

THE CIVICS OF JUSTICE

"[V]oting is just one of those many choices that we have access to in this time. It feels like an act that honors the legacy of my ancestors who fought and died, just to show up to the ballot box... **I'm showing up to vote for Black Lives.**"

— CJ Suitt, Chapel Hill, NC Poet Laureate

"Right now the nation is going through a transformation. The transformation consists of police accountability everywhere. **We must continue to advocate for people – no matter who, what, when, where, how.** This is why we need to make sure the power of the vote [is there] for the people."

—Kathy Greggs, Fayetteville PACT, Fayetteville, NC

Communities of color are fed up with being targeted, profiled, and disrespected by federal, state and local justice systems. In 2020, frustration specifically with police brutality and the tragic loss of Black lives has led to major uprisings across the United States and the world. **Frustration with racial bias and inequity is driving pushback and policy changes across North Carolina.** Using the tools of democracy, people are fighting back. Case studies — from Asheville to Fayetteville — featured in Democracy NC's Civics of Justice Toolkit (demnc.co/justice) illustrate how organizing, voting, showing up at public meetings, and contacting elected officials can build power.

CASE STUDY: ELIZABETH CITY, NC

On April 1, 2021, in Elizabeth City, Andrew Brown Jr. was shot in the back and killed by sheriff's deputies as he drove away from them. Coming in the wake of several other police shootings of unarmed Black men, Brown's death drew widespread protests throughout the city. Seven deputies were placed on administrative leave following the incident, but none were fired. Eventually, six of the deputies returned to work while one of the deputies who fired his gun resigned.

By May, the Pasquotank county District Attorney Andrew Womble declined to press criminal charges, clearing all involved officers of wrongdoing and saying that their use of force was justified. After this decision, Governor Roy Cooper called for a federal investigation of Brown's shooting with a special prosecutor. The FBI confirmed in April that they have opened a federal civil rights investigation for the case.

To make matters worse, the sheriff's office did not release any body camera footage to the public, and only showed 20 seconds of the video to Brown's family, even after activists, the Elizabeth City Council, and Governor Cooper called for releasing

the footage. Under North Carolina law, law enforcement body camera footage is not considered public record, and can be shown only to people involved in the case. Releasing any footage beyond this requires a court order. Law enforcement is also allowed to limit the video release to what they deem relevant to the case. This law has concerning implications for transparency and contributes to the erosion of public trust in law enforcement. Legislators in the General Assembly have since filed bills that would change this law and make body camera footage part of the public record.

Since Brown's death, **organizers have been holding daily peaceful protests in Elizabeth City.** Though many activists have been arrested for arbitrary charges such as failure to disperse and unlawful assembly, they persevered, marking their 100th straight day of protests on July 29. Organizers say their demands are for Sheriff Tommy Wooten to resign, deputies involved to be fired, a special prosecutor to come in, and for the Pasquotank County Board of Commissioners to develop and implement a community review commission.

THE POWER OF DEMOCRACY

Engaging at all levels of our democracy can help break the tangle of oppressive practices and policies. Working at the local level is especially powerful because those representatives are most directly accountable to you.

Start from the bottom and move up your ballot in 2022, for example:

- ✓ **Sheriffs** are the chief law enforcement officers in their county, and have jurisdiction over criminal justice administration. They can make arrests and conduct criminal investigations, and determine the use of force policy for deputies.
- ✓ **District Attorneys** represent the state in the prosecution of all criminal matters, including investigations about use of force and police misconduct.
- ✓ **NC Mayors** normally pick the city or town's police chief to manage law enforcement.
- ✓ **NC City/Town Councils and County Commissions** fund local law enforcement.
- ✓ **NC Legislators** are responsible for defining what is a crime, procedures for responding to crimes, sentences, and funding agencies that deal crimes.
- ✓ **US Congresspeople** can reform the justice system, create federal laws, and confirm US Supreme Court Justices.

SPOTLIGHT: NC Judges are on the ballot in 2022. **Judges are powerful.** They decide cases that save lives and uphold and overrule laws that affect every aspect of your life. They make decisions in disputes on everything from the cost of electricity, to your right to vote, to who gets the death penalty. You will find judicial candidates near the middle of your ballot – another reason to vote the whole ballot, top to bottom.

- ➔ **NC Supreme Court** is the state's highest court. Three of the seven seats are on the ballot.
- ➔ **NC Court of Appeals** judges hear appeals of criminal and civil cases from the District and Superior Courts, North Carolina's trial courts. Five of the 15 seats are up for election.
- ➔ **Lower Court Judges** determine sentencing for crimes and who ultimately goes to prison.

We must do more than tell people to vote – particularly when many of the people at greatest risk of illness and violence in this year's elections have also been subjected to policies explicitly designed to make it harder to cast a ballot that counts. Instead, help people understand how barriers to democratic participation result in harm to people we know and to society as a whole. **Provide options that will bring the responses we need and build the more just society we want, such as:**

Voting as a start.

Turnout tells elected officials that your community is active and aware. Elected officials pay closer attention to neighborhoods and constituencies that vote. Since local elections can be decided by smaller margins, know and share that one vote really will make a difference. You have power. Use it!

Contact elected officials.

Elected officials are in office to serve you and your fellow citizens. Let them know your thoughts about the policies that most affect you and your community. Make sure to keep the pressure on, especially after the election.

Talk to your friends, family, and neighbors about these important issues. Help them make their voices heard too.

Show up at public meetings.

Meetings where elected and appointed officials make decisions that affect you are public so that you and your community can monitor the policies and laws that are being passed. Show up, speak up, and keep an eye on what's going on in your government.

DEMOCRACY NC

Ask yourself: If people in power don't hear your voice, whose voices will they hear instead?