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Wednesday, May 15, 2013

Justice Department Reaches Settlement to Reform the Missoula, Mont. Police Department's Response to Sexual Assault

The Department of Justice today reached a comprehensive agreement with the Missoula, Mont., Police Department to ensure that the police department fairly and effectively responds to reports of sexual assault. In May 2012, the Justice Department launched an investigation into allegations that the Missoula Police Department was failing to adequately respond to and investigate reports of sexual assault, due to unlawful gender discrimination in violation of the Violent Crime Control and Law Enforcement Act of 1994, and the anti-discrimination provisions of the Omnibus Crime Control and Safe Streets Act of 1968. The Agreement announced today resolves the Justice Department's investigation of the Missoula Police Department. The department also released a letter of findings outlining the results of the investigation.

The agreement with the Missoula Police Department requires that the police department:

- implement or revise policies, provide training and change practices to improve its response to sexual assault, including combating gender bias;
- work with an independent Monitor, community-based organizations and other stakeholders, to develop and implement the reforms described in the agreement, and to evaluate OPS' success in effecting meaningful reform;
- demonstrate that its implementation of the agreement has eliminated a pattern or practice of constitutional violations and that it has put in place systems and oversight that will prevent patterns or practices of unconstitutional conduct from recurring; and
- develop procedures for gathering and analyzing data to assess the incidence and outcomes of reports of sexual assault.

The city of Missoula anticipates that it will achieve compliance with this agreement within two

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years.

“A police department cannot truly protect women in its community without being prepared to respond to reports of sexual assault effectively and without bias,” said Roy L. Austin Jr., Deputy Assistant Attorney General for the Civil Rights Division. “Equal access to the protection of police and the courts is a matter of basic justice. We commend the City of Missoula and the Missoula Police Department for its cooperation and for taking the steps necessary to maintain women’s safety and promote the community’s confidence in its police response to sexual assault. The leadership of Mayor Engen and Chief Muir has been indispensable to this process.”

“As the first responder to most reports of sexual assault in Missoula, the Missoula Police Department plays an absolutely critical role in protecting women victims of sexual assault and ensuring that perpetrators of sexual assault are brought to justice,” said Michael Cotter, U.S. Attorney for the District of Montana. “This agreement will ensure that the department’s officers and detectives are fully prepared to play that role.”

The Justice Department’s review of the Missoula Police Department was one of three simultaneous civil pattern or practice investigations into allegations that law enforcement was systematically failing to protect women victims of sexual assault in Missoula. Alongside its investigation of the Missoula Police Department, the Justice Department conducted parallel investigations of the Missoula County Attorney’s Office and the University of Montana’s Office of Public Safety. Last week, the Justice Department and the Department of Education’s Office of Civil Rights entered into twin agreements with the University of Montana to address the university’s response to reports of sexual assault and sexual harassment on campus; those agreements resolved the Justice Department investigation of the university’s Office of Public Safety. The Justice Department’s investigation of the Missoula County Attorney’s Office is ongoing.

The investigation was conducted jointly by the Special Litigation Section of the Department of Justice’s Civil Rights Division and the U.S. Attorney’s Office for the District of Montana. The prevention of sex-based discrimination is a top priority of the Justice Department’s Civil Rights Division and U.S. Attorney Offices. The Civil Rights Division has worked to ensure that women are not subject to discriminatory practices related to police services in New Orleans, Puerto Rico and elsewhere. Additional information about the Civil Rights Division of the Justice Department is available on its website at www.justice.gov/crt. Additional information about the U.S. Attorney’s Office for the District of Montana is available on its website at www.justice.gov/usao/mt.

13-560

Civil Rights Division

Updated September 15, 2014

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