applications to those for phone interviews	June 24, 2022
Deadline for public to provide comments on applications	June 24, 2022
Phone interviews completed	July 8, 2022
In-person/virtual interviews completed	July 15, 2022
Virtual community event for finalists	July 21, 2022
Confer with City to select Compliance Evaluator	No later than July 27, 2022
File pleading regarding parties' Compliance Evaluator selection	July 28, 2022

2. First Year Deadlines

Attached as Appendix A to this Joint Notice is a chart that lists all deadlines that the Parties must meet during the first year of implementing the Agreement. The Parties will work

together to come up with benchmarks and more specific timelines to meet these deadlines. SA ¶ 194.

3. Parties' Proposed Interaction with the Court

The Parties recognize that they must work diligently to ensure that the City can comply with the terms of the Agreement, and believe that regular communication with the Court will be key to ensuring that the Parties stay on track during the implementation process.

Pursuant to the terms of the Agreement, the Compliance Evaluator and Parties will have semi-annual status conferences before the Court to discuss the City's compliance or noncompliance. SA ¶ 204. This means that the semi-annual status conferences would likely be held in December and June of each year. Because of the complexity and detailed nature of the work involved in implementing this Agreement, the Parties would also appreciate the opportunity to meet more frequently with the Court and the Compliance Evaluator to apprise the Court of the City's progress in achieving compliance with the Agreement.

Respectfully submitted,

For Plaintiff UNITED STATES OF AMERICA:

RACHAEL S. ROLLINS
United States Attorney
District of Massachusetts

KRISTEN CLARKE
Assistant Attorney General
Civil Rights Division

STEVEN H. ROSENBAUM
Chief, Special Litigation Section

JENNIFER A. SERAFYN
Chief, Civil Rights Unit
District of Massachusetts

PAUL KILLEBREW
Deputy Chief, Special Litigation Section

/s/ Michelle Leung
MICHELLE LEUNG, BBO #568624
TOREY B. CUMMINGS
Assistant U.S. Attorneys
District of Massachusetts
John Joseph Moakley Courthouse
One Courthouse Way, Suite 9200
Boston, Massachusetts 02210
(617) 748-3626
Email: Michelle.Leung@usdoj.gov
Email: Torey.Cummings@usdoj.gov

/s/ F. Nicole Porter
F. NICOLE PORTER
ARIONA JEAN-JOHNSON
Trial Attorneys
United States Department of Justice
Civil Rights Division
Special Litigation Section
950 Pennsylvania Avenue, NW
Washington, DC 20530
(202) 514-6255
Email: Nicole.Porter@usdoj.gov
Email: Ariona.Jean-Johnson@usdoj.gov

For Defendants SPRINGFIELD, MASSACHUSETTS POLICE DEPARTMENT and CITY OF SPRINGFIELD:

/s/ John Payne

JOHN PAYNE

City Solicitor

City of Springfield Law Department

36 Court Street – Room 210

Springfield, Massachusetts 01103

(413) 787-6085

Email: jpayne@springfieldcityhall.com

CERTIFICATE OF SERVICE

I hereby certify that, on this 3rd day of June 2022, the foregoing document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

/s/ Michelle Leung
MICHELLE LEUNG
Assistant United States Attorney