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COURT PRELIMINARILY APPROVES CLASS ACTION SETTLEMENT ON BEHALF OF THOUSANDS OF PEOPLE JAILED BY THE CITY OF FERGUSON

FERGUSON – On February 27, 2024, a federal judge preliminarily approved a \$4.5 million settlement of a class action lawsuit filed against the City of Ferguson in 2015, after police killed Michael Brown and ignited national outrage. The lawsuit sought justice for thousands of people who alleged that Ferguson routinely violated their constitutional rights by jailing them in deplorable conditions and without the necessary legal process because they could not pay money to the City. The case was litigated by ArchCity Defenders, Civil Rights Corps, the St. Louis University School of Law Civil Litigation Clinic, and White & Case LLP.

After nine years of litigation, this settlement provides meaningful compensation to class members. Checks will be sent to over 15,000 people who were jailed by the City of Ferguson between February 8, 2010, and December 30, 2022. Money will be apportioned according to the number of hours each class member spent detained by Ferguson.

“No human being should be put in a cage solely because they lack cash to pay debts,” said Alec Karakatsanis, founder of Civil Rights Corps. “This lawsuit is about an assembly-line debtors’ prison that destroyed lives—the practices we uncovered in our investigation into Ferguson have no place in any civilized society.”

Class members were represented by nine named plaintiffs, including Ronnie Tucker, now 59. In 2013, Tucker was arrested and jailed in Ferguson on a municipal ordinance warrant. Ferguson jail staff told him he would be held indefinitely until he could pay \$600 for his release. Although Tucker was surviving on food stamps and unable to pay this ransom, the City never gave him access to an attorney or brought him before a judge who could assess his ability to pay. Eventually the City simply released him for free. These circumstances were not unusual for other named plaintiffs and thousands of individuals impacted by the City of Ferguson’s practices.

“This case—together with those against other cities in Greater St. Louis and around the country—sends a message to local governments that try to fund themselves by squeezing their poorest citizens for money,” said Civil Rights Corps Senior Attorney Marco Lopez. “Jailing people to raise revenue is ultimately a losing strategy.”

As the case dragged on over nine years, two of the named plaintiffs died, including lead plaintiff

Keilee Fant, who was jailed by Ferguson more than a dozen times between the ages of 17 and 37 for lack of money. In 2022, Fant said, “I’m still affected, it has taken a lot out of me. It was so inhumane that people couldn’t believe it when it actually did go on.” Another named plaintiff, Tonya DeBerry, died in April 2018, more than three years after the case began. After her death, her daughter and fellow named plaintiff, Allison Nelson, said DeBerry never got “a piece of this justice.”

“Keilee Fant and Tonya DeBerry were loving mothers whom we will remember for their boundless courage in the face of injustice,” said Maureen Hanlon, Managing Attorney at ArchCity Defenders. “The harsh reality is that, oftentimes, those most impacted by injustice do not live long enough to see the seeds of change bloom. But this settlement would not be possible without them.”

Pending final approval from the Court, the settlement administrator will mail settlement payments to class members’ last known addresses. Class members should update and/or verify their mailing address as soon as possible at the settlement website, which can be found at:

www.fergusonclassaction.com

The City of Ferguson has denied and continues to deny the allegations in the Action. Although the Plaintiffs believe they would have prevailed at trial, none of the allegations or claims were adjudicated or decided by the Court. You can contact the settlement administrator with questions at 1-888-380-2225.

Read the court order preliminarily approving the settlement [here](#).

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Civil Rights Corps is a non-profit organization dedicated to challenging systemic injustice in the American legal system through innovative civil rights litigation. CRC works with individuals accused and convicted of crimes, their families and communities, people currently and formerly incarcerated, activists, organizers, judges, and government officials to challenge mass human caging and to create a legal system that promotes equality and human freedom.

www.civilrightscorps.org

ArchCity Defenders is a holistic legal advocacy organization committed to combating the criminalization of poverty and state violence, especially in communities of color. ACD’s foundation of civil and criminal legal representation, social services, impact litigation, policy and media advocacy, and community collaboration achieves and inspires justice and equitable outcomes for people throughout the St. Louis region and beyond.

White & Case LLP is an international law firm with offices, people and matters around the globe. With over a 100 year history of pro bono work, White & Case’s pro bono practice is one of the largest in the world.