

support...

Donations:

Although we charge some of our clientele on a sliding financial scale in order to bring ownership to the process, this ministry is not self-sustaining. The majority of our support requires the partnership of God's people to financially enter in, take up the cause and give generously so this ministry may continue.

Until our 501c3 status is finalized, we will continue to process donations through Restore St. Louis

Online:

www.restorestlouis.org
Click "Donations" link
Choose "NCLS" Donate Button

By Check:

Make checks payable to:
New Covenant Legal Services
Mail to: Restore St Louis
1142 Hodiamont Avenue
St. Louis, MO 63112



in this issue >>>

- ◆ Revisiting Ferguson ...p.1
- ◆ NCLS Co-Hosts Inazu Event ...p.2
- ◆ NCLS Settles Ferguson Case ...p.3
- ◆ Introducing Priscilla Gunn ...p.3
- ◆ NCLS Files Commutation Request ...p.4



WINTER 2016

URBAN JUSTICE

newsletter

A publication of New Covenant Legal Services

volunteer...

While the bulk of the legal work of NCLS is done by its director, we rely on volunteers including attorneys and others who are willing to help the urban poor work through legal issues. The St. Louis Christian legal community is blessed with an extraordinary number of talented and experienced law professionals and part of our mission is to engage and coordinate these legal resources.

contact...

New Covenant Legal Services
Al W. Johnson
P.O. BOX 8263
Saint Louis, MO 63156
(314) 726-6489 - awj@awj-law.com

Al W. Johnson -- Attorney at Law
Director, NCLS Ministry

NCLS Advisory Board

Hal Bush
Professor, St. Louis University
Chairman of the Board

Lynn Beckemeier
Attorney at Law
The Beckemeier Law Firm, LC

Ted Boldin
Associate Pastor
Metro Christian Worship Center

Kurt Eisleben
Retired, First Bank

Melissa Elliot
Co-Owner, J-KEM, Inc.

Priscilla Gunn
Attorney at Law

Eddie Jones
Program Manager
Litzinger Road Ecology Center

Brandi Miller
Attorney at Law

Leonard Scruggs
Retired, Boeing Aircraft

Kathy Woodard
Retired, Covenant Seminary

Revisiting Ferguson

By Leonard Scruggs

August 9, 2016, marked the second anniversary of the death by police gunfire of Michael Brown in Ferguson, Missouri. Since that fateful afternoon, there have been additional occurrences of police-involved shootings of black men and boys, some under questionable circumstances. In some cases mass demonstrations and / or riots ensued. Many large urban areas in the United States have experienced sharp rises in crime against persons and property. One phenomenon has been labeled "The Ferguson Effect" – a reluctance of police to engage in crime fighting duties, which is said to be responsible for this increased criminal activity. Tragically, adding to the powder keg, several police officers have been gunned down; supposedly, as a response to the shooting deaths of blacks at the hand of the police. As recently as July of this year, 5 police officers were murdered in a planned attack in Dallas, TX.

At that time, Ferguson had a City Council that was dominated by members of the majority (Caucasian) culture: one black, and 5 whites, including the Mayor. The Police Department of Ferguson, consisting of over forty officers with a white Police Chief, had only two black officers, to protect a city that is more than 70% black. A scathing



Continued on page 2

Editors Note...

Much of this Newsletter relates to the continuing public debate surrounding the tragic 2014 shooting of Michael Brown by a former Ferguson police officer, Darrin Wilson. The shooting and the resulting DOJ investigation profoundly altered the already tenuous relationship between law enforcement, African Americans, and the legal community in St. Louis. While NCLS tries to avoid direct political issues or comment, our commitment to justice frequently requires our involvement in cases of clear racial injustice. Two of those cases, the first one involving the Ferguson Police, and the second one involving an excessive prison sentence for an African American teenager from St. Louis, are detailed in this newsletter. The first article in this issue of the UJN is by NCLS Board member Leonard Scruggs, whose first article on Ferguson in our Fall 2014 newsletter documented a public forum on Ferguson that NCLS participated in.

NCLS Files Commutation Request for Incarcerated Inmate

By George Boden



Society demands justice when one of its members commits a crime, and oftentimes this justice manifests itself in the form of prison. We can all imagine what prison might be like. Constant hours of boredom and monotonous work. Perhaps a book to

Unfortunately, Maurice committed a technical violation of his probation when he was caught with marijuana in his system. The probation officer recommended that Maurice receive a short jail sentence but remain on probation and get drug treatment. The judge in the case, angered that Maurice had made him look bad, retaliated with a 45-year prison sentence; the longest known sentence for this type of crime in the history of the City Circuit Court. Forty-five years of life spent behind bars, hope vanquished in a moment. To a teenager, forty-five years seems like a lifetime. As it stands now, Cox will not be eligible for parole until 2022!

Maurice Cox has been in prison for nearly six years now, and in that time NCLS has worked hard to provide him with hope. NCLS filed an Application for Commutation of Sentence in September of this year with Missouri Governor Jay Nixon asking that Maurice's sentence be cut to 12 years. Our Application is being supported by State Senator Jamilah Nasheed as well as other public officials. If Governor Nixon chooses to commute Cox's sentence to 12 years, Cox could be eligible for parole immediately. As long as the Application sits on Governor Nixon's desk, Maurice Cox, now 25 years old, has hope of one day making a life for himself.

George Boden is a first-year law student at Washington University, and a volunteer with NCLS

Society deserves justice, but at times that justice can be too harsh, resulting in the perpetuation of another injustice. We demand that "the punishment should fit the crime." As an immature nineteen-year-old, Maurice committed a series of residential burglaries and thefts in South St. Louis in 2010. Maurice was arrested and admitted his role in the offenses. Originally, the sentencing Judge gave him probation – standard for a first-offender - over the objection of the City Circuit Attorney, who wanted a ten-year prison sentence.



Department of Justice assessment concluded that civil injustice permeated the Ferguson community. A large percentage of the city's budget was dependent on traffic fines generated by excessive ticketing and subsequent court fines collected by the municipal court system. The high number of vehicle stops by police amounted to civil harassment and allegations of racial profiling. Ferguson was not unique: several surrounding municipalities of St. Louis County engaged in similar practices. As a result of the Justice Department's investigation, the City Council, the municipal court system and the Ferguson Police Department have undergone major changes to eliminate the civil and racial injustices that helped to nurture the negative passions that exploded after the death of Michael Brown.

After the Grand Jury voted in November 2014 not to indict Officer Darren Wilson in the death of Michael Brown, another period of civil unrest and public protest ensued. Cities across the country were introduced to the chant: "Black Lives Matter!" This cry, which originated with the similar lack of indictment of George Zimmerman for the killing of Trayvon Martin in 2012, was amplified after Michael Brown's death. But for many Americans, "Black Lives Matter!" has become a source of division rather than a call for healing and reconciliation.

While reconciliation and healing have not truly taken place in Ferguson, there have been a few steps in that direction. When the Chief of the police department resigned his position in 2014, Ferguson got its first black Chief, Andre Anderson. While he was only serving as an interim Chief, he made significant changes to the manner in which his officers conducted themselves while on duty. He also established programs that can prevent a rogue officer from going undetected and causing another peace destroying event as has occurred in Ferguson. Chief Delrish Moss has replaced Chief Anderson and appears to be continuing the policies of his predecessor.

The City Council has changed its complexion as well. In April, 2015 the Council became more representative of its population, from a racial perspective. It is now 50% black. And this was accomplished with a higher-than-normal 30% voter turnout. Some of Ferguson's political representation problems grew out of its poor participation in the election process. But still, it still has farther to go with respect to voter participation.

In my previous article on Ferguson, I made mention of the lack of visibility of the Christian churches in Ferguson before and during the events of 2014. Currently, I am part of a team of Christian workers, affiliated with the Billy Graham Evangelistic

Association, still working in Ferguson. The organization is attempting to develop relationships with some of the residents of these neighborhoods. Through its community outreach program called Adopt-A-Block and its school tutoring program, Adopt-A-School, the organization looks for opportunities to enter into the lives of these residents. We have organized Bible study classes, cookouts, fairs, home visitations and tutoring events that have taken place in the community. Opportunities to pray with the residents of Ferguson are frequent. So some important work is still being done.

Unfortunately, the downside remains the same as I pointed out in my earlier article about Ferguson. The large mainline denominational churches, which were active participants in the protests of 2014, have once again quietly receded into the background noise of the community and have become familiarly parochial in their interests and activities. But the time is still ripe in Ferguson, and the fields are ripe as well. So please keep praying that eyes and ears will be opened by the Gospel in Ferguson -- not only for the community of unbelievers, but for the Gospel believing churches as well.

Len Scruggs is on the NCLS board and is an elder at New City Fellowship.

NCLS Co-Hosts Inazu Event

In early October NCLS co-hosted an event with Christian Legal Society featuring Washington University Law Professor John Inazu, who spoke on the topic of "Religious Liberty after Obergefell". Professor Inazu, the author of "Confident Pluralism," has become a nationally-recognized figure advocating for civility in the public debate over sensitive cultural issues.

The event, held at Central Presbyterian Church, attracted over 50 attendees. After Professor Inazu's presentation, NCLS Director Al Johnson and St. Louis Constitutional Attorney Tim Belz appeared in a brief panel discussion with Professor Inazu.



Wash U Law Professor John Inazu

New Covenant Settles Ferguson Police Abuse Case *By Al Johnson*

Several years ago, a 50-year old African American male, whom I'll call "Joe," was a victim of a wrongful arrest, detention, and physical abuse by two Ferguson Police Officers. Joe was simply sitting in a car with a friend outside that friend's residence in Ferguson on the evening of December 8, 2011. Suddenly, Joe was confronted by two Ferguson Police Officers who stopped and detained him without probable cause. The officers would later claim that the car was "suspicious" because it was parked in front of the house of Joe's friend with the parking lights on at 10:00 p.m. Joe, who had never been arrested in his life, was initially cooperative with the officers, identifying himself and explaining to the officers why he and the friend were parked in front of her house. He began protesting, however, when he was asked to produce multiple forms of identification and get out of his car. Joe was a high-level security employee of Lambert Airport in St. Louis, and he had already produced his Airport Security ID before the officers became verbally abusive and demanding. Over the next several minutes, Joe was forcibly pulled out of his car, repeatedly shocked with a 50,000 volt Taser, placed in handcuffs, and then struck by one of the officers with a closed fist. He was arrested and taken to the Ferguson City Jail and charged with the municipal ordinance violation of "Failure to Comply."

This case constituted a significant overreaction by two police officers that appeared to be racially motivated. Such injustices

became well known about Ferguson, later, of course. The U. S. Department of Justice issued a report in 2014 criticizing Ferguson's wrongful use of its "Failure to Comply" ordinance. The same DOJ report highlighted dozens of similar cases where African Americans were harassed, beaten, and wrongfully arrested and prosecuted by the Ferguson Police Department.

Joe retained me in 2013 prior to the formation of NCLS and I took his case. But it's been a long and arduous process! Believing that this was a case of racial injustice, the NCLS Board approved continuing the case once we started NCLS. After an unsuccessful attempt to settle the case with the City of Ferguson, we sued in 2014 alleging 4th Amendment Constitutional violations of unlawful arrest, detention and excessive force. And earlier this year, we finally found resolution and justice. After mediation, Ferguson settled the case for a confidential dollar amount and an agreement to an expungement of Joe's record.

Thanks to NCLS, Joe had a means to make his story heard. As you look for end-of-the-year charities to sow into with your hard-earned funds, please keep NCLS in mind—and remember this story of Joe, one of the hundreds of unheard voices in greater St. Louis who manage to find a voice through the ministries of NCLS!

"Do not deny justice to your poor in their lawsuits" Exodus 23:6

Introducing Priscilla Gunn, New NCLS Board Member



Welcome to the NCLS Board Priscilla Gunn!

New Covenant Legal Services welcomes St. Louis attorney Priscilla Gunn to the NCLS Advisory Board! Priscilla comes from a prominent legal family as her father, the late Hon. George Gunn was both a Missouri Supreme Court Judge and eventually a Federal District Judge in St. Louis.

Priscilla has a distinguished and varied career in her own right. She graduated from Washington University School of Law in 1981. Thereafter, she spent two years in the Missouri Attorney General's Office. before accepting a clerkship with the Hon. John Nangle, a Federal District Judge in the Eastern District of Missouri. In 1985 Priscilla began a 30-year stint in private practice, largely focused on defending municipal employees and officials. Currently she works in the St. Louis County Counselor's Office.

On the personal side, Priscilla has been a long-term member of Central Presbyterian Church in St. Louis and a Bible study leader. Always active in ministry, she has also been a long-term financial contributor and supporter of NCLS.

Citing Galatians 2:10 Priscilla noted: "I am truly honored to be able to serve as a board member of NCLS. God has blessed with me a rich Christian and legal heritage. I hope to use what He has given me to remember the poor and less fortunate through my service."

our mission >>>

New Covenant Legal Services ("NCLS") provides legal services to needy individuals and groups in Metropolitan St. Louis, including the urban poor, refugees and immigrants. Our mission is to demonstrate that Jesus Christ's love and justice are sovereign in the world. This mission will be accomplished through a Christ-centered approach to solving legal problems and achieving social justice, in partnership with Christian churches in the St. Louis area.