

Clergy and Friends Standing for Comprehensive Police Justice in Greensboro P.O Box 875, Greensboro, NC 27402

March 28, 2019

Dear Mayor Vaughan, City Council Members and Greensboro City Manager:

We are writing this letter to Mayor Nancy Vaughan, other Greensboro City Council Members, and City Manager David Parrish about critically important policing issues. All of you and each of you has a proper role to play.

We are concerned that the Mayor and City Council not use the City Manager to deflect responsibility for properly governing the City and conversely that the City Manager not use the Council to avoid doing his job. We want all the parties to work together to get something meaningful done. The issues we are raising are both serious and urgent.

Our country and our city are in a difficult and challenging period. It was reported in the *Greensboro News and Record* (2-21-19) that "*the U.S. had more hate groups in the last year than at any point in at least the past two decades....*" Further, the *N&R*. reported that Mr. Paul Hasson, an active member of the National Guard and a self-identified white nationalist, was recently arrested and identified as a "*domestic terrorist who drafted an email discussing biological attacks and had what appeared to be a hit list that included prominent Democrats and media figures*" (*N&R*. 2-21-19). Given the mass killings over the last several years, it is clear that the trend reflected in those two dangerous and frightening examples is growing. Coupled with the history and current policing situation in Greensboro, such reports must be taken seriously.

Therefore, we as Clergy and other concerned Greensboro leaders have chosen to inject our voice into the conversation to strongly urge the City not to wait for a massive, destructive explosion to occur as has happened in the past. Instead, we call upon you as our elected leaders, together with appropriate City employees, to take proactive steps to lead our city in a new and better direction.

We know that there are dozens of documented examples, spanning decades of the Greensboro Police Department's killings, violence, false arrests, perjury, and cover-ups that have unfolded during the leadership of multiple police chiefs, including our current chief. Most of the targets of this misconduct have been people of color and/or low income people, who have the least power and voice.

Most disturbing in this pattern and practice has been the active role played by our elected City Council of *objectively participating in covering-up the misconduct and ignoring the credible pleas* from a broad range of community groups, especially those most negatively impacted. These pleas have been for transparency and accountability, including necessary policy and systemic changes.

The September 8, 2018 “homicide” of Marcus Smith while in the custody of the GPD is the latest example of this pattern of covering up and deflecting responsibility back on the people who are raising concerns by threatening to shutdown the town hall discussions at City Council meeting.

Our city does not have to go in the direction of blaming those who are protesting injustice. There is a better way. We are convinced, based on provisions within the NC Constitution and NC law, that the Council has the authority, working with the people, to root out this deadly, unhealthy cultural trend within the GPD. We know that it will take courage to do so.

According to NC law Section 160A-67: "the government and general management of the city shall be vested in the council". Further, NC law Section 160A-80 states: *Powers of investigation: subpoena power:*"

a)"*The council shall have power to investigate the affairs of the city, and for that purpose may subpoena witnesses, administer oaths, and compel the production of evidence.*"

The Council should not sell itself short, pretending that it does not have power. We are concerned that such a view possibly stems from poor legal advice. The truth is that the People of Greensboro have the right to democratic self-government. The supreme authority of the People over City Council is stated unambiguously in the NC Constitution.

Clearly, the Greensboro City Council has the power and duty, delegated to it by the People as reflected in NC state law to govern, manage, and investigate police misconduct. State law says: "... the government and general management of the city shall be vested in the council." "Council shall have power to investigate the affairs of the city, and for that purpose may *subpoena witnesses, administer oaths, and compel the production of evidence.*" Yes, the City Council has power over the police, the city manager, and the city attorney—all of whom have participated in the concealment and cover-up of police misconduct.

THEREFORE, based on the sole, and exclusive right that the City Council has of regulating the internal government and police, we respectfully call upon the City Council:

- 1) **To take swift and serious action against personnel involved in the homicide of Marcus Smith and its cover-up, especially including terminating (firing) the Chief of Police, for fraud, perjury, deception and general incompetence. As Mayor Vaughan and former City Manager, Jim Westmoreland, know, a group of clergy and citizens strongly objected to hiring the current Chief, who reflects the same old culture of double standards and lack of accountability. Further, we know that the hiring process used to select him was itself extremely flawed.**
- 2) To cease immediately from participating in this pattern of police misconduct by concealing and covering-up those actions and not properly responding to the many calls for redress from the People; and, to cease from engaging in ruses and deceptions in order to deny the People the right to information, police videos, transparency, and accountability essential for any democratic self-government; and to ensure equal justice for all. And, finally, where necessary, with the support

of the People, challenge the State of North Carolina when the State governing bodies operate on the wrong side of the law and/or the NC constitution.

- 3) To conduct an independent investigation of these matters, such as what was done by the City of Charlottesville, VA following the infamous white-supremacy rally in 2017 and which exposed the misconduct of its police department.
- 4) To apologize to the People and all victims of police violence and compensate those victims and families fairly without costly, lengthy litigation.
- 5) To take immediate action to establish a meaningful, independent citizen's police review board. The Council must find creative legal ways to use its power to **"subpoena witnesses, administer oaths, and compel the production of evidence."**
- 6) To take action to train police officers in de-escalation tactics, mental health interventions, and to provide mental health workers that may be embedded within the police department (or in some other state of rapid readiness) but that will function independent of the police as to their assessments, findings, and reports. Further, we stress that the mental health issue **not** be used to divert attention away from the long running culture of corruption, misconduct, and cover-up described above.

We, the signers of this letter, based on our constitutional rights, our moral responsibility and in a spirit of mutuality, will work with the City Council so that we can, together, lead our city out of the long history of the police pattern and practice of misuse and abuse of power and, together, help guide our city into a new era of police accountability and professionalism. In this way, Greensboro may well emerge as a model for our nation.

Sincerely yours,

	
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Rev. Dr. Gregory T. Headen Retired Pastor, Genesis Baptist Church	Rev. Nelson N. Johnson Founding Pastor Emeritus, Faith Community Church
	
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