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Winston-Salem Demonstrators Regarding **Civil Disobedience and Demands**

What do we want? What is the thing we are after?...We want to be Americans, full-fledged Americans, with all the rights of other American citizens. But is that all? Do we want simply to be Americans? Once in a while through all of us there flashes some clairvoyance, some clear idea, of what America really is. We who are dark can see America in a way that white Americans cannot. And seeing our country thus, are we satisfied with its present goals and ideals?

-W.E.B. Du Bois, "Criteria of Negro Art" (1926)

Let's begin by saying that we are living through a very dangerous time. Everyone in this room is in one way or another aware of that. We are in a revolutionary situation, no matter how unpopular that word has become in this country...To any citizen of this country who figures himself as responsible--and particularly those of you who deal with the minds and hearts of young people--must be prepared to "go for broke." Or to put it another way, you must understand that in the attempt to correct so many generations of bad faith and cruelty, when it is operating not only in the classroom but in society, you will meet the most fantastic, the most brutal, and the most determined resistance. There is no point in pretending that this won't happen.

-James Baldwin, *The Price of the Ticket*

When you know your name, you should hang on to it, for unless it is noted down and remembered, it will die when you do.

-Toni Morrison, *Song of Solomon*

When you see something that is not right, not just, not fair, you have a moral obligation to say something, to do something. Our children and their children will ask us, 'What did you do? What did you say?' For some, this vote may be hard. But we have a mission and a mandate to be on the right side of history.

-John Lewis

On day 10 of #OccupyWSNC, 15 occupiers were arrested for impeding traffic on Liberty and Fourth, the site of the first sit-in victory in North Carolina. The plaque on this corner reads:

On February 8, 1960, Carl Wesley Matthews began the city's sit-in demonstration alone at lunch counters near this site and was soon joined by students from Winston-Salem Teachers College, Atkins High School, and Wake Forest College. The nonviolent protest led to a desegregation agreement signed May 23rd by the City and local businesses. Mr. Matthews, the leader, was the first Black served at a desegregated counter on May 25th. The protest ended in a record 107 days.

Today, 15 occupiers engaged in an organized act of civil disobedience to demand that local officials acknowledge and meet the demands of #OccupyWSNC. Sheriff Bobby Kimbrough, DA Jim O'Neill, and Attorney Michael Grace have all had full access to our demands via phone calls & voicemails, emails, press releases posted in full to triadabolitionproject.org, and through the many press outlets which have reported on our efforts. Instead of responding directly to our

demands, we have been met with an increase in law enforcement presence around Bailey Park, law enforcement surveillance including note-taking on occupiers and organizers in unmarked vehicles, and multiple instances of Sheriff Kimbrough slowly driving by our occupation. We engage in civil disobedience as Dr. Martin Luther King said in his Letter From a Birmingham Jail, "to dramatize the issue such that it can no longer be ignored". We implore local officials to meet our demands swiftly, and we will persist in our efforts until they do.

All demonstrators were arrested without resistance or incident. However, methods of intimidation used by local law enforcement during today's arrests included: two FCSO paddywagons, more than seven WSPD cars parked around the intersection, unmarked officers in tactical gear who claimed they were "with the city," and the first five arrests were moved from one car to another while a bus blocked them from public view. Officers made several intimidating statements and comments:

"You realize not all of your demands are a police matter, right? So why are you putting this burden on us?"

"You're protesting people who can't meet your demands."

"This is pointless."

"Why do we bear the burden of these protests?"

One officer asked who was paying a demonstrator's bond. When he replied he was not comfortable sharing that information, the officer said, "Okay take him back since he wanna be cute." When the demonstrator asked why he wasn't being either processed or bonded he said, "Don't worry about it. You got yourself into this— you can wait."

One #OccupyWSNC organizer, Calvin Peña, was the first arrested and the last released. Calvin was the only person fully booked into custody and changed into a jumpsuit, at which point his bond had already been paid. Throughout his arrest at the intersection of Fourth and Liberty, officers aggressively questioned him about the validity of our demands and of our civil disobedience. It is clear that the treatment of Calvin was an intimidation tactic toward a known organizer. The WSPD practiced discretionary policing, varying the treatment of folks for performing the same action according to who they viewed as a leader.

On July 8 and 9, the 20 arrested were released on a promise to appear and without bond. On July 24, ten of those arrested received a \$500 unsecured bond, two received a \$250 unsecured bond, and three received a \$250 secured bond. Court officials are clearly escalating the bond amounts in an attempt to intimidate protesters.

These 15 arrests were civil disobedience and nonviolent action. Organizers intend to maintain the occupation until our demands are met. Those demands are as follows:

1. Respond to all questions posed by TAP and UC (outlined below).
2. Ban the use of the prone restraint (hogtie) on ANY civilian, incarcerated or not, sick or not). Make relevant policy changes in the FCDC around protocol for inmates in medical distress.
3. Notify the public of any death involving an officer or deputy immediately. Make relevant policy changes around transparency and accountability in deaths of citizens in custody of the county (including in FCDC and other guardianship situations).
4. Dismiss all charges against protesters from July 8 and July 9 arrests.

Our Questions:

Was Sheriff Bobby Kimbrough at any time on the scene during the hogtying of Mr. Neville? Why has the hogtie remained an acceptable restraint in Forsyth County when it has been banned in the majority of police precincts across the country years ago, including presumably in Forsyth County? How many other deaths have occurred at the detention center since the death of Mr. Neville? Have there been changes to the handcuff policies of sick inmates? When was the last time the Forsyth County Sheriff's Office conducted an overall use of force training and handcuffing training for its deputies and detention officers? Were the detention officers that handcuffed Mr. Neville certified to handcuff him? Have there been any policy changes for how to handle handcuffs when the key breaks, and for when bolt cutters are necessary? When did Sheriff Kimbrough and DA O'Neill become aware of and view the contents of the video footage, specifically viewing Mr. Neville being hogtied and calling out, "I can't breathe"?

Why was Guilford County, where Mr. Neville resided and where his warrant was connected to, never notified of Mr. Neville's death? What would have happened had Guilford County Assistant District Attorney Spiker known that Mr. Neville was resuscitated after losing his pulse in Forsyth County Detention Center custody when she was asked to release his unsecured bond? Would these staff members have still been charged had Senate Bill 168 not been vetoed by Governor Cooper? Why were these staff members allowed to continue working with our incarcerated siblings for seven months after their involvement in a murder? Would the public have been notified of this murder had Senate Bill 168 not been vetoed by Governor Cooper? What direct or indirect involvement did Sheriff Bobby Kimbrough and DA Jim O'Neill have in the proposal of Senate Bill 168 the night before news reports on the death of Mr. Neville were to become publicly available?

Furthermore, according to the Grace, Tisdale, & Clifton website, "Mike and the firm Grace, Tisdale & Clifton are one of the two local firms who represent local law enforcement through the Police Benevolent Association." Michael Grace, the lawyer for the John Neville estate, has been representing the Sheriff's Department since Sheriff Shatzmen's tenure, presented Sheriff Bobby Kimbrough to the court and to the public at his swearing in ceremony, and is thanked in the acknowledgments of Kimbrough's book for his "overwhelming support." What rules of professional conduct under the North Carolina State Bar Rule 1.7 Conflict of Interest are implicated by Michael Grace representing both the estate of Mr. Neville and the Sheriff's Office?

Ultimately, why are you, Sheriff Bobby Kimbrough and DA Jim O'Neill, covering up a murder?

For further information, please see @TriadAbolitionProject and @_theunitycoalition_ on Instagram. All press release documents can be found at www.triadabolitionproject.org.

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