

SPEAK NO EVIL: PART THREE

FOOTNOTES

Only the most dangerous men were invited. *Based on records from the High Point call in and interview with police.*

One felon's arrest record read like this: child abuse, selling weapons to an inmate, assaulting a woman, possessing stolen property and assault with a deadly weapon. In came a murderer. And a man who had fired a gun into a home. *Based on interview with Kenneth Shultz, a major with the High Point police department.*

Jim Summey, a former pastor, spoke first. He told the felons not to talk. This is nothing personal, he said. It's not a trick or a sting. You won't leave in handcuffs.

"This is all about helping you," he said. We'll deliver groceries to your door. We'll pay to switch your power back on. We'll help train you for a job. The help is yours, if you will listen.

Then a line of law enforcement officers walked in and sat in a row in front. The felons avoided locking eyes with them. They shifted in their seats.

"This is official notice," High Point police Chief Marty Sumner told the men. "Any form of violence won't be tolerated."

Nearly 100 people filling the city hall chambers watched. A public defender explained the law. The possession of a single bullet — it didn't even have to be in a gun — would cost them more than a decade in federal prison. He explained how federal judges would be merciless. No pastor's letter or plea from their mother would help. A federal marshal explained how they would find them if they ran. An FBI agent explained how they would help investigators. The police said they would watch their every move, use wiretaps, undercover cops, whatever surveillance was within the legal limit.

The district attorney promised their cases would be fast-tracked. A hearing would be scheduled in days instead of months. Drug labs would come back in 72 hours.

"This is about respect," said Walt Jones, the supervising district attorney. "Join normal society like the rest of us. Get a job. Raise your kids."

Then, the room went dark, and a video played on a wall. A family on-screen cried about their dead son. He didn't listen to the warning, they said. Images of his body in a coffin appeared.

"You have got to stop this," said Rob Lang, a federal prosecutor.

A felon nodded his head.

"We are here for you to be redeemed." *This entire scene was witnessed by the reporter in High Point.*

In Chattanooga, violence continues to erupt in pockets of poverty, and the violent are protected by a mostly silent and fearful community that feels at odds with police. *Based on data compiled by the Times Free Press that included an analysis of 300 shootings since 2011.*

City leaders are now looking to High Point for solutions. *Based on Times Free Press archives and interview with Chattanooga Mayor Andy Berke.*

The 100,000-person North Carolina city has seen a significant drop in arrests and violent crime, while calls to police are up. The annual murder rate has fallen from 20 to two since initiatives started in 1997. And the police department's relationship with the black community — once strained — has changed.

Fifteen years ago, police there were called pigs.

"They were doing standard traditional policing. Ride around. Stop and talk. Running from call to call, getting there late, not focusing on the one thing that is causing the problem, focusing on everyone and everybody," said Summey, the former pastor. He now heads the nonprofit High Point Community Against Violence.

Complaints haven't disappeared, but on the whole people say the cops are fair, said Gretta Bush, who is president of the High Point Community Against Violence. The most notorious drug house no longer stands. Children can walk to church. Nine out of 10 felons who are warned don't get in trouble again. They believe what the police are saying, Summey said.

Violent offenders knew the reality before — that most crime went unreported, that only one out of five reported crimes were solved, that many cases were dismissed or pleaded down, that jail time was unlikely and probation didn't equal supervision.

They know the new reality. *Based on data from the High Point Police Department, along with interviews with High Point Chief Marty Sumner, Major Kenneth Shultz and Captain Tim Ellenberger. Community leaders Gretta Bush and Jim Summey and retired High Point Chief Jim Fealy also confirmed this portion of writing.*

One felon at the “call in” in August said he tried to shoot someone in retaliation for his brother’s killing. He said he didn’t respect the police, but he was willing to listen to them. He knew felons in High Point were getting help finding work or finishing school.

“If I get in trouble again, I am going to get federal time,” he said. *Based on interview with one of the felons at the call in in August. The man asked for his name not to be used.*

Chattanooga Mayor Andy Berke has promised that the High Point model will be recreated to the letter. *Based on interview with Andy Berke and Times Free Press archives.*

David Kennedy, the nationally recognized criminologist who helped create the methods used in North Carolina and cities across the country, will be a paid consultant. The city has also hired a liaison and a special federal prosecutor. The police chief and others have flown to New York City for training. Police officers are being given copies of Kennedy’s book, “Don’t Shoot.” *Based on Times Free Press archives and interview with Chattanooga Police Chief Bobby Dodd.*

What should happen next is a frank discussion about mistrusts believed by both the black community and the cops, experts say. *Based on interviews with High Point officials, David Kennedy and a studies by the Department of Justice.*

Trust must be earned, and in High Point it took more than a decade to build. The commitment has outlasted one mayor and one police chief. The partnerships will start with hiccups, gnashing of teeth, said Summey. *Based on interviews with Gretta Bush and Jim Summey.*

In Chattanooga, black leaders are already skeptical. Some wonder if the city can deliver the same results as High Point. Programs to curb violence or improve relations have cropped up and withered time and again. “We watched many in the past hire special people, and this can end up being the same type of thing,” said James Mapp, president of the Chattanooga NAACP, who has been at odds with police practices for decades. *Based on interview with James Mapp.*

Still, experts say everybody has to be convinced.

“If they don’t believe the cops will help them, then they don’t listen to the police,” said Tracey L. Meares, a professor at Yale University. “They don’t believe in the sanctity of the police.” *Based on telephone interview with Tracey L. Meares.*

The policing model that changed High Point was birthed 18 years ago in Boston. A much younger David Kennedy came with a group of researchers from Harvard University to study youth violence in the city, which exploded with the onslaught of crack. The method developed would later be dubbed the Boston Miracle. By crunching police data, the group found that the violence problem in Boston could be traced back to an unruly few; 1,300 serial offenders — less than 1 percent of youth citywide — were responsible for at least 60 percent of youth homicides in Boston. Later, that finding would ring true for other cities.

“Even in the most violent neighborhoods, only a terrifically small portion is really likely in any way to be violent,” Kennedy said.

Traditional policing focused on troubled areas. Drove of officers saturated rough neighborhoods. Officers stopped and frisked. The community bristled at what felt like profiling.

But what if the officers narrowed their focus to the people they knew pulled the triggers?

Kennedy said the problem wasn’t with whole communities; it wasn’t even with certain streets. That 1 percent needed to become the focus, and that’s what happened in Boston. First, the most violent gang was asked to a meeting where members were told to put down their guns or face the consequences.

And the consequences had to be real, Kennedy said. So police partnered with prosecutors and federal agents to make sure the penalties for those who ignored the warnings were as stiff as they could be. Bureaucratic nonsense was eliminated. Interdepartmental discord was set aside. Cases were prioritized so backlogs wouldn’t delay justice.

The group got smarter about what charges would stick. They employed the strategy used to bring down Chicago gangster Al Capone, who was finally sent to federal prison in 1931, not for murder, but for tax evasion. First, they made an example of a violent gang member named Freddie Cardoza, who was found possessing a single bullet. He was sentenced to 19 years and seven months in federal prison without parole. Leaflets were sent to the community explaining what happened to Cardoza, that police should be taken seriously.

Through community partners, nonprofits and churches, the police also offered options for the gang members who were willing to change. *Background information about the Boston Ceasefire was gathered through studies done by the Department of Justice and researchers. The details were also confirmed in David Kennedy’s book “Don’t Shoot.”*

In meetings, police watched gang members sit quietly and respectfully. They watched them tear up when they heard from the mothers of murdered children. The gang members listened to community members speak

against them. They heard the cops say they didn't want to lock them up again, that they wanted to keep them alive.

"Everyone sees everyone playing against type," Kennedy said. *Based on telephone interview with David Kennedy.*

Youth homicide fell 63 percent in Boston. Skeptics called it a fluke. But when the same methods were tried in Indianapolis, homicide fell 34 percent. In Cincinnati, gang-related homicides fell 41 percent.

In High Point, violent incidents, including assaults, rapes, murders and robberies, fell from 1,252 per year to 595 per year, while the population of the city grew by 34 percent. *Based on research published by the Department of Justice and confirmed by the National Network for Safe Communities spokesperson.*

Skip Eberhardt grew up on the south side of Chattanooga where Market Street turns to housing projects. He's 63 now with a gray beard and cloudy eyes, but he used to deal drugs across the city. A lot of gang members in the neighborhood look up to him. He understands their lives, their thinking. He runs a small program that helps them get their GEDs. He tells them education is valuable, that they should throw off their gang affiliations and get jobs. He also tells them to never trust the police.

He started hating police, he said, long before he sold marijuana. Cops were everywhere. They stopped people who were bad. They stopped people who were good. It seemed to him that they stopped just about anyone who was black.

When he got older, he wondered why so many black murders went unsolved. He can list off the names of victims. Jimmy Yearby. Jameika Porch. Barbara Johnson.

He wondered why most of the drug arrests were of black men. Would their lives have been ruined by drug charges if they'd been white and sold pills at the country club?

He bought into some of the conspiracies. The police wanted the blacks to kill each other, he thought. The government introduced crack to destroy black neighborhoods.

"It started making me have prejudiced thoughts," said Eberhardt.

This past summer, Eberhardt said he watched a group of young gang members in Alton Park beat a woman with a bat and hit her with bricks. It sickened him, he said. He told the boys what they did was wrong, but he didn't call police.

He just didn't think the police would do anything. *Based on multiple interview with Skip Eberhardt.*

Police have tried to change minds like his.

They started racial sensitivity classes for officers. They put black pastors in a citizens academy to learn police tactics. When they thought those neighborhoods wanted an increased police presence, they opened precincts. The city's housing authority got its own officers to police its projects. Police got out of cars, walked the streets again and attended community meetings. They used new accountability software and mapping capabilities to help them respond more quickly to hot spots. *Based on Times Free Press archives and interviews with two former Chattanooga police chiefs, Steve Parks and Freeman Cooper.*

But something would always happen to sour relations.

In 1980 it was the shooting of five elderly black women. Two of the shooters, members of the Ku Klux Klan, were acquitted by an all-white jury. A few years later, an elderly black man died in his jail cell. The police said it was an accident. His family is still fighting today to prove a police officer killed him.

A few years after that, in 1991, a homicide detective who was fired charged the police department with racism.

"[My supervisor] often stated and bragged to me and others that he could manipulate 'a n*****' and get him or her to do anything he wanted," wrote Terry Slaughter, in a court affidavit. "He often laughed about how he could use blacks. We could do whatever we wanted to a person of the black race."

The next year a patrol officer was fired for beating a black teenager in his cell.

In 2009, a black man threatening suicide with a gun was shot 43 times by six police officers. A spokesperson for the department called it "suicide by police." His father said he wasn't a risk. The court sided with police.

Last year, two white police officers beat a black halfway-house inmate who was on cocaine and wouldn't comply with police. He was struck 44 times with a metal baton, choked and stunned. Both of his legs were broken. Police Chief Bobby Dodd called it one of the worst cases of excessive force he had ever seen. *Based on Times Free Press archives.*

"I think it's heartbreaking," said Freeman Cooper, who was the city's third black police chief and led the department from 2007 to 2010. "It is not something that we teach people to do." *Based on telephone interview with Freeman Cooper.*

In 2012, 14 people were stopped each day and questioned by police in Chattanooga. Almost half were black. This year East Lake, a mostly poor, minority neighborhood, was filled with as many as 50 officers at a time for 45 days. Several saturations have been held since then, a few days at a time, said Dodd. They held some shootings at bay, he said.

"I don't have anything to apologize for," said Dodd, who has been chief of police since 2010 and has spent more than 25 years in the department.

Police were doing their job. Some people were thankful for the presence. Criminals were the ones who felt uncomfortable, he said. *Based on interviews with Bobby Dodd and Times Free Press archives.*

Jim Fealy, who was police chief in High Point from 2003 to 2012, said he used to feel like there was nothing he had to apologize for. He had a stellar record, he said. Most of the cops who worked for him were well-intentioned, honest people.

Then Kennedy educated him. He explained to Fealy why the police were policing alone, without the buy-in of the community, why the streets were silent.

Police were afraid of engaging the community about perception because they did not want to unpack decades of baggage from racist history.

“The vast majority has never been talked about ... I was scared to death,” Fealy said.

Police think gangsters are irrational, that the neighbors stopped calling with tips because they lost their moral compass.

In truth, these decisions were made because they had lost faith in the system, Fealy said he learned.

Call shooters into an intervention. Approach drug dealers and tell them they are being watched. Then tell the community what you are doing. Make airtight cases for the real bad guys and put them away. Honestly offer options for the rest. This is the formula for change, Kennedy said.

Many think money and drugs drive murders in the black community. In reality, only 20 percent are tied to dollars, Kennedy said. The rest are about respect, payback.

Respect is more important to these communities than most police ever realize. Research from Yale University shows that people in these neighborhoods judge the criminal justice system not by case outcomes but on how they are treated.

A negative view of police sets the stage for score settling. People think kids want to be gang members and fire guns, but they are actually afraid. They know police and courts haven't been able to put away the real threats.

“I know who stole my chain. I know who robbed my house. I know who hit my sister. Rather than calling 911, people are resorting to private violence,” Kennedy said. “When the young man knows who killed his friend, he doesn't think the police are on his side.”

In 2004, Fealy became one of the few police chiefs in the country to issue an apology to the black community.

He doesn't think it's something all departments should do, but in High Point it was a huge step forward.

What he said was simple: We wanted to do things right. We wanted the violence to stop, but we didn't go about stopping it in the best way. Saturations were callous. Stop-and-frisks were done thoughtlessly. Arrests were an overused tool.

He said his years as chief after that were the most rewarding of his life.

“I accomplished the good and noble things I had always wanted to,” he said. “The chief in Chattanooga can feel that way too if he chooses.” *Based on telephone interview with Jim Fealy and paper published by the U.S. Department of Justice.*