

For Immediate Release: 7/17/2020

Regarding Today's Press Conference Held by the Winston Salem Chapter of the NAACP & the Minister's Conference Featuring Sheriff Bobby Kimbrough

Occupy the Block (#OccupyWSNC) is now on its third day of occupying downtown Winston Salem to demand transparency and explanations regarding the cover up of Mr. John Elliott Neville's murder in Forsyth County Detention Center in December 2019. The North Carolina chapter of the ACLU has been made aware of the occupation and is now closely monitoring the situation and providing support for our efforts. Organizers intend to maintain the occupation until our demands are met and questions have been answered. Today (July 17th), organizers attended the press conference held jointly by the Winston Salem chapter of the NAACP and Winston Salem Ministers Conference. We are compelled to address several points raised during this event.

First, Sheriff Bobby Kimbrough stated that he went above and beyond what was required of him by requesting an SBI investigation. We have serious concerns regarding the validity of any findings from this investigation. The North Carolina State Bureau of Investigation (SBI) is a state-level law enforcement agency that falls beneath the same accreditation service, CALEA (Commission on Accreditation for Law Enforcement Agencies, Inc) as both the Winston-Salem Police Department and the Forsyth County Sheriff's Office. CALEA's four parent organizations include IACP (International Association of Chief of Police), NOBLE (National Organization of Black Law Enforcement Executives), PERF (Police Executive Research Forum), and NSA (National Sheriffs' Association). All four of these parent organizations are corporatized and connected to the prison-industrial complex. Thus, the use of an SBI Investigation presents another conflict of interest— ***law enforcement cannot investigate the bad acts of law enforcement***. Sheriff Bobby Kimbrough has pleaded with the community to listen to him that he, the Sheriff, was the one to call for an SBI investigation on the murder of John Elliott Neville in the Forsyth County Detention Center, but it should be made clear that all and any SBI investigations *assist* law enforcement, and thus remain biased, unethical, and continue the unjust system of the prison-industrial complex, and ultimately mass incarceration.

Second, our demands for transparency and accuracy in the case of John Elliott Neville have not only *not* been read, heard, nor addressed by Sheriff Bobby Kimbrough, our demands have been dismissed as not fully researched and not based on truth. There were several misrepresentations spoken by the officials at the press conference. ***Triad Abolition Project and the Unity Coalition have not made a request or demand for the release of video footage of the incident leading to John Elliott Neville's death or ever mentioned the video footage in any demands made to the public***. Instead, we have made demands around transparency and accountability from our law enforcement and law authorities. Sheriff Kimbrough claimed during the July 17th press conference to be unaware of the demands associated with the occupation. Organizers with the occupation have spent several hours making phone calls to the Sheriff's office, as well as DA Jim O'Neill's office to make our demands known. In addition, our demands have been published in several media outlets. It is then curious that Sheriff Kimbrough claims to be unaware of our demands. During the press conference, Sheriff Kimbrough attempted to bait an occupation organizer regarding these demands. After a media representative asked, "Has it been made clear to you what the community is asking for? Why are they protesting?" Sheriff Kimbrough turned to the organizer and said, "I wanna know myself. Do you have any questions to ask me." When the organizer

asked if she was able to respond, she was denied the opportunity to answer the question directed to her.

Third, Sheriff Bobby Kimbrough claimed that the Forsyth County Detention Center is “*not responsible for the health of the residents of the detention center,*” and that this falls under the jurisdiction of Wellpath, the medical provider. He pushed the blame for the murder of John Elliott Neville onto “public health.” However, Mr. Neville is not the first incarcerated civilian in the Forsyth County Detention Center to fall victim to both the FCSO and Wellpath. Dino Vann Nixon (2013), Jennifer Schuler (2014), Stephen Antwan Patterson (2017), and Deshawn Colley (2017) are all reported deaths in the FCDC.

Lastly, while we appreciate the NAACP and Ministers Conference’s calls for transparency, we are troubled by their seemingly unqualified support of Sheriff Kimbrough despite what are very glaring issues with his handling of John Elliott Neville’s case. We stand with these organizations in their deference for the requests of John Elliott Neville’s family; however, we recognize that the circumstances which led to Mr. Neville’s death are not unique to his case and if changes are not made, others may face the same horrible fate. We are additionally troubled by these organizations’ failure to provide support to three Black community members who were unjustly arrested exercising their democratically protected Constitutional rights to peacefully protest. When asked about this, the leadership of these organizations pivoted to their communications with local law enforcement admitting they’ve had no contact with those community members who were arrested. Civil disobedience and peaceful protest have a long history, including actions supported by the NAACP. Dr. King reminds us that, “Nonviolent direct action seeks to create such a crisis and foster such a tension that a community which has constantly refused to negotiate is forced to confront the issue. It seems to dramatize the issue that it can no longer be ignored.” We call on the NAACP and Ministers Conference Social Justice Committee to support Black community members who have been consistently and tirelessly engaging in direct actions in our city to demand justice for not only Mr. Neville but all Black and brown people who suffer under white supremacist state sanctioned violence.

Why are you covering up a murder?

We demand answers to all of the following questions: Why has Sheriff Bobby Kimbrough not publicly addressed any changes to policy that were made after Neville’s death? Was Sheriff Bobby Kimbrough at any time on the scene during the hog tying of Neville? Why has the hog tie remained an acceptable restraint in Forsyth County when it has been banned in the majority of police precincts across the country years ago? Have there been any changes in the medical provider since Neville’s death? How many other deaths have occurred at the detention center since the death of Neville? Have there been changes to the handcuff policies of sick inmates? When was the last time the FCSO conducted an overall use of force training and handcuffing training for its deputies and detention officers? Were the detention officers that handcuffed Neville certified to handcuff him? Have there been any policy changes for how to handle handcuffs when the key breaks, for when bolt cutters are necessary? When did Sheriff Kimbrough and DA O’Neill become aware and view of the contents of the video footage, specifically viewing Mr. Neville being hogtied and calling out, “I can’t breathe”?

Why was Guilford County never notified of John Neville’s death? What would have happened had Guilford County ADA Spiker known that John Neville was resuscitated after losing his pulse

in FCDC custody when she was asked to release his unsecured bond? Would these staff members have still been charged had SB 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 SB 168 not been vetoed by Governor Cooper? Was the passing of SB 168 intended to shield the murder that took place in the FCDC from the public? What involvement did Sheriff Bobby Kimbrough have in the proposal of SB 168 the night before news reports on the death of John 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, and presented Sheriff Bobby Kimbrough to the court and to the public at his swearing in ceremony. What rules of professional conduct under the NC State Bar Rule 1.7 Conflict of Interest are implicated by Michael Grace representing both the estate and the Sheriff's Office?

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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