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BEFORE THE  
HUNTSVILLE POLICE CITIZENS ADIVOSIRY COUNCIL

IN RE:  
Review Pursuant to the Huntsville City Council  
Resolution No. 20-487  
August 12, 2020  
5:00 p.m.

The HPCAC hearing was taken before  
Sarah Carlton Stimpson, CCR, RPR, on August 12,  
2020, commencing at approximately 5:00 p.m., at  
the offices of the Huntsville City Hall, in  
Huntsville, Alabama



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A P P E A R A N C E S

Huntsville Police Citizens Advisory Council  
Members Present:

Victoria Guerrieri  
Willie Love  
Shelly McCulley  
Jonathan Rossow  
Ruben Flores  
John Reitzell  
John Olshefski  
David Little  
Gregory Bentley  
Wiley Day, Jr.

Independent Counsel:

ELIZABETH HUNTLEY, ESQ.  
JACKSON R. SHARMAN, ESQ  
Lightfoot, Franklin, & White, LLC  
400 20th St N  
Birmingham, AL 35203



1           I, Sarah Carlton Stimpson, a Registered  
2 Professional Reporter, and a Notary Public for  
3 the State of Alabama at Large, acting as  
4 Commissioner, certify that on this date, there  
5 came before me at the offices of the Huntsville  
6 City Hall, in Huntsville, Alabama, commencing  
7 at approximately 5:00 p.m. on August 12, 2020,  
8 the HPCAC hearing, in the above cause,  
9 whereupon the following proceedings were had:

10

11           MS. GUERRIERI: Good evening. I'd like  
12 to call the public meeting to order. My name  
13 is Vicki Guerrieri, appointed by Councilwoman  
14 Robinson, District 3. I am currently serving  
15 as chairwoman. On behalf of the Huntsville  
16 Police Citizens Advisory Council, I would like  
17 to welcome you to the first public hearing  
18 regarding the protest events on June 1st and  
19 June 3rd. To get us started, I will call the  
20 roll of the Advisory Council.

21           When I call your name, I would appreciate  
22 it if each member would announce their  
23 presence. Willie Love?



1 MR. LOVE: Present.

2 MS. GUERRIERI: Willie Love was  
3 appointed by the mayor serving as vice chair.  
4 John Olshefski?

5 MR. OLSHEFSKI: Present.

6 MS. GUERRIERI: John Olshefski, thank  
7 you. Appointed by the mayor. John Reitzel?  
8 John was running a little late. I'm sure he'll  
9 be here soon. Ruben Flores?

10 MR. FLORES: Present.

11 MS. GUERRIERI: Thank you, Ruben. Ruben  
12 was appointed by the chief of police and is  
13 serving as secretary. David Little?

14 MR. LITTLE: Here.

15 MS. GUERRIERI: David was appointed by  
16 the chief of police and is currently handling  
17 our media and communications. Gregory Bentley?

18 MR. BENTLEY: Present.

19 MS. GUERRIERI: Thank you. Gregory  
20 Bentley was appointed by Councilman Keith out  
21 of District 1. Jonathan Rossow?

22 MR. ROSSOW: Present.

23 MS. GUERRIERI: Thank you, Jonathan.



1 Jonathan was appointed by Councilwoman Akridge,  
2 District 2. Shelly McCulley?

3 MS. MCCULLEY: Present.

4 MS. GUERRIERI: Thank you, Shelly.  
5 Shelly was appointed by Councilman Kling,  
6 District 4. Wiley Day, Jr.?

7 MR. DAY: Present.

8 MS. GUERRIERI: Thank you, Wiley.  
9 Appointed by Councilman Culver, District 5.

10 The Advisory Council was charged by the  
11 city council resolution with conducting the  
12 review. The public hearing is part of the  
13 advisory council's fact-finding stage of the  
14 ongoing review process. As part of that  
15 effort, community input by electronic form was  
16 active from July the 7th through August 7th,  
17 with over 750 comments received. All  
18 correspondence was read and is being considered  
19 by members of the Advisory Council. In  
20 addition, the Advisory Council retained  
21 independent -- retained independent legal  
22 counsel to assist in the discharge of its  
23 duties.



1           This evening, each speaker has five  
2 minutes to address the Advisory Council and to  
3 give testimony to the events of June 1 and June  
4 3. This is a listening session -- one in which  
5 the public's comments are the focus. For that  
6 reason, and also to maximize the time for  
7 public comment, the Advisory Council members  
8 will not make remarks this evening, other than  
9 my efforts as Chair to guide the procedure.  
10 This hearing is being broadcasted live on WOW  
11 and Comcast, and also live streamed on Facebook  
12 and the City of Huntsville website. It will  
13 also be archived.

14           Please keep your remarks civil. As fellow  
15 citizens, we should express our views  
16 vigorously, but in a constructive manner. Foul  
17 language which violates the FCC broadcast rules  
18 or derogatory name calling of any individual  
19 will not be tolerated. Again, decorum and  
20 clarity are important here.

21           Each speaker will be given five  
22 uninterrupted minutes, after stating their  
23 name. Time cannot be given or shared with



1 another speaker. I will call the speakers in  
2 the order that they registered, beginning with  
3 Mr. John Price.

4 JOHN PRICE: My name is John Price. I  
5 appreciate the opportunity to speak before you  
6 today.

7 MS. GUERRIERI: Welcome.

8 JOHN PRICE: One of the great things  
9 about representative government is that  
10 citizens can demand actions to redress  
11 grievances, and that's what we're here to do  
12 tonight. It's been ten weeks since the police  
13 tear gassed peaceful protesters, and there's  
14 not been a single apology from local government  
15 or law enforcement. And you might be asking  
16 yourself, why do they deserve an apology?  
17 Because for all its training programs and  
18 semi-PR, HPD failed the city on the evening of  
19 June 3rd and attacked peaceful protesters  
20 simply for the crime of exercising a  
21 Constitutional right. This revealed the very  
22 real problems in our police department.

23 I want to quickly make four points that I





1 think are important in your deliberations. I  
2 am basing this information on my personal  
3 experience and on the Chief's own words on June  
4 4th in a local television interview and the  
5 presentation he did here on June 18th.

6 Number one, law enforcement was fed  
7 terrible intelligence from NAMAC. Number two,  
8 fear-based decision-making from the police  
9 chief created the entire situation. Number  
10 three, law enforcement's inability to adjust to  
11 the actual circumstances escalated the  
12 encounter to violence. And then number four,  
13 after-action misrepresentations of the facts by  
14 local law enforcement destroyed trust in the  
15 community.

16 For his presentation on June 18th, the  
17 Chief informed us that intelligence pointed to  
18 the city being burned and looted by ANTIFA.  
19 This actually grew out of a national hysteria  
20 created, I believe, by a psy-ops campaign  
21 promulgated on the internet, quite likely by  
22 foreign actors seeking to sew discord in the  
23 United States. So instead of vetting and



1 dismissing this information, our North Alabama  
2 Multi Agency Crime Commission went looking for  
3 anything that would back it up. They searched  
4 Facebook and Snapchat looking for and finding  
5 hysterical posts. Surprise. People being  
6 fools on the internet.

7 They ended up with a terribly flawed  
8 determination based on the flimsiest of intel  
9 that Huntsville was in danger, when, in fact,  
10 the opposite was true. The city was never in  
11 danger. They pointed to ANTIFA when the real  
12 danger, noted by the FBI, is right-winged  
13 political groups such as the Boogaloo Boys. We  
14 need to re-evaluate the confidence placed in  
15 this group. They have the technology to invade  
16 people's privacy, and it's pretty clear to me,  
17 they're already doing that.

18 After receiving this very poor advice from  
19 NAMAC, the police chief decided he needed every  
20 resource available, including snipers on the  
21 roof, an ALEA gauntlet, and a tactical  
22 helicopter, in addition to, of course, riot  
23 gear, tear gas, pepper spray, flashbangs, and



1 synthetic bullets. I've lived here for 50  
2 years. Huntsville's never had, and I don't  
3 think it ever will have, the kind of unrest  
4 that calls for that kind of response. These  
5 snipers were targeting people in the crowd.  
6 They weren't using spotting scopes. They were  
7 using the scopes on their rifles and pointing  
8 their rifles at Huntsville citizens. The  
9 decision to greet the demonstration in this  
10 fashion set up the result. Once you deploy  
11 your riot squad, they have to attack. There's  
12 no backing down. But once the citizens see how  
13 their rights are going to be trampled by law  
14 enforcement, well, the patriots are going to  
15 stand their ground, and that's what led to this  
16 confrontation.

17 I was there when the NAACP rally ended and  
18 several hundred of us marched to the courthouse  
19 with our protests signs. We were loud. We  
20 were entirely peaceful. I knew no one else in  
21 the that crowd, and the only fear I felt was  
22 because of the stance of law enforcement. The  
23 Chief should've realized there was nothing to



1 fear from this crowd too, and he should've told  
2 the riot squad to stand down. He should have  
3 pulled the snipers from the building. He  
4 should have told the ALEA caravan to stand by.  
5 But at every opportunity, the Chief escalated  
6 the situation. He brought out the riot squad  
7 with batons. He had tear gas fired at the  
8 crowd, noise devices, and the ALEA caravan.  
9 Then the riot squad began to advance on  
10 peaceful protesters. Most people scattered,  
11 but there was only one way out, and that was  
12 down the steep and treacherous stairs into Big  
13 Spring Park. Those who couldn't find their way  
14 to those stairs were shot with synthetic  
15 bullets. Some, multiple times. Those people  
16 were not arrested -- just shot and sent on  
17 their way. That doesn't sounds like law  
18 enforcement to me. That sounds like punitive  
19 behavior and outside the responsibility of law  
20 enforcement. And let's not forget, a  
21 helicopter chased the stragglers.

22 Beginning the following day, the police  
23 chief and the sheriff began a disinformation



1 campaign, and this campaign was right out of  
2 the 1960s establishments attack on the Civil  
3 Rights Movement. Citing out of state license  
4 plates as evidence of outside agitators, he  
5 claimed those elements snuck into the crowd,  
6 created a riot, and then walked back down to  
7 Clinton Avenue and drove away. Pretty  
8 laughable, really.

9 MS. GUERRIERI: Thank you, Mr. Price.  
10 Your time has expired.

11 JOHN PRICE: Thank you.

12 MS. GUERRIERI: Mr. Shawn Estes?

13 SHAWN ESTES: Do I need to give my name  
14 and address?

15 MS. GUERRIERI: Please, sir.

16 SHAWN ESTES: Address as well?

17 MS. GUERRIERI: Just your name is fine.

18 SHAWN ESTES: My name is Sean Estes.

19 MS. GUERRIERI: Welcome.

20 SHAWN ESTES: I'm a protester, and I'll  
21 be a little bit surprised if everyone here  
22 doesn't know that by now, just because we've  
23 been saying the same things in the city council



1 meetings over and over. There's -- all of the  
2 information, all of the evidence, all of the  
3 footage, submitted written testimonies, video,  
4 pictures, et cetera -- which I submitted. I  
5 expect you have. I don't know.

6       Anyway, I'm a protester, but I was not a  
7 protester when I went to Big Spring Park on  
8 June 3rd. I read the other stories about a  
9 half-dozen people that were tear gassed on June  
10 1st, so I decided to go and witness. And  
11 before I get to my story, which is a simple  
12 one, I need to address the committee here  
13 today. First, it's hard not to think of you  
14 all as the police -- as an extension of the  
15 police. And I'm not sure I trust you all to  
16 hold them accountable. The last meeting that  
17 you guys held, it really seems -- introducing  
18 the history of the CAC is to serve as press or  
19 public relations for the Huntsville police. So  
20 it's hard to get people to step forward and  
21 tell their story because they do not trust you.  
22 And it dawns on me that that's really why you  
23 guys are here, is to build trust between the



1 community and the police with transparency and  
2 accountability. So I very much like to trust  
3 that you all will do that.

4 But let me ask you guys, what members of  
5 the community are you building trust for? To  
6 use a colloquial phrase you are all familiar  
7 with, Karen in South Huntsville does not need  
8 trust-building with the police. It's the  
9 protesters themselves and the disenfranchised  
10 members of the community who the Chief has been  
11 fighting hard to slander, that we should be  
12 working hard to build trust with. Not waging a  
13 PR battle against the protesting members of our  
14 community. I think that's the only way we  
15 tackle the very real questions of what happened  
16 on June 1st and June 3rd with objectivity, and  
17 not a them-versus-us attitude.

18 So I'll tell you my story -- that I  
19 watched the protest on June 3rd from my house  
20 in Five Points. I joined in with a group that  
21 was walking up the stairs in the park. They  
22 rounded the courthouse, went around the  
23 courthouse -- although, I just stood at the



1 stairs. The troopers above us all had their  
2 hands on their weapons, chatting anxiously  
3 amongst themselves, pointing at us, and  
4 chatting to the sides in a very anxious  
5 manner -- like they were spotting bad people  
6 amongst us. Pointing at me; right? So drones  
7 buzzed overhead. That's all that I wrote. The  
8 rest of this, I've got to just tell you. We  
9 knelt; right? We knelt at the steps. It was a  
10 loud protest. I knelt with everybody there.  
11 It was very intimidating. It was a very  
12 intimidating experience, obviously, to be  
13 surrounded by militant law enforcement that  
14 were waving weapons in the air.

15 After the group that knelt in front of the  
16 monument, and asked for kneeling in solidarity  
17 as well, dispersed, people continued to move  
18 around. When I read about the event, it was  
19 advertised as being 5:00 to 8:00; right?  
20 That's an important detail that everybody needs  
21 to know and understand. So I took up station  
22 across from the courthouse on the southwestern  
23 corner. Maybe ten feet south from the





1 southwest corner across the street, and that's  
2 where I stayed to witness what was -- what was  
3 happening. There was a loud siren. As  
4 everybody knows, the LRAD, long range audio  
5 device. It sounded a siren, which again, was a  
6 very anxious, anxiety-ridden fearful mechanism.  
7 There was no announcement to disperse --  
8 definitely not from where I was standing.  
9 If -- if the goal was to announce that  
10 auditorally, it should have been done with the  
11 LRAD device.

12 MS. GUERRIERI: Thank you, Mr. Estes.  
13 Your time is up.

14 SHAWN ESTES: Sure. Thank you.

15 MS. GUERRIERI: Thank you for coming.  
16 Next speaker on the list is Ms. Diana Isom.  
17 Ms. Isom? We'll try to come back to her. Next  
18 is Catherine Hereford.

19 MS. CATHERINE HEREFORD: Hi. My name is  
20 Catherine Hereford. You guys bear with me. My  
21 stuff got a little bit scrambled.

22 MS. GUERRIERI: Welcome, Ms. Hereford.

23 CATHERINE HEREFORD: Thank you.



1 MS. GUERRIERI: I should put my mic on  
2 to say welcome.

3 CATHERINE HEREFORD: Thanks. So I'm  
4 hear to stand up for myself and the peaceful  
5 protest community in Huntsville, because I've  
6 been on the street in front of the courthouse  
7 for years holding up signs and asking the right  
8 way for that monument to hate to be removed.  
9 And I was there at the protest on June 3rd.  
10 And I went with a gas mask with my respirator,  
11 which I have been wearing it since COVID  
12 started, since the CDC recommended it  
13 because -- I brought it that day, and I brought  
14 goggles as well, because I had seen what  
15 happens -- what happened the Monday before at  
16 the protest that I was not at, and I've seen  
17 what's happened around the country. And I know  
18 that this is something that the police have  
19 been doing to nonviolent protesters -- tear  
20 gassing and pepper spraying. I know a young  
21 man who is my son's age who was pepper sprayed  
22 Monday night. And so I brought the goggles to  
23 protect myself. Now, these are items for



1 protection, and I was floored when I heard  
2 Chief McMurray get on television and say that  
3 he had tear gassed and pepper sprayed and shot  
4 at citizens because we had those items -- gas  
5 masks and goggles and milk and first-aid kits.  
6 And he got on TV and admitted that. And I  
7 thought, surely, he's going to lose his job  
8 because of this. This is egregious, and where  
9 is the oversight? Who was the oversight? And  
10 I guess Tommy Battle is supposed to serve as  
11 the oversight, and I believe he's been  
12 negligent in that position.

13 So I was surprised to hear both of them  
14 employ the easily disproven trope of outside  
15 agitators, which is ridiculous. The peaceful  
16 community is my community and I know these  
17 people. And this group was led by us. And I  
18 was surprised to hear, you know, the reasons  
19 that the chief gave. And they used this trope  
20 to discredit -- just like my grandparents when  
21 they protested back in the 60s. They used the  
22 outside agitator thing to discredit the fact  
23 that we have justifiably angry citizens here.



1 Justifiably angry.

2       And what am I angry about? I'm angry that  
3 we have a police force who came to my  
4 neighborhood and shot my neighbor dead. Jeff,  
5 I believe, Parker. And the situation was under  
6 control, and two officers were handling it.  
7 And this officer showed up -- who will  
8 hopefully be held accountable. Because the  
9 body camera evidence showed that he was in the  
10 wrong in this dealing with this mentally ill  
11 person who had called him for help -- called  
12 them for help. And the same thing for Crystal  
13 Ragland. She should not be dead. And has  
14 anybody seen the body camera footage for that?  
15 Because the eyewitness accounts don't match the  
16 police accounts. So I would like to know if  
17 that's -- if there's been transparency in that  
18 process.

19       But it's the same situation where -- a few  
20 months ago, when a very troubled teen that I  
21 had taken in, was cutting himself and the  
22 police were called. There were officers that  
23 showed up, and it was three officers with guns.



1 And they were very nice, but it was clear that  
2 they didn't have any mental health training  
3 whatsoever. So I know that we have mental  
4 health officers in Huntsville, but where were  
5 they in this situation? Where were they on my  
6 street the day Jeff was killed? Where were  
7 they when Crystal Ragland was killed? Where  
8 were they when the officers showed up to my  
9 house -- three people with guns.

10 And I think -- you know, I used to work in  
11 a mental health center as a case manager, and  
12 we answered calls all the time for people who  
13 was in crisis and suicidal. And the worst  
14 thing that I could've done in that situation is  
15 been some aggro person with a gun. And I did  
16 that job without fear to help people, and I  
17 would do it again if there was funding for it.

18 So in conclusion, I just want to say that  
19 I think that McMurray acted criminally and  
20 should be held accountable. I think that Tommy  
21 Battle has acted negligently and should be held  
22 accountable. And I think that the policing in  
23 Huntsville needs an overhaul, and yes,



1 defunding, to the point where mental health  
2 services are funded and we can eliminate  
3 situations like that -- where my taxpayer money  
4 is going to people that are going in with guns  
5 hell-bent on destruction and murdering people  
6 who just need help. I would rather my money  
7 being going to helping people. And I think we  
8 can start by taking some of the money for tear  
9 gas out of the budget and putting it towards  
10 mental health officers. That's a start.

11 That's where we need to begin. Thank you.

12 MS. GUERRIERI: Thank you, Ms. Hereford.  
13 Next on our speaking list is Terri Cavender.

14 TERRI CAVENDER: Hello. My name is  
15 Terri Cavender.

16 MS. GUERRIERI: Welcome.

17 TERRI CAVENDER: Thank you for letting  
18 me speak. On Wednesday June 3rd, my husband  
19 and I wanted to show our support for the Black  
20 Lives Matter movement by attending a rally  
21 planned by the NAACP. My coworker had told me  
22 the event was scheduled to end at 8:00. We  
23 arrived rather late downtown at 7:15, but



1 figured we had plenty of time to hear one or  
2 two good speeches. The police had some of the  
3 roads blocked off, so that made us think the  
4 event was permitted and still in progress. We  
5 had walked in from Five Points and made our way  
6 to North Side Square. My friend texted that  
7 they were demonstrating next to the Confederate  
8 monument so we headed that way just in time to  
9 see a number of riot police standing at the top  
10 of the courthouse steps. At once, they all put  
11 on gas masks. That was shocking. We're used  
12 to being able to walk around downtown wherever  
13 we want to. There was no curfew in place.

14 I quickly went back to the corner of  
15 Randolph and Washington where there were HPD  
16 officers wearing their regular uniforms and not  
17 wearing gas masks. I asked an officer what  
18 time the event ended, and he responded that he  
19 didn't know. He asked another officer, and he  
20 didn't know either. If we had been told what  
21 time it ended, then we would've turned around  
22 and left. I still thought we had time. That's  
23 on me for not checking to see what time the



1 permit ended. But honestly, I don't know how  
2 to look up permits and see what time they end.  
3 Still, it probably was on a local news outlet,  
4 which I did not check.

5 My husband and I decided to head on over  
6 to go see, and leave before 8:00, when,  
7 clearly, the riot police were planning to shoot  
8 tear gas at whoever was left at 8:00. We never  
9 made it to hear any speeches because people we  
10 know started shouting at us to get out of there  
11 and not tear gasses. We turned back. We  
12 walked along East Side Square where we saw more  
13 riot officers standing at the top of the  
14 courthouse steps, and they, too, all had on gas  
15 masks.

16 We stood for a while and used a cover near  
17 Green Bus Brewing. We were told by other  
18 friends that the police wanted everyone to stay  
19 out of the street. We followed the rules.  
20 While we were there, we heard no announcements  
21 by the police that we had to leave. We chanted  
22 a bit with a small crowd around us. We saw a  
23 white man get arrested, but one of the





1     arresting officers had a long ZZ Top beard and  
2     a long green gun. He was not wearing a uniform  
3     at all. Later, we wondered if we witnessed an  
4     arrest or an abduction. We decided to leave.

5             As we were walking back to Five Points, we  
6     heard a lot of commotion and figured the police  
7     had started firing tear gas. And of course, we  
8     worried about our friends. I would offer one  
9     simple piece of advice. When there's a  
10    permitted event and officers have been  
11    dispatched to keep the peace around it, those  
12    officers should be told what time the event  
13    ends. They should spread the word so citizens  
14    are aware of the end time. We didn't go  
15    downtown that Wednesday to cause any trouble or  
16    to be gassed. In fact, I wasn't even  
17    protesting the Huntsville Police Department. I  
18    did not have Ms. Hereford's knowledge. I have  
19    had mostly good interactions with them. We  
20    used to live in a rough neighborhood, and I had  
21    to call the police a number of times. Even in  
22    our current neighborhood, I have had to call  
23    twice. The police have been responsive, and I



1 have seen them defuse volatile situations  
2 quickly and professionally. I appreciate being  
3 able to call them when necessary.

4 I would like to point out that I make  
5 heavy use of the police non-emergency number,  
6 722-7100. I've only called 911 when an  
7 ambulance was needed. I wish the rest of the  
8 public would do the same and not call 911 when  
9 not necessary. Some PSAs around that would be  
10 helpful and would save lives.

11 My feelings heading into that rally on  
12 Wednesday was that police officers in  
13 Huntsville are opposed to what happened to  
14 George Floyd, Breonna Taylor, Philando Castile,  
15 Tamir Rice, and others. But the events of that  
16 evening, along with seeing the press conference  
17 in which the Huntsville police chief tried to  
18 justify his actions with some outlandish  
19 sounding remarks, have made me wonder. Not so  
20 much about the individual officers who were  
21 trying to do the best they can, but about the  
22 leadership of the department and who ordered  
23 officers to fire tear gas and rubber bullets at



1 peaceful protesters has made me wonder about  
2 our city's leadership.

3 The mayor must have known what they were  
4 planning to do. Who else knew? It's  
5 frightening. Black lives matter. Things need  
6 to change for the better nationally. Let's do  
7 our part here. Let people speak out. Listen  
8 to them when they do.

9 MS. GUERRIERI: Thank you, Ms. Cavender.  
10 Our next speaker is Maurice Shingleton.  
11 Maurice Shingleton? Not here. Okay. We'll go  
12 back.

13  
14 (At which time, HPCAC member John  
15 Reitzel entered the hearing.)

16  
17 MS. GUERRIERI: The next speaker is  
18 Brooke Justice.

19 BROOKE JUSTICE: Hello.

20 MS. GUERRIERI: Please state your name.

21 BROOKE JUSTICE: Brook Justice.

22 MS. GUERRIERI: Thank you.

23 BROOKE JUSTICE: Firstly, I want to



1 clarify a misconception. When we say that we  
2 want to defund the police, we're not demanding  
3 for the police to go away. When someone calls  
4 to defund the military, it's pretty understood  
5 that it's not calling to take apart that force,  
6 and the same ideas apply here. We do, however,  
7 want the police to have less. Because as of  
8 right now, they have extra.

9 After seven years in the military, I  
10 understand the culture that is around getting a  
11 new toy in the office. And unfortunately, our  
12 local police has abused those on us. I was  
13 there the night we were attacked unprovoked and  
14 unwarranted. I was there watching police mock  
15 us and ready to want to hurt us. I was in  
16 medical readiness emergency operations for  
17 seven years. After an incident would happen,  
18 we would break it down in a post-incident  
19 examination. Watching the head of police talk  
20 about how he attacked us because of the  
21 possibility of a threat made me have secondhand  
22 embarrassment. I cannot imagine telling my  
23 commander we used chemical weapons because we



1 were scared of a threat that might present  
2 itself after losing sunlight. Nor can I  
3 imagine telling my commander that we attacked  
4 people for having first-aid kits.

5 That being said, I've experienced active  
6 shooters in my military installation. I've  
7 experienced bombs. I've experienced numerous  
8 other threats in my experience. What I had not  
9 experienced was developing PTSD. What I had  
10 not experienced was my daughter fearing for my  
11 safety.

12 When I was leading the protest to end tax  
13 money being spent on cleaning up the  
14 Confederate statue, my daughter broke down and  
15 asked me to stay away from the police and to  
16 please come home safe. When I got home that  
17 night, she heard me open the door, became upset  
18 at me, threw her arms around me, happy I came  
19 home at all. Not one day in seven years in the  
20 military had I experienced anything like that.  
21 While educating my daughter on civil rights, I  
22 showed her videos of other protests where the  
23 police have attacked their own people. I



1 showed her a video of Bloody Sunday. As soon  
2 as my daughter saw the police don their gas  
3 masks, she jumped up and said, "Mom, they need  
4 to run. Their eyes are going to burn."

5 Why does she know this? She knows this  
6 because, from the sidelines, she watched her  
7 own police force do that to her friends right  
8 in front of her. On July 4th, I'm accustomed  
9 to calling my veteran friends who have  
10 experienced combat to make sure that they're  
11 okay. But this year, myself and other friends  
12 were having panic attacks from remembering the  
13 night the people who were supposed to protect  
14 us, laughed at us, mocked us, casually pepper  
15 sprayed us, tear gassed us, shoved us  
16 downstairs, had snipers on us from the rooftop,  
17 drones surfing above our heads, and helicopters  
18 flying above us.

19 Every time we go to feed the ducks, my  
20 daughter boasts of how this is where I was  
21 brave. Meanwhile, I try to keep myself  
22 composed and not cry from remembering that  
23 night. Also, I want to make it very clear,



1 this newfound fear for our local police is only  
2 new to some. To our black and brown skinned  
3 brothers and sisters, they have felt this way  
4 their whole life. They were born into talks  
5 about how to be safe with the cops so that you  
6 can come home from the park. This fear is only  
7 new to me because I have lived a life of white  
8 privilege.

9 It is important to know, all of the  
10 threats that the cops wanted -- wanted to talk  
11 us up to be -- if we wanted to be violent, if  
12 we wanted to burn buildings, if we wanted to  
13 hurt our officers, it would've happened at some  
14 point in the last four months. Especially  
15 after we were attacked with weapons we're not  
16 even allowed to use in the military without  
17 being charged with a war crime. What we do  
18 want is change. We want the police to protect;  
19 not be the military fighting a war on its own  
20 people. I refuse to be sorry for us trying to  
21 change America because after dark scares you.  
22 Because Huntsville is continuing to add to the  
23 list of horrendous civil rights violations, and



1 we plan on changing that. Selma, Alabama,  
2 Bloody Sunday, attacked by police. Birmingham,  
3 Alabama, the Freedom Riders, let down by the  
4 police. Birmingham, Alabama, again, with the  
5 diner sit-ins attacked by the police.  
6 Huntsville, Alabama. What do you recommend we  
7 call that night?

8 MS. GUERRIERI: Thank you, Ms. Justice.  
9 Our next speaker is Ms. Tahirih Osborne. Did I  
10 pronounce that right?

11 TAHIRIH OSBORNE: Tahirih.

12 MS. GUERRIERI: Okay.

13 TAHIRIH OSBORNE: Hi. My name is  
14 Tahirih Osborne.

15 MS. GUERRIERI: Welcome.

16 TAHIRIH OSBORNE: I have thought a lot  
17 about what I want to say to this council and  
18 how to unpack, in five minutes, the litany of  
19 civil rights violations, abuses of power, and  
20 outright racist brutality that has been enacted  
21 on myself and my fellow citizens. Where do I  
22 begin? I return to the simple fact, my  
23 government, our government, used chemical





1 weapons and potentially deadly ammunition  
2 against our own people on our own soil. Why  
3 did they do this? Because people had gathered  
4 to raise, by the thousands, their voices to  
5 make one simple statement, black lives matter.  
6 It would be easy to dismiss this crowds as an  
7 angry mob responding to a single death that  
8 happened hundreds of miles and several states  
9 away. George Floyd's tragic murder may have  
10 been the flashpoint, but the hurt and pain is  
11 the same hurt and pain that so many of the  
12 wounds of our community has allowed to fester.

13 Crystal Ragland, Dana Fletcher, Jeffrey  
14 Parker, and DeAndres Louis Woods. Some of  
15 these names you may not even know. Ironic,  
16 isn't it, that Huntsville law enforcement saw  
17 fit to respond to this outcry against such  
18 brutality with yet more brutality. The message  
19 sent and received; we have no fear of  
20 consequences. This is what we do. You must  
21 submit. We have the power. Violent tactics  
22 that would ordinary constitute war crimes under  
23 the Geneva Convention are used on our own



1 people with no remorse, no fear for  
2 administrative reprisals, and not a shadow of  
3 concern for the physical and emotional trauma  
4 that our citizens will carry.

5 I doubt that McMurray holds any empathy  
6 for the dozen of panic attacks I have  
7 personally experienced since my attendance at  
8 the June 1st and 3rd protests. I doubt that he  
9 holds any empathy for those who have had to  
10 seek intensive psychiatric treatment, including  
11 inpatient hospitalization, because of their  
12 experiences. I doubt he holds any concern for  
13 the medical bills or pain and suffering of  
14 those who will require treatment for their  
15 physical injuries. Some of them will require  
16 further treatment and surgeries. I doubt he  
17 cares for the arrestees who were denied medical  
18 care, who were humiliated and abused by his  
19 officers, who still are so afraid of  
20 retaliation that I can't use their names today.

21 Why do I doubt this? Because not once has  
22 Mark McMurray made even the most basic effort  
23 to apologize. Not once has he even suggested



1 that his choices those nights were in any way a  
2 mistake. He has chosen to double down on lies,  
3 propaganda, and fear to justify himself. He  
4 has no fear, while many of us are left  
5 trembling. McMurray would have you believe  
6 that the protesters' presence on June 1st and  
7 3rd were outside agitators. That they planned  
8 to be violent and start a riot.

9 Are first-aid kits violent? Is protective  
10 equipment like safety goggles and gloves  
11 violent? Do I, a soft spoken disabled woman,  
12 look violent to you? The only threat was from  
13 law enforcement who appeared in riot gear,  
14 holding bright orange rubber bullet guns, while  
15 we were armed with milk and paint respirators.

16 Our police force is supposed to serve us.  
17 Yet the dynamic and practice is clearly the  
18 other way around. Even you, the Huntsville  
19 Police Citizens Advisory Council, has three  
20 members chosen by McMurray. What kind of  
21 accountability is that? How is the public  
22 supposed to have any trust in the concept of  
23 justice when the corruption is so blatant, so



1 casual, and so careless?

2 So tell me, what will you do? Will you  
3 allow these actions to stand? Will you allow  
4 them to be repeated in the future? If you  
5 aren't in the pocket of the city government,  
6 who would rather cover up our sins with lies  
7 and platitudes, prove it. Show our law  
8 enforcement and the citizens of the city that  
9 there are lines, and that there are fair  
10 consequences for crossing those lines. Thank  
11 you.

12 MS. GUERRIERI: Thank you, Ms. Osborne.  
13 Our next speaker signed up is Ms. Becky Boggs.  
14 Not here? Let's go back up to the top of the  
15 list. Maybe one of these two people came in.  
16 Diana Isom, and Maurice Shingleton?

17 MAURICE SHINGLETON: Maurice Shingleton.

18 MS. GUERRIERI: Welcome.

19 MAURICE SHINGLETON: How y'all doing? I  
20 know it's supposed to be a five-minute  
21 interval, but I'm going to keep it short and  
22 sweet. It is August 12th. The actions that  
23 occurred happened June 1st and June 3rd, and



1 then continuously happened after that. Almost  
2 two months in and now we're having this  
3 meeting. Why? Why? Why did it take so long  
4 for us to continuously come up every week or  
5 every time the council had for public comments?  
6 Were you all here each time, or were you only  
7 here you were called to be? I ask that because  
8 I sit with almost everyone that speaks at  
9 protests, at these council meeting, and outside  
10 of what we do in our time together. But where  
11 are you? Thank you.

12 MS. GUERRIERI: Thank you,  
13 Mr. Shingleton. Our next speaker is Ms. Becky  
14 Boggs. Has Ms. Boggs come in? Rita  
15 Burkholder. Ms. Burkholder? Paige Martin?  
16 Ms. Martin? Russell Stanners? Lisa Gardener?  
17 Is Ms. Gardener here?

18 MR. LITTLE: You think there may be  
19 people outside?

20 MS. GUERRIERI: Okay. Kelly is going to  
21 look.

22 MR. LITTLE: I didn't know if they were  
23 calling folks in, in groups of ten or how they



1 were doing it.

2 MS. GUERRIERI: Chad Chavez? We'll  
3 pause for a moment and see if people are  
4 waiting outside and make sure they hear their  
5 names.

6 UNIDENTIFIED SPEAKER: Do we need to  
7 leave if we're already spoken to make room?

8 MR. LITTLE: Do they need to leave?

9 MS. GUERRIERI: That might be a wise  
10 idea. You can watch the -- I think it's  
11 broadcasted in the lobby.

12 MR. LITTLE: There's still a few down  
13 here.

14 UNIDENTIFIED SPEAKER: There's plenty of  
15 seats open right now.

16 MS. GUERRIERI: We have some right here.

17

18 (Inaudible.)

19

20 MS. GUERRIERI: Okay. I don't think so.  
21 Next on the list, we had Diana Isom and then we  
22 looked at Becky Boggs, Rita Burkholder, Paige  
23 Martin, Russell Stanners, Lisa Gardener, Chad



1 Chavez, Ellen -- I mean, Lee Ellenburg? Is  
2 that -- okay.

3 LEE ELLENBURG: That's me. And Lisa  
4 Gardener is in the bathroom.

5 MS. GUERRIERI: I wanted to make sure I  
6 didn't get out of order.

7 MR. LITTLE: Someone was in the  
8 bathroom.

9 MS. GUERRIERI: We'll catch up with them  
10 when they come back in. Okay. State your  
11 name, please.

12 LEE ELLENBURG: Lee Ellenburg.

13 MS. GUERRIERI: Welcome.

14 LEE ELLENBURG: Thank you. (Inaudible.)  
15 I'm sorry. I just got here and thought I would  
16 have a chance to at least sit down and think  
17 for a second. But yeah, you know, I appreciate  
18 the opportunity to address and kind of give my  
19 perspective. I did attend the Wednesday  
20 rally -- June 5th, I guess -- that ended in,  
21 what I feel like, was just kind of an  
22 overreaction by our police department. I guess  
23 I can give you, kind of, what I experienced. I



1 would be very interested in your questions as  
2 well. So I don't know if there's -- not in  
3 this case, but in some other like -- I would  
4 love to see that -- that -- that kind of  
5 facilitated by this committee, is kind of the  
6 questions towards us at some avenue. I think  
7 that could be useful.

8 But -- so from my perspective -- I  
9 attended the NAACP rally in Big Spring Park and  
10 was with several friends, and, you know, for  
11 the most part really enjoyed some of the  
12 speakers. There was a lot of, I think, really  
13 good speeches and some very challenging  
14 opinions and conversations that happened there  
15 that I thought were really productive. After  
16 that rally, I had proceeded to follow what I  
17 thought was pretty much the whole crowd. Maybe  
18 not everyone. But obviously, a very large  
19 majority of people walked up around -- into  
20 Fountain Circle right up here, and then on up  
21 into the square. Which I assumed we were  
22 rallying around the statue in front of Madison  
23 County Courthouse.





1 I can tell you my first experience. The  
2 first thing I remember and I will always  
3 remember is, as soon as I got to this circle, I  
4 looked over and all I saw was maybe 15, 20  
5 police in riot gear peering out through the  
6 parking garage. Not hidden. There. And it  
7 was -- immediately, I felt the tenor and  
8 everything in my body change. And it was like,  
9 oh, we -- I immediately didn't want them behind  
10 me. So I managed to make my way around to the  
11 other side of the courthouse. And I was just  
12 kind of being an observer. Like, that made me  
13 nervous. That was just like -- I had no idea  
14 that the protest time had changed. I had no  
15 idea that -- you know, I was literally part of  
16 the rally, and I walked up and I was part of  
17 this -- what I thought was just this kind of  
18 demonstration to say, hey, something has to  
19 change. We're upset. Someone needs to hear  
20 and listen. So as I was saying, I kind of  
21 moved around to the back of the courthouse just  
22 because I didn't want to be right next to riot  
23 police.



1           And when I say "riot police," I mean, full  
2 bodied armor, helmet, baton, shield. I've  
3 never seen that in Huntsville before. I've  
4 never seen anything like that in Huntsville  
5 before. I don't -- I don't -- I don't know  
6 that the best way to relieve tension or kind of  
7 help contain crowd control, but I'm pretty sure  
8 riot gear is the opposite of that -- you know,  
9 to relieve tension and to de-escalate. I don't  
10 know what the proper way to de-escalate is, but  
11 I'm pretty sure lining riot gear along the side  
12 of the road is not that answer.

13           So I was in -- I was -- again, across the  
14 back of the courthouse. And, you know, again,  
15 I was kind of more participating from a  
16 distance. And I remember a gentleman came and  
17 said, we really -- we need strength in numbers.  
18 We need -- we want people together so we can  
19 chant. We want to be -- we want to be loud and  
20 want to be heard, and that compelled me. It  
21 really did. It pulled my heart strings in a  
22 way that I can't really -- if I had my son with  
23 me, I might not have. I'm not going to lie. I



1 didn't -- I was by myself, and so I kind of had  
2 a feeling that things might not go exactly how  
3 I wanted them to go. But I felt this urge to  
4 just be a part. I wanted to be a part. I  
5 wanted -- I wanted to scream. I wanted to lay  
6 on the ground, and I wanted to say, like, this  
7 is something that we have to talk about.

8 There's a racist monument at the side of this  
9 courthouse that we have to talk about. Police  
10 brutality is something in the U.S. that we have  
11 to talk about. And I think this is a proper  
12 way to do it. I know my time's up.

13 MS. GUERRIERI: Thank you,  
14 Mr. Ellenburg. Your time is up. Thank you for  
15 coming tonight. He just reminded me, this  
16 might be time for a five-minute break while  
17 we're waiting for some people to speak. So  
18 we'll take a five-minute break, and we'll  
19 resume in five minutes.

20  
21 (At which time, a brief recess was  
22 taken.)  
23



1 MS. GUERRIERI: We'll call us back on  
2 order now. We'll resume the hearing. Is  
3 Ms. Diana Isom here? Becky Boggs? Rita  
4 Burkholder?

5 RITA BURKHOLDER: Here. Okay.

6 MS. GUERRIERI: Ms. Burkholder, before  
7 you begin, I noticed that you signed up twice?

8 RITA BURKHOLDER: I did.

9 MS. GUERRIERI: This is one, five-minute  
10 speaking session for each person. You are  
11 welcome to sign up to come back and speak again  
12 on the 28th.

13 RITA BURKHOLDER: Okay. If there are  
14 any spaces left available at the end, may I  
15 speak twice?

16 MS. GUERRIERI: You would have to check  
17 with who's monitoring that out there.

18 RITA BURKHOLDER: Okay.

19 MS. GUERRIERI: I'm not aware of that.

20 RITA BURKHOLDER: All right. They asked  
21 me to ask you.

22 MS. GUERRIERI: If you would just state  
23 your name, please.



1           RITA BURKHOLDER:  Yes.  My name is Rita  
2 Maya Burkholder.

3           MS. GUERRIERI:  Welcome.

4           RITA BURKHOLDER:  May I remove my mask  
5 to speak?

6           MS. GUERRIERI:  Yes.

7           RITA BURKHOLDER:  I also have physical  
8 objects that I wanted to council to see.  I  
9 don't know if it's possible to do that today or  
10 afterwards.  Today, the first thing I'm  
11 speaking on is projectiles that were used on  
12 June 3rd.  So I brought the actual physical  
13 projectiles that I collected in the streets  
14 after the event.  I also brought a protest  
15 poster that I found in the street.  I later  
16 located the owner of that poster to find that  
17 their narrative, their story was that they were  
18 sprayed at close range, within five feet, with  
19 pepper spray.  And I brought that as a physical  
20 item so you could see how covered the sign is.  
21 It seems excessive.  So if anyone wants to see  
22 these in person, I'm happy to hand them up.

23           The first thing that I want to talk about



1 is mid-range rubber bullets. These are the  
2 rubber bullets that were shot at protesters  
3 (indicating). And I called the manufacturer  
4 and did a lot of research on this, and I will  
5 be submitting this to you via online. However,  
6 these mid-range bullets are meant to be shot  
7 from 80 to 100 yards. In feet, that's 240 to  
8 300 feet. Many of these rounds were fired  
9 within 15 to 20 feet directly at protesters.  
10 Also, they are only to be used in large muscle  
11 groups -- from the abdomen, which is the belly  
12 button and below. You're to avoid head, neck,  
13 thorax -- I'm sorry. I'm nervous -- and chest  
14 in any way. There's photographic evidence and  
15 proof -- and medical proof that many protesters  
16 were actually shot above the abdomen -- as high  
17 as shoulders, which could have resulted in  
18 death when striking a heart or a lung or  
19 another major organ. So these were used  
20 inappropriately against the manufacturer's  
21 regulations. So this is one thing we're  
22 talking about.

23 CS canisters (indicating). This is a 40



1 millimeter CS gas canister. This was supposed  
2 to be shot in a range 80 to 100 yards, also 240  
3 to 300 feet. I watched video footage from  
4 another photographer that I've been working  
5 with that was on the other side of the park who  
6 saw as many as six canisters, in less than two  
7 minutes, fired off in a 20-foot range into the  
8 middle of protesters, which is an inappropriate  
9 use of this item. These are also incendiary  
10 devices and oftentimes can be an explosive or  
11 incendiary device. And it's listed even by the  
12 manufacture that it's -- the classification is  
13 an exploding bomb and not to be used in close  
14 range with protesters.

15       There is an unmarked canister  
16 (indicating). I'm not quite sure what this  
17 held, but all implements are required to be  
18 marked and tagged so as to be cataloged before  
19 use in the warehouse. And they must also have  
20 a marking on them when they're used so they can  
21 be logged or cataloged after -- in the event to  
22 be used as evidence. This is completely  
23 unmarked and a rather large projectile.



1           One of the things that was not noted,  
2 because we've really only been focusing on the  
3 Huntsville Police Department is the use of  
4 large rubber dome bullets (indicating). This  
5 was shot in a 25-foot range directly at a  
6 protester, striking him above the abdomen, in  
7 the chest like this (demonstrating). This  
8 could have caused severe organ damage or death.  
9 No one is talking about this. The sheriff's  
10 department fired these large dome rounds.

11           This is part of a rubber baton. No one  
12 has spoken about rubber batons. I found this  
13 in the street by the courthouse. I don't know  
14 if the police department or sheriff's  
15 department were using rubber batons, but these  
16 are very, very hard rubber. They're not  
17 malleable in any way.

18           And then there were many rounds from  
19 Lightfield, which are mid-range star rounds.  
20 They look like those funny little pink and  
21 orange toys that children have with spikes all  
22 over them, and they are fired out of a  
23 shotgun -- gauge, basically. A lot of these





1 rounds were fired, but the majority of the  
2 rounds that we found were mid-range rubber  
3 bullets. And in contrast to Chief McMurray's  
4 testimony, in one video footages watching  
5 after -- of shots just going from the  
6 courthouse in a 35-minute period from North  
7 Side Square as the Huntsville police and  
8 sheriff's department corralled and herded  
9 people down towards the Kaffeeklatsch, there  
10 were over 318 audible shots fired of  
11 less-than-lethal rounds.

12 Most of these were found on the west side  
13 of the courthouse, all the way down in front of  
14 the Kaffeeklatsch where they stopped and that  
15 terminated. And then, as you know, the  
16 Kaffeeklatsch had a broken window too, that I'm  
17 not allowed to speak on, other than to say I  
18 know that that was not done by a protester.

19 If anybody has any questions, I'd love to  
20 meet with you individually, answer or share  
21 footage that I have. There's not enough time  
22 here. But my biggest concern is that Chief  
23 McMurray allowed -- the sheriff as well -- to



1 just act indiscriminately in what they were  
2 firing at us. And I think that it's very  
3 neglectful and could've caused harm and death  
4 and reflected very poorly on the City of  
5 Huntsville. Thank you for your time.

6 MS. GUERRIERI: Ms. Burkholder, your  
7 time is up. Thank you very much for coming.  
8 Next on the list is Ms. Paige Martin.  
9 Ms. Martin here? Russell Stanners? Lisa  
10 Gardener?

11 LISA GARDENER: Here.

12 MS. GUERRIERI: If you'll state your  
13 name, please.

14 LISA GARDENER: May I take this off?

15 MS. GUERRIERI: Yes. Welcome.

16 LISA GARDENER: Thank you. Hi. My name  
17 is Lisa Gardener, and I was -- I attended the  
18 June 3rd rally and then protest. I met up with  
19 my friend Lee Ellenburg, who also attended and  
20 you just heard him speak. And I went because I  
21 was compelled to stand up and just speak out,  
22 be a body in the movement for -- of people who  
23 were just disgusted by the lack of



1 de-escalation tactics by police around the  
2 country that caused the death of -- the deaths  
3 of many people unnecessarily. And  
4 particularly, black and minority people. I  
5 also -- yeah. I -- so I was there. I  
6 attended. I attended the rally. I thought  
7 that the rally was a wonderful -- there was a  
8 real great feeling in the rally. A feeling of  
9 closeness and feeling of camaraderie and  
10 people -- it was just packed with people.

11 And after the rally was done, I went with  
12 the group of other people who had been  
13 attending the rally and followed people up and  
14 around to Fountain Circle. And then up to the  
15 square where there were protests. And as soon  
16 as we got up there, as Lee had stated, you  
17 know, we could see that -- the officers dressed  
18 in riot gear, and we could see other officers  
19 ready with -- bulked out with all kinds of  
20 gear, which was definitely something that  
21 changes your perception and your feeling of  
22 going and just protesting a thing that has  
23 happened, peacefully and feeling peaceful about



1 it, feeling okay, feeling calm, and -- versus,  
2 like, a heightened awareness of -- of what  
3 could happen. And it definitely did not feel  
4 that the Huntsville City police were doing what  
5 they could to de-escalate and just maintain and  
6 do what they were there for, which was to  
7 protect citizens and just make sure that the  
8 citizens who were protesting and protesting  
9 peacefully -- they were Huntsville citizens.  
10 Because I know that there was some claim in the  
11 news that people were just bussed in from --  
12 but I saw lots of people that I knew there. A  
13 lot of people. And -- I apologize.

14 I stayed in downtown during the protest  
15 right up until before the two groups -- or  
16 right as the two groups were coming together.  
17 And at that time, I chose to leave because I  
18 felt that the police officers were being --  
19 were -- they were being very aggressive. And I  
20 know that there's a difference between people  
21 who are protesting and the officers who are  
22 there, as far as aggression is concerned. And  
23 I could hear that they were going to start



1 acting.

2 I want to hopefully make a -- I would like  
3 to say that I did not feel or see any  
4 protesters acting in any way that was  
5 aggressive towards officers or warranting of  
6 any kind of action from the police. The police  
7 should've just been there, been standing by,  
8 regardless of the time because it is our 1st  
9 Amendment right to protest. It doesn't matter  
10 how long we're protesting. We could've  
11 protested until midnight, and they did not have  
12 the right -- they really didn't have the right  
13 to be shooting tear gas, shooting rubber  
14 bullets, shooting anything at anybody because  
15 there was no rioting. Thank you. I'm done.

16 MS. GUERRIERI: Thank you, Ms. Gardener.  
17 Mr. Chad Chavez? If you'll state your name for  
18 us.

19 CHAD CHAVEZ: Yes. My name is Chad  
20 Chavez.

21 MS. GUERRIERI: Welcome.

22 CHAD CHAVEZ: First of all, I want to  
23 thank you for holding a public forum. I have



1 been critical of the HPCAC and the opaqueness  
2 of the group recently. I spoke at the city  
3 council meetings and talked about how hard it  
4 was to really understand what the process was  
5 here. And so I appreciate you guys are holding  
6 a public forum.

7 I wanted to speak today because of the  
8 efforts that I believe Chief McMurray has taken  
9 to dampen the safety of citizens expressing  
10 their 1st Amendment rights in Huntsville. On  
11 6/1, I saw use of force against the protesters,  
12 and I decided that I was going to come to the  
13 NAACP rally on 6/3. Prior to coming to that, I  
14 sat down with my fiancé, who also wanted to  
15 come, and expressed to her that because of the  
16 force that we saw at the first one, I was going  
17 to go out and buy safety goggles, which I did.  
18 I explained -- because she didn't want to wear  
19 a pair. I said, if the police started using  
20 force against us, that we -- that she would  
21 have to get behind me. The projectiles that  
22 they use can easily blind people. They can  
23 kill people -- especially at the ranges that



1 they would go on to use them on that night. So  
2 we had that discussion before we went to a  
3 protest. A first for any protest I've ever  
4 been to in Huntsville or bigger cities  
5 anywhere.

6 Once we came to the NAACP rally, the rally  
7 itself was very peaceful, very great. The mood  
8 was very positive, and I saw a lot of friends,  
9 coworkers, and people from the community that I  
10 knew. This was despite rumors that had been  
11 spread by former Huntsville Police Department  
12 employees online about violence coming in.  
13 There's a lawyer that works in downtown that  
14 used to be a Huntsville Police Department  
15 employee who said that he had heard from other  
16 people on the force that ANTIFA people were  
17 being bussed in.

18 I reached out to the mayor immediately to  
19 find out if that was true because, again, we  
20 were worried about our safety in town. After  
21 the protests, there was some obvious -- or  
22 after the NAACP protest in the park, there was  
23 obvious confusion because of a very late time



1 change that had occurred. Chief McMurray ended  
2 up saying that it was because of these threats  
3 that they changed the time that we were allowed  
4 to exercise our rights, despite the fact that  
5 they still blocked off the square. The effect  
6 that this ended up having was creating  
7 confusion for the people at the rally who then  
8 came up to see a display of force I've never  
9 seen at a protest. People have spoken to you  
10 about the riots, cops waiting, staring us down  
11 from the parking decks with snipers looking  
12 down on us. We had drones flying above us and  
13 cops staring us down as we marched around the  
14 square. Since that was part of the original  
15 scheduled time, everyone believed that they  
16 were still well within their rights, and that's  
17 why they were resistant when they wanted to  
18 disperse them again.

19 After -- after they ended up attacking the  
20 protesters -- so I should say that we left  
21 before they ended up attacking protesters. We  
22 saw some police jump out of their cars shaking  
23 pepper spray canisters well before they asked





1 people to disperse , and we were worried and so  
2 we went ahead and left. But that was -- again,  
3 the force present just makes for a scary  
4 environment when you exercise your 1st  
5 Amendment rights in Huntsville now.

6 Then McMurray came -- Chief McMurray came  
7 to speak to justify why he did it. In doing  
8 so, he used tweets from people that have never  
9 been to Huntsville or are, frankly, joke  
10 accounts that tweet humorous things. And by  
11 clipping out the context of their jokes,  
12 implied that they were people coming from out  
13 of town to inflict violence. He used people  
14 communicating with -- he used tweets where  
15 people communicated with journalists to imply  
16 that they were telling the reporters that they  
17 were going to inflict violence here. And he  
18 implied that people that never even showed up  
19 to protest, but had complained about the  
20 Huntsville Police Department online, were  
21 leading ANTIFA members.

22 All of this is really just designed to  
23 make people afraid to call for police



1 accountability, and so that's why I reached out  
2 to HPCAC to ask, you know, what options do  
3 citizens have that's not just being attacked?  
4 What -- what -- what chance do we have to  
5 express our frustrations that isn't going to  
6 result in more violence inflicted upon our  
7 friends and our coworkers and our family?  
8 Thank you.

9 MS. GUERRIERI: Thank you Mr. Chavez.  
10 Russell Stanners?

11 RUSSELL STANNERS: Paige Martin had the  
12 time before me.

13 MS. GUERRIERI: Oh, I'm sorry, Paige.  
14 If you'll state your name, please?

15 PAIGE MARTIN: I'm sorry?

16 MS. GUERRIERI: Please state your name.

17 PAIGE MARTIN: It's Paige Martin.

18 MS. GUERRIERI: Welcome.

19 PAIGE MARTIN: I'm sorry.

20 MS. GUERRIERI: Hold on a minute,  
21 Ms. Martin. Let me reset your time. Are you  
22 ready to speak?

23 PAIGE MARTIN: I am hear to talk about



1 the June 1st and June 3rd protest and the  
2 excessive use of force by Huntsville Police  
3 Department. The citizens of Huntsville and  
4 Madison County are not going to tolerate the  
5 kind of reckless leadership and actions taken  
6 against peaceful protesters. I submitted a  
7 report about my nephews who were both pepper  
8 sprayed by one of the officers here at close  
9 range. My youngest nephew, who is 18, was  
10 manhandled by the police officer and grabbed up  
11 at chest level by the shirt so the officer  
12 could pin him in place and violently spray him  
13 from up close, so as to inflict damage on him.  
14 I have a picture of him that is not very clear,  
15 and I'll pass it around. But I did send these  
16 to one of your panels. So I have that. And  
17 then this is supposedly the officer that did  
18 that to him and my older nephew also.

19 His father, my first nephew, yelled at the  
20 officer, as any sane parent would do if their  
21 child is being violated, and the officer turned  
22 his pepper spray on him as well. I later  
23 learned from many supporting documents and



1 military specialists that pepper spray should  
2 only be used to disperse a crowd -- not to  
3 punish or inflict harm on someone. I also told  
4 that -- I was also told that a person should  
5 not be touched at all when using pepper spray.  
6 My pictures are not great, but I am happy, like  
7 I said, to pass them around if you want to look  
8 at them. The two that I have are from a video  
9 taken of the entire incident. It's about a  
10 30-minute video, and I have access to that too  
11 if you guys don't have it yet.

12 You may be wondering, as most apologists  
13 do, when police officers cause harm to  
14 citizens, what these two people did to deserve  
15 to get pepper sprayed? Usually people say they  
16 things like, they must be drug dealers or they  
17 had a gun on them, passed a counterfeit bill,  
18 sat in their van in a parking lot with their  
19 family, had a mental health crisis in public,  
20 walked the wrong direction on the road,  
21 jaywalked, looked at somebody the wrong way,  
22 lay sleeping while black, fell asleep in the  
23 drive-thru at McDonald's while black, walked



1 down the street to the local store for Skittles  
2 and a drink while black, and various other  
3 nefarious crimes.

4 But on this particular evening, these two,  
5 father and son, had been out at the protest  
6 drumming up support against police brutality  
7 which is happening across the nation, as they  
8 are two of the most avid supporters of Black  
9 Lives Matter. The oldest has actually taught  
10 me very much about standing up for what  
11 matters. He has been an inspiration to our  
12 family and to me, and he always stays in his  
13 integrity when it comes to doing the right  
14 thing, and he's teaching his son the same  
15 thing. It may not look like it to those of you  
16 who put on their Sunday best once a week and  
17 stroll around the city with all the best  
18 paychecks and all the best amenities only  
19 affordable to the wealthy of this city, but  
20 people like my nephews are hard to find. I  
21 respect them. I honor them, and I cherish  
22 them. They were engaged in their  
23 Constitutional right, as every U.S. citizen is,



1 to protest things that they find abhorrent in  
2 government. They had said no disrespectful  
3 words to the officers. They had not been  
4 involved in any rioting, cursing, property  
5 damage, assault, or any other remotely --  
6 anything remotely resembling a crime.

7 My youngest nephew stated that they were  
8 leaving the area as directed, walking  
9 downstairs. Should we add that to the list of  
10 things that officers find offensive? Was their  
11 hair too long? Maybe they didn't like their  
12 t-shirt or whatever? I just don't know. But  
13 if our money in Huntsville goes for allowing an  
14 officer to beat up on its citizens for personal  
15 taste differences, I say refund the money and  
16 send it elsewhere. These officers, the  
17 sheriff, the mayor, the state troopers, and  
18 most especially, the chief of police, do not  
19 deserve their jobs, and we, the people, demand  
20 that they be replaced with compassionate  
21 leaders who truly serve and protect this  
22 community.

23 One other photo that I want to show you is



1 of a Portland protester who was shot in the  
2 head by a federal agent. This was in Portland,  
3 and whoever used the rubber bullets -- nobody's  
4 really owning up to it here in Huntsville. But  
5 whoever used them here in Huntsville, this is  
6 the type of damage that a rubber bullet does to  
7 you. It is -- it has a metal inside. It's  
8 actually -- right around the outside, it's  
9 about this long (indicating), and it has metal  
10 on the inside, and it's about a half-inch in  
11 diameter and almost two inches long. So  
12 that's --

13 MS. GUERRIERI: Ma'am, your time is up.

14 PAIGE MARTIN: Thank you.

15 MS. GUERRIERI: Thank you for coming.

16 Next speaker, Mr. Russell Stanners?

17 RUSSELL STANNERS: I would've been here  
18 sooner, but I was actually participating in a  
19 daily vigil that we hold downtown on Clinton  
20 and Washington.

21 MS. GUERRIERI: Sir, could you state  
22 your name?

23 RUSSELL STANNERS: Oh, Russell Stanners.



1 Sorry. I figured since you said it -- at one  
2 point, you know, a lot of friends told me --  
3 said, don't come in here upset, don't come in  
4 here angry because, you know, they're really  
5 trying to do something. So I got that all out  
6 here. You do actually have my statements  
7 written and they've been sent in. And so that  
8 -- you know, the details of what has occurred,  
9 you have on record.

10 I have been at every single protest that  
11 has occurred in this city. The only two that  
12 had any instance were when the local law  
13 enforcement came out with a show of force.  
14 That's it. There has never been another  
15 incident. There's never been another issue  
16 except those two evenings. What is the common  
17 denominator of those two evenings? That show  
18 of force, that use of intimidation. Because  
19 ultimately, what you're looking at here is,  
20 you're asking, do you want a police force to be  
21 empowered with capabilities to inflict harm,  
22 possible death, depending on where one of  
23 these, you know, bullets hits somebody, over





1 what, in essence, is a misdemeanor. A  
2 misdemeanor. That's it. This is a  
3 misdemeanor. Okay? Not a single person up  
4 there committed a felony. They didn't do  
5 anything. And even by Chief McMurray's own  
6 words, it was preemptive. I mean, I ultimately  
7 liken it to going up on the square any time  
8 during the day and you find somebody with an  
9 expired parking meter. Sure, they'll get a  
10 ticket. Well, chances are, they're probably  
11 going to speed when they go home. So -- well,  
12 we're not going issue this ticket. We're going  
13 to go ahead and slash their tires because if  
14 their tires are slashed, they can't drive home  
15 and speed and hurt anybody. Well, you know  
16 what, while we're at it, everybody else in the  
17 square is likely going to speed when they go  
18 home or go some place else. Well, let's go  
19 ahead and slash all their tires too. I mean,  
20 this sounds absolutely ridiculous, and I'm just  
21 talking about this with inanimate objects.  
22 What we're talking about actually happened to  
23 citizens of this community. Every single



1 person who was arrested on a misdemeanor were  
2 from here.

3 When I saw chief McMurray's explanations  
4 of what happened, I mean, I was in shock.  
5 Because if it would've been an actual class  
6 that he was taking, you know, on judicial  
7 actions and things like that, that teacher  
8 would've laughed him out of the room. I mean,  
9 the research was shoddy. Everything about it  
10 was awful. If I was Mr. Shapiro -- there's  
11 probably lawyers lined up right now to take his  
12 case for, you know, the defamation that was  
13 used against him. And I make this point  
14 because, this right here (indicating), this  
15 came from the Woody Anderson -- I'm sorry. Not  
16 Woody Anderson. Sorry. Woody Guthrie Center  
17 in Tulsa. It says, this machine kills  
18 fascists. Okay. Am I ANTIFA for wearing this?  
19 Well, of course. I'm against fascism, but that  
20 doesn't mean I'm a violent agitator. I wear my  
21 Black Lives Matter pin here. Does it mean I'm  
22 an agitator or I'm angry or I'm going to hurt  
23 somebody because of it? No. I love and want



1 to protect people. That's ultimately why I was  
2 there for the two major protests, and it proved  
3 to be a positive note. Because when all was  
4 said and done and everything wound down, there  
5 was a young group of kids that were standing on  
6 the corner near the Russell Erskine -- bright  
7 daylight there. The whole marquee, everything  
8 lit up. Some young officer comes over to our  
9 corner from Spragins and starts yelling, drop  
10 the stick, drop the stick, drop the stick. And  
11 he's reaching down to his side where his pepper  
12 spray, taser, or gun are. Don't know which one  
13 he's reaching for. But this young kid didn't  
14 realize he still had the stick that his protest  
15 sign was in. And his little friend told him,  
16 the stick in your hand. He dropped it like it  
17 was hot. It's like he didn't even know it was  
18 there. And this young officer was still  
19 bearing down on him looking to do damage. That  
20 look in the eye, I know what that look is.

21 I basically told him, it's done. It's  
22 over. Go. Get in your car. Leave. This  
23 isn't happening here. Because there were old



1 people sitting right there. He had no care in  
2 the world about the environment he was in and  
3 what type of trauma he was going to cause to  
4 all those people. That's why I'm here  
5 speaking.

6 I don't even want to mention the fact that  
7 I saw the entire group of that lot as they  
8 left, stopped under that same marquee, laughing  
9 and back-slapping each other afterwards. I  
10 witnessed that. That was so disgusting to see  
11 that they seem to be happy. Like they were out  
12 just playing a sport and they won the big game.  
13 I mean, it was gross. That's why I have so  
14 much angry words written here, because that  
15 isn't the city I believed I lived in.

16 I'm 46. I've been here all my life. I  
17 don't want that to be what my city is about.  
18 That's why I need you to do something about  
19 that. Are we law and order, or are we protect  
20 and serve? One serves power. The other serves  
21 the people. So which one are we? And that's  
22 what I'm hoping you will finally do, is define  
23 that. Is our police force for the citizens or



1 for the power of the City?

2 MS. GUERRIERI: Thank you for coming.  
3 Next we have Bob Baccus. If you'll state your  
4 name, sir?

5 BOB BACCUS: My name is Bob Baccus.

6 MS. GUERRIERI: Welcome.

7 BOB BACCUS: My wife and I have lived  
8 here in Huntsville since 1970. Thank you for  
9 allowing me to speak to you tonight. I've had  
10 an interest in our Huntsville Police Department  
11 for a long time. Mainly because I've taught a  
12 number of the officers of our Huntsville Police  
13 Department. I was band director at Lee High  
14 School where I taught Chief Compton Owens,  
15 Detective Dwight Ray Steed, attorney Pat Moore,  
16 and -- just to name a few. And I also came to  
17 know Rex Reynolds, who later became police  
18 chief, when he would visit the band room during  
19 the morning before school.

20 At one time, there were six officers on  
21 our police department who were former members  
22 of the Lee High School band. I'm also a member  
23 of the Sons of American Revolution, and our



1 organization gives awards each year to  
2 deserving officers of our police department,  
3 our fire department, our sheriff's deputies and  
4 the first responders for outstanding service.  
5 I have known Chief McMurray for a number of  
6 years, as he has attended our presentation  
7 ceremonies where we recognize these  
8 distinguished officers.

9 In the recent demonstration where police  
10 officers, sheriff's deputies, and other  
11 personnel were protecting our city, the  
12 demonstrators were given an ample opportunity  
13 to express their views. They were given an  
14 ample opportunity to disperse also. It was  
15 evident they wanted a confrontation. They were  
16 not satisfied with expressing their view and  
17 then leaving. They wanted a confrontation.  
18 They deliberately disobeyed the police  
19 department instructions. Chief McMurray should  
20 be commended for his handling of the situation,  
21 his explaining the actions the next day, and  
22 the more detailed report to the city council a  
23 few days later.



1 All of this was well received by the  
2 residents in my neighborhood and by the vast  
3 majority of Huntsville people that I come in  
4 contact with. We should be thankful we have  
5 Chief McMurray, his staff of assistants, and  
6 Mayor Battle. I support Mayor Battle, Chief  
7 McMurray, and the Huntsville Police Department  
8 one hundred percent. Thank you for allowing me  
9 this time.

10 MS. GUERRIERI: Thank you Mr. Baccus.  
11 Thank you for coming. Next on our list is  
12 Aaron Byers.

13 ARRON BYERS: Hello. My name is Aaron  
14 Byers. I live --

15 MS. GUERRIERI: Welcome.

16 AARON BYERS: -- at 23 -- thank you,  
17 ma'am. I live at [REDACTED]. I've been  
18 a resident of Huntsville for 29 years and  
19 attended the protest this summer because I've  
20 witnessed racial bias against friends of  
21 mine -- by the Huntsville Police Department --  
22 firsthand while I've lived here. There have  
23 been many citizens that have addressed a number



1 of different injustices that occurred during  
2 the protests in June. But I'm here to speak  
3 about an issue that I haven't heard get much  
4 coverage, and that is HPD's use of unmanned  
5 aerial vehicles -- or commonly referred to as  
6 drones.

7 I attended the protest of June 1st, 3rd,  
8 and 5th, and a number of smaller protests that  
9 have occurred since then. At every protest, I  
10 have witnessed between one and three drones  
11 flying directly over large crowds during  
12 twilight hours. And one instance, they were  
13 flying over Sunday afternoon -- flying on  
14 Sunday afternoon over families that were  
15 picnicking in the park with no protests around.  
16 I believe that drones provide valuable  
17 intelligence that was actually actual, compared  
18 with the online rumors that HPD accepted as  
19 fact.

20 While using drones, the HPD was able to  
21 effectively identify individuals in the crowd  
22 who possessed firearms and posed a threat to  
23 protesters and officers alike. Because of





1 this, I believe the drones are a valuable tool  
2 in effective law enforcement activities, but  
3 they should be used sparingly in order to  
4 protect citizens' privacy in a safe manner that  
5 is in accordance with the law.

6 I'm sorry. I lost my place. While using  
7 drones, HPD was able -- I'm sorry. Because of  
8 this -- my bad. Little nervous. I'm not used  
9 to being on camera. It's disturbing to me that  
10 HPD is not currently operating the drones in a  
11 safe manner that is within the bounds of the  
12 law that they are charged -- them for. Because  
13 drones are emerging technology, the Federal  
14 Aviation Administration tightly regulates who  
15 is able to fly drones during dangerous  
16 conditions, such as flying over crowds and  
17 during twilight hours. The FAA Part 107 Code  
18 clearly states that no individual, commercial,  
19 or civil entity, including law enforcement, is  
20 allowed to fly drones over crowds during  
21 twilight hours without first obtaining what's  
22 known as a Part 107 waiver.

23 In order to obtain a Part 107 waiver,



1 organizations must undergo proper training,  
2 provide evidence to the FAA that their  
3 equipment is adequate, and take a test proving  
4 that their operators are properly trained and  
5 understand the FAA's rules and regulations  
6 before they're allowed to fly during dangerous  
7 conditions. The FAA maintains a database of  
8 more than 5,000 organizations that have  
9 obtained a Part 107 waiver. As of August 12th,  
10 HPD, Madison Police Department, and the Madison  
11 County Sheriff's do not possess the proper Part  
12 107 waiver. Therefore, every instance -- and  
13 I've personally witnessed more than a dozen  
14 violations where HPD has illegally flown drones  
15 over crowds and during twilight hours -- is a  
16 violation of this law. Per the FAA's website,  
17 failure to register a UAV in accordance with  
18 these rules may result in regulatory and  
19 criminal sanctions. The FAA may assess civil  
20 penalties up to \$32,000. Criminal penalties  
21 include a fine of \$250,000 and/or imprisonment  
22 of up to three years.

23 A dozen violations at \$32,000 apiece adds



1 up to approximately \$400,000 in those fines.  
2 This law is not a mere technicality. It's  
3 critically important to averting potentially  
4 life-threatening injuries. Drones are able to  
5 fall out of the sky. Especially considering  
6 these devices can weigh up to 55 pounds, and  
7 blades that spin up to 8,000 rotations per  
8 minute.

9 In conclusion, I would like to thank the  
10 Citizens Advisory Council for allowing me to  
11 bring those violations to their attention and  
12 request that HPD immediately suspend the use of  
13 drones until they can operate them in a safe  
14 and lawful manner. Thank you. I yield the  
15 rest of my time.

16 MS. GUERRIERI: Thank you, Mr. Byers,  
17 for coming. The next speaker is Ava Caldwell.  
18 If you'll state your name for us, please.

19 AVA CALDWELL: Yes. My name is Ava  
20 Caldwell.

21 MS. GUERRIERI: Welcome.

22 AVA CALDWELL: I'm going to talk to you  
23 a little bit about the June 3rd protest, which



1 I attended. Thank you for letting us speak in  
2 front of you today. And before I get into,  
3 kind of, the protest stuff, what I've heard in  
4 general from some people who weren't at the  
5 protest event or maybe have good relationships  
6 with police officers, there seems to be an  
7 inability of separating you and your own  
8 personal interactions with people from what  
9 other people may actually deal with. So  
10 it's -- also has to do with empathy and ability  
11 to understand something that, while it doesn't  
12 affect you personally or isn't what you've  
13 experienced, that you could also understand  
14 that might not be the experience of other  
15 people. That is absolutely necessary to even  
16 -- to do the job that you all are trying to do  
17 here today. I just wanted to bring that up.

18 So you've all heard a lot about what  
19 actually happened at the protest events, and  
20 then there's what Chief McMurray said after the  
21 protests events. You know, we heard a lot  
22 about outside agitators, and, you know, this is  
23 the reason they were going to take all this



1 action. And they had all this intel on it.  
2 But in the same presentation that Chief  
3 McMurray gave, he said that, well, we wouldn't  
4 warn anybody ahead of time because we were  
5 still getting information. And Mayor Battles  
6 spoke at the rally right before we all walked  
7 up the steps. And again, he said these were  
8 outside people, not the same people. He said  
9 that multiple times at the NAACP rally to the  
10 people up on the square, which is absolutely  
11 not true. And in fact, I have a video -- which  
12 I will submit -- where I literally stood at the  
13 top of the stairs as hundreds and hundreds of  
14 people walked by up onto the courthouse square.

15 So when we all walked up onto the square  
16 that day, there were dozens of police officers  
17 surrounding the courthouse, and eventually, a  
18 row of police officers in riot gear. There  
19 were also some, like, plain clothes police  
20 officers. And I'm not talking about ones that  
21 were just mingling within the crowd. I'm  
22 talking about standing up on the courthouse in  
23 jeans and shirts with protective gear on, which



1 I found concerning, and would like the council  
2 to look into as well. People aren't doing  
3 anything illegal at this point. They were  
4 yelling. They were screaming. Some saying bad  
5 words and stuff. Nothing really -- nothing  
6 illegal. But the agitation just continued.

7       There was never a moment where any police  
8 officer or the sheriff or anybody came to  
9 actually try to speak to anyone in the crowd.  
10 You know, they talk about how they were trained  
11 in trying to de-escalate situations. There was  
12 nothing done to de-escalate this situation.  
13 There was yelling at people and standing in a  
14 row armed. And this is as we walked up. This  
15 wasn't like they got some kind of -- you know,  
16 somebody was doing something bad and they  
17 showed up. This is like, they were just  
18 standing there like that, and I was in shock.  
19 At the number of protest events I've been to in  
20 Huntsville, I have never seen anything like it.  
21 I believe the police postured themselves, and  
22 they fully intended on things going the way  
23 they did that day. I watched the police



1 officers from a distance in the street. I  
2 didn't stand right up in front of the riot  
3 cops. And they seemed intent on dispersing  
4 their aggression. I waited near the steps down  
5 into the park.

6 As the first canisters were unleashed on  
7 our fellow citizens, I walked down into the  
8 park. It sounded terrifying, and they --  
9 something went off that sounded like a bomb. I  
10 have video of the sound of it as I was standing  
11 in the park. I just yelled out, what was that?  
12 I saw the aftermath from my friends, some  
13 people with physical injuries, and PTSD. Even  
14 though I wasn't right in the middle of it, I  
15 felt physically sick for a couple of days  
16 afterwards, because unless you're there and  
17 understand what it feels -- to be surrounded  
18 like that when you aren't doing anything wrong,  
19 it's hard to understand how everybody felt.

20 The chief added insult to injury when he  
21 came before the council and gave his  
22 presentation on the investigation and proof  
23 that he had that led to his decisions. I think



1 it's your job as the HPCAC to listen back to  
2 Chief McMurray's presentation and compare it to  
3 facts and common sense. For example, would  
4 someone who has done a good job investigating  
5 ahead of time and said they needed to take  
6 those actions, would they show a picture of a  
7 local citizen who wasn't even at the protest,  
8 claims he's ANTIFA, and then say that is one of  
9 the reasons that police unleashed on citizens?  
10 I would personally be fired from my job if I  
11 made such outlandish and foolish claims. It is  
12 more likely the police chief made horrible  
13 decisions that night, and then after the fact,  
14 came back and tried to justify his actions.  
15 And what's sad is that this is the best that he  
16 could do.

17 My contention is that the police chief set  
18 up -- set this up to be a message to  
19 protesters. You will not be tolerated. Your  
20 views aren't ours. We will stand and protect  
21 this building and this racist monument. We  
22 won't even attempt to walk in the crowd and  
23 talk with you to try to diffuse the situation





1 and understand anything about why you're even  
2 here. We are not with you. We aren't here to  
3 protect you. We are against you. Thank you.

4 MS. GUERRIERI: Ma'am, your time is up.  
5 Thank you for coming. Our next speaker is  
6 Blake Enfinger. If you'll state your name,  
7 please.

8 BLAKE ENFINGER: Yes, ma'am. Hey.  
9 Blake Enfinger. [REDACTED].

10 MS. GUERRIERI: Welcome.

11 BLAKE ENFINGER: Yeah. So I'll start in  
12 just a minute. Before I did, I kind of wanted  
13 to ask a question -- which a lot of it comes  
14 down to, I don't really understand why the CEAC  
15 even needs any kind of video submitted. Seems  
16 in a lot of ways, like a responsible check for  
17 police brutality should just be to look at the  
18 body camera footage and go through and find all  
19 the officers who brutalized their citizens in a  
20 lot of ways. We should be handing out  
21 reprimands in a lot of way, and for McMurray,  
22 that includes him as well.

23 But the next kind of question is: How do



1 I know that brutality occurred? Well, there's  
2 plenty of evidence out there, and videos.  
3 There's plenty on Facebook. Heck, our local  
4 news got maced in all of the, you know,  
5 indiscriminate violence going on. So outside  
6 of that, why are we not really pushing for a  
7 process to take a good look through and review  
8 each and every individual officer and their  
9 actions that day to go through and see who  
10 acted responsibly and who acted  
11 irresponsibility? That's one way to clean out  
12 some bad apples.

13 Outside of that, I also know all this  
14 because I was there that night. I was out --  
15 you can check with drone that followed me on  
16 down Spragins Street at 8:15 that night.  
17 Spragins Street was abandoned. It followed me  
18 on out to my car. At a time where governmental  
19 trust is kind of fracturing, I find that a  
20 little bit disturbing.

21 But that's a personal annoyance. I'm here  
22 to talk about some grievances that I have. So  
23 I'll start with my top three grievances. So



1 the first one is the picture of a teen that you  
2 see with -- a calf with a rubber bullet  
3 rupture. Why has that not been addressed?  
4 What about the citizens reporting to the ER  
5 with, you know, little dislodged rubber bullets  
6 and the next one to them? Outside of that,  
7 what about all the panic attacks, asthma, other  
8 things that we saw out there? I had to treat  
9 some asthma patients. I left my pack behind  
10 with some medics because, yeah, police were  
11 clearly going wild, and I wasn't trying to get  
12 arrested that night.

13 But I'm mostly just trying to give context  
14 in case anybody thinks that I'm being  
15 hysterical in a lot of ways, because those are  
16 real damages and real incidents and  
17 medically-defined harms applied to our citizens  
18 that day -- as far as asthma attacks, panic  
19 attacks, emotional distress. And I think that  
20 everybody in our city should be taking that  
21 seriously.

22 Let's move on to number four. Why are we  
23 the only city in Alabama that saw this type of



1 crowd dispersal? It's pretty self-explanatory.  
2 Of course, when faced with crowds in the  
3 street, they were chanting, I don't see a riot  
4 here. Why are you in riot gear? Our police  
5 officers put us down using rubber bullets and  
6 tear gas. Florence didn't. Hoover didn't use  
7 rubber bullets or tear gas. Birmingham didn't  
8 use rubber bullets or tear gas. Montgomery  
9 didn't use rubber bullets or tear gas. Mobile  
10 didn't use rubber bullets or tear gas. Why is  
11 Huntsville, the star of Alabama, the only city  
12 in Alabama to use rubber bullets and tear gas  
13 in the dispersal of their citizens?

14 Five, McMurray's lies and incompetence.  
15 So let's do a basic logic test. Take a man,  
16 take a gun, and take him having bad intentions.  
17 You're charged to keep the police, and you spot  
18 him in a crowd of protesters. If he does have  
19 the bad intentions that you are assuming that  
20 he has, the prime moment for him to act on  
21 those bad intentions are a moment of sheer  
22 chaos where you've got people moving  
23 everywhere. You can't track any individual in



1 the crowd, and you've got tear gas providing  
2 mass smoke screens for everybody, and everybody  
3 is just bailing out. I honestly can't believe  
4 the level of complete irresponsibility to use  
5 that as a justification to disperse a crowd.  
6 Either he's lying, or it is complete negligence  
7 and irresponsibility from our officers. And  
8 McMurray has not faced a single reprimand or  
9 had any kind of, you know, thing, other than  
10 he's doing a good job told to him.

11 So I say all that not to necessarily -- I  
12 don't own a gun, as a disclaimer. I am nothing  
13 but peaceful. I'm a pharmacist, for God's  
14 sake. But I do have to point out an instance.  
15 I guess we can take away a slight silver lining  
16 from the incident of, our people were -- you  
17 know, a lot more people that our police showed  
18 -- and I just thank God that the people that we  
19 saw in the crowd with the guns didn't have the  
20 same violent intentions that our police  
21 department displayed that night.

22 So I'll end by saying, you know --  
23 recounting my grievances real quick. I'm



1 pretty tired of seeing unaddressed images of  
2 rupture wounds. I'm pretty tired of seeing  
3 unaddressed images of bullet plugs being pulled  
4 out of people. I'm tired of all of our  
5 citizens who are attacked, being treated like  
6 they were rioters and thugs out there trying to  
7 disrupt our community. I was out there. I'm  
8 sorry if that jacket made me look intimidating.  
9 I don't think that I normally do, but whatever  
10 y'all want to draw from that. But --

11 MS. GUERRIERI: Mr. Enfinger, your time  
12 is up.

13 BLAKE ENFINGER: All right.

14 MS. GUERRIERI: Thank you for coming  
15 tonight.

16 BLAKE ENFINGER. Fire McMurray. Thank  
17 you.

18 MS. GUERRIERI: Mr. Josh Roberts? Let's  
19 go back through the list. Diana Isom?

20 UNIDENTIFIED SPEAKER: Diana is not  
21 coming.

22 MS. GUERRIERI: We don't have any more  
23 on the list that haven't spoken, do we?



1 Council?

2 MR. LOVE: Boggs?

3 MS. GUERRIERI: Okay. Hold on.

4 UNIDENTIFIED SPEAKER: I signed up at  
5 the door.

6 MS. GUERRIERI: Oh, okay.

7

8 (Inaudible speaking in crowd.)

9

10 MR. SHARMAN: We have Gillmore,  
11 Ms. Boggs?

12 MS. GUERRIERI: Did you sign up for --

13 UNIDENTIFIED SPEAKER: Can I sign up for  
14 one of the extra slots?

15 MR. SHARMAN: Probably. Let's try to  
16 get these folks.

17 UNIDENTIFIED SPEAKER: It's really  
18 short, actually.

19 MR. SHARMAN: You want to call  
20 Mr. Gillmore?

21 MS. GUERRIERI: Yes.

22 DEAN GILLMORE: Hello.

23 MS. GUERRIERI: State your name, please,



1 and would you mind spelling your last name for  
2 the court reporter?

3 DEAN GILLMORE: My name is Dean  
4 Gillmore, D-E-A-N, G-I-L-L-M-O-R-E.

5 MS. GUERRIERI: Welcome.

6 DEAN GILLMORE: So I would like to talk  
7 about the Police Advisory Council. It's made  
8 up of ten members, five of which are appointed  
9 by the police and the mayor. I do not -- I am  
10 very glad that we have a Police Citizens  
11 Advisory Council -- that we have a structure to  
12 essentially provide oversight and connection  
13 between the community and the police force. I  
14 think it is structured in a way that makes it  
15 ill-fitted to that purpose. I believe that it  
16 is something that should be built upon -- and  
17 I've expressed this at the city council  
18 meetings as well. But what we need to build in  
19 Huntsville, and all across the nation -- let's  
20 start right here with what we have -- what you  
21 have had some power over is, building a system  
22 that allows for the accountability of law  
23 enforcement to the people and to elected





1 officials in a more direct manner than exists  
2 right now. Because it took -- it took many,  
3 many city council meetings. It took many, many  
4 protests to even get this meeting set up where  
5 now -- it's clear now that you are actively,  
6 finally seeking the input of the community.

7 I want to -- I want to applaud the good  
8 while still saying, there's a larger problem in  
9 that the measures that you are taking are not  
10 sufficient in and of themselves or a reason to  
11 pat yourself on the back and be done. Because  
12 inevitably, there will come a time when  
13 police -- law enforcement reform is not in the  
14 center of the national consciousness, and we  
15 need to build a structure right now while  
16 there's the energy, while there's all of these  
17 impassioned people here speaking to you. To  
18 use this emergency and momentum to build a  
19 structure that will last and that will actually  
20 serve the purpose of building a trust between  
21 the community and the police.

22 That trust was shattered. It was -- I  
23 think it was in ill-health before, but it was



1 shattered when they used tear gas and chemical  
2 disbursements and rubber bullets on peacefully  
3 protesting citizens. And it was further  
4 stomped on when the Police Chief McMurray said  
5 that he was preemptively using force because he  
6 didn't want to see what would happen when the  
7 sun went down because he was afraid, based on  
8 rumors from the internet and claiming that  
9 there is this shadow organization called --  
10 that -- that was bussing people in, which was  
11 patently false, and putting pictures of  
12 citizens that had -- that were not even at the  
13 protest and claiming that they were influencing  
14 and promoting violence. The trust is not in  
15 the good way. And in order to build it up --  
16 this -- this could -- this meeting could be the  
17 seed of starting the long arduous process of  
18 building that trust, and I implore all of you  
19 to take the responsibility that's been laid  
20 upon you and earnestly try to make Huntsville,  
21 Alabama, a little bit better, because we have a  
22 long way to go. So I think that's -- I think  
23 that's what I wanted to say.



1           Please, please, please do not waste the  
2 opportunity. There are those of us that have  
3 grown up and been privileged and have every  
4 reason to believe that you are trying to make  
5 things better. Please don't keep failing us.  
6 Please keep taking steps and be proud of the  
7 steps and be more than just a megaphone for the  
8 social media posts of the police department. I  
9 have to believe that somewhere in this country,  
10 things can be done right. Things can be done  
11 better. And I want you guys to make sure that  
12 that's here.

13           MS. GUERRIERI: Thank you for coming  
14 tonight.

15           DEAN GILLMORE: Thank you.

16           MS. GUERRIERI: Did we hear from Becky  
17 Boggs?

18           UNIDENTIFIED SPEAKER: She is unable to  
19 attend.

20           MS. GUERRIERI: Okay. I'll cross her  
21 off. And --

22           MR. LITTLE: Roberts?

23           MS. GUERRIERI: We're still looking for



1 Diana Isom. Is she not coming?

2 UNIDENTIFIED SPEAKER: She is unable to  
3 attend.

4 MS. GUERRIERI: Unable to attend. Okay.  
5 Just make sure I'm not missing anyone here.

6 MR. LITTLE: Josh Roberts? Mr. Roberts?

7 MS. GUERRIERI: Yeah. Josh Roberts?

8 UNIDENTIFIED SPEAKER: He's not in here.

9 MS. GUERRIERI: Okay. Is he waiting  
10 outside? Do you know?

11 UNIDENTIFIED SPEAKER: I didn't see him  
12 today.

13 MS. GUERRIERI: Is there anyone in the  
14 room that signed up to speak that has not  
15 spoken yet? Okay. Council, could I have a  
16 moment, please?

17

18 (At which time, a conversation was held  
19 outside the presence of the audience and  
20 the court reporter.)

21

22 MS. GUERRIERI: Okay. Since everyone is  
23 here -- and I'm sure there are a lot of people



1 that have more to say. We will go through  
2 again and allow everyone five minutes to say --  
3 speak additional testimony. We're going to  
4 start with Ms. Burkholder.

5 RITA BURKHOLDER: Thank you.

6 MS. GUERRIERI: I will interject one  
7 thing. When you come up to the microphone --  
8 if you'll just raise your hand if you want to  
9 speak again. But when you come to the  
10 microphone, be sure to speak your name clearly  
11 and spell your last name for the court reporter  
12 because we're kind of -- there's no paper here.  
13 Okay? I appreciate it.

14 RITA BURKHOLDER: Thank you, Speaker.  
15 My name is Rita Maya Burkholder.

16 MS. GUERRIERI: Welcome.

17 RITA BURKHOLDER: Thank you. Thank you  
18 very much for allowing us the additional time.  
19 I'm greatly appreciative of that. I guess  
20 there are a few things that I'd like to say  
21 that are touching on different points. On --  
22 the reason that I went to the protest on the  
23 3rd was, I went down on the 1st to the protest



1 that was there to kind of see what was going  
2 on. I typically avoid protests because I feel  
3 they're ineffectual because they're outside of  
4 business hours and just oftentimes feels like a  
5 bunch of people preaching to the choir. But in  
6 this event, I felt compelled to go. When I  
7 went, I went simply to document, take  
8 photographs, and just kind of pay attention to  
9 the temperature of what was going on -- having  
10 seen violent push-back throughout the rest of  
11 the country in larger cities.

12 While I was there, the tear gas -- the  
13 protest ended. I caught tear gas in the face.  
14 It was quite uncomfortable. I was kind of in  
15 shock and disbelief that it had happened here,  
16 as a matter of fact. Especially because the  
17 protest was rather low-key. It was shocking to  
18 me to kind of turn and see riot police showing  
19 up. It was confusing, disorienting. I didn't  
20 understand how this physical show of force that  
21 was about to happen seemed logical in light of  
22 people simply raising their voices and yelling.  
23 I paid special attention to look around.



1 Everyone was on the sidewalks. No one was in  
2 the streets. So I didn't really understand why  
3 this show of force.

4 After the event, I went home. I cried a  
5 whole bunch, obviously, and immediately slept  
6 for about five hours. When I woke up, I  
7 literally thought I might have dreamt it. It  
8 was that surreal of an event to me. Tuesday, I  
9 went to work. I spoke to my coworkers about  
10 it. I work at the Kaffeeklatsch. They were  
11 shocked. Everyone that I spoke to about it was  
12 kind of shocked. I went back on Wednesday with  
13 the intent to photograph. I was ill-prepared.  
14 I only had my cell phone, not a full battery.  
15 When I was there though, I made a point to  
16 photograph law enforcement. I made a point to  
17 circle the courthouse before the NAACP rally.  
18 Nothing really looked out of place, other than  
19 a million police officers on the courthouse  
20 steps and the square. It was shocking to me  
21 the number of law enforcement that were out,  
22 especially since it was an NAACP rally. And I  
23 though, certainly they're not going to attack



1 the rally.

2 As I went down Fountain Circle, I saw  
3 multiple, multiple HPD in the parking garage,  
4 kind of staging for an event there. And as I  
5 went into the park, I told people, hey, don't  
6 go up Fountain Circle. They're staging an  
7 event. They're in riot gear. Just go home, or  
8 if you go up there, let's all keep our heads.  
9 And as everybody went up, they pretty much kept  
10 their heads. I mean, yelling and screaming,  
11 but that's not a threat of violence. So I was  
12 really shocked at the reaction.

13 What I did view, once I got up to the  
14 square after the rally, was photograph law  
15 enforcement. And I walked around photographing  
16 and filming law enforcement. And when my  
17 battery was needing a rest, I just listened and  
18 overheard commentary. I heard all kinds of  
19 things like, they don't even know what's coming  
20 for them. They're not going to know what to do  
21 when we hit them. They have no idea how hard  
22 we're going to hit them. I saw grown men  
23 laughing, smiling, making eye contact with me.





1 Like, we're watching you. I have video that  
2 I'll submit to you, of a sheriff giving me the,  
3 we're watching you, and corralling another  
4 officer over. You see her? Yeah, I see her.  
5 Hey, you see her? Yeah, I see her. You got  
6 her? We're coming from you, he says to me.  
7 Couldn't pick it up on audio because of the  
8 crowd behind me. But this is intimidation.  
9 I'm just a citizen with a cell phone with eyes  
10 on law enforcement.

11 It was really unnerving how casual they  
12 were, how cavalier they were. It really  
13 reminded me of my 16-year-old son playing video  
14 games, shoot-em-ups with his friends. It's  
15 really scary that these people that are paid  
16 protect us were just kind of out to get us from  
17 the beginning. And when I say us, I don't mean  
18 us as a group. We were a collective of  
19 individual citizens. I have a lot more to say,  
20 but what I will tell you is, there was no  
21 ANTIFA presence here. ANTIFA, as in the  
22 nomenclature that has come to terms like  
23 rabble-rousers, rioters, thugs, people that



1 have no value in society. Okay? That's what  
2 it's become synonymous with. But I'm an  
3 anarchist, so I vote in all elections. I have  
4 since I was 18. I don't identify as an  
5 anarchist through social politics. It's just  
6 something that I subscribe to as a labor  
7 movement. And if Chief McMurray really, really  
8 found an anarchist, I would've been the first  
9 one that he would've found.

10 What I can tell you about us as anarchists  
11 is, the majority of us are pacifists. We're  
12 there to help. We're there to document. We  
13 and there not to incite. We are not for  
14 violence. We're anti-violence. So it's  
15 shocking to me, first of all, that he didn't  
16 find me because I've always identified as one.  
17 And if he wanted to -- if he actually had proof  
18 of ANTIFA or anarchists movements and all  
19 whatsoever -- this is what I found wrong with  
20 his commentary -- he didn't use any of the  
21 terminology that anarchists use. He never  
22 mentioned the words "black bloc," "direct  
23 action." He never said, we found, "no God, no



1 masters." And any person that uses an anarchy  
2 symbol is not an anarchist because we don't  
3 wear outward identifiers or markers as  
4 anarchists, and we don't get together and  
5 organize.

6 We pride ourselves in being individuals  
7 that follow a labor movement philosophy. We  
8 refuse to organize. We refuse to become a  
9 group. We do not behave in that way. So there  
10 were anarchists at both protests. I was there.  
11 I saw one other, and he's also locally -- and  
12 we're both complete vegan, pacifists, work our  
13 butts off 40 hours a week. So if any of you  
14 have questions about how anarchists operate or  
15 the anarchist movement, I'm more than happy to  
16 talk to you about it. But anarchists' presence  
17 in an insignatory fashion was not here. And  
18 there has not been any kind of anarchist  
19 actions south of the Mason Dixon or east of the  
20 Mississippi, really, ever that I know about  
21 historically -- except for the 1800s during the  
22 labor movements.

23 So it's really infuriating that Chief



1 McMurray literally didn't know what he was  
2 talking about. He literally did not know what  
3 he was talking about. He just went for the  
4 rhetoric and Facebook posts. And there are  
5 lots of people out there that say, oh, I'm an  
6 anarchist or whatever. He held this orange  
7 poster that was obviously made by a teenage kid  
8 that doesn't understand what anarchy is and  
9 said, anarchists were here. We would never  
10 identify with an anarchy symbol. It's  
11 juvenile. It doesn't represent us. It's not  
12 what we do.

13 So I say all of that at fear of great risk  
14 to myself locally because I am scared that,  
15 through this kind of commentary, that he'll  
16 come for me. It's very terrifying. And I'm  
17 already suffering from symptoms because of his  
18 police actions and cops touching you. There  
19 was a lot of touching on the 1st and 3rd by  
20 cops. You need to leave, touching my shoulder,  
21 touching my back, touching the small of the  
22 back. Police officers should not be touching  
23 ever in any capacity unless someone is being



1 detained or arrested, ever. So that has left  
2 me with post-traumatic stress disorder. I  
3 guess you can hear my voice shake because I'm  
4 terrified. I'm scared driving my car. I'm  
5 scared that at any point, somebody's going to  
6 come to my house and try to arrest me for  
7 something that I have a Constitutional right to  
8 be according to the State of Alabama  
9 Constitution and the United States  
10 Constitution -- specifically protects  
11 anarchists. Thank you for your time.

12 MS. GUERRIERI: Thank you for coming.  
13 Do we have anyone else in the room that would  
14 like to have additional time?

15 PAIGE MARTIN: Yes.

16 MS. GUERRIERI: If you'll state your  
17 name and spell your last name for the  
18 transcriptionist.

19 PAIGE MARTIN: It's Paige Martin,  
20 M-A-R-T-I-N.

21 MS. GUERRIERI: Welcome again,  
22 Ms. Martin.

23 PAIGE MARTIN: I was just wanting to



1 finish up because I just had a little bit more  
2 to say about the guy that got hit in  
3 Portland -- about the rubber bullets. And this  
4 is a picture of him recovering, and he just had  
5 to go back in the hospital -- I read this  
6 today -- because he has cerebral leakage in his  
7 brain. So these things are really lethal. I  
8 wanted to say that and just finish up and let  
9 you know that all of our demands as  
10 protesters -- we've been working really hard as  
11 a community to try to come up with ideas that  
12 will help us in the future. And like this  
13 gentleman right here said so eloquently, it's  
14 like, we have to work as a community to try to  
15 heal and try to come together and be unified  
16 again because we used to feel like unity.  
17 There's a lot of unity consciousness in  
18 Huntsville, and we really want to promote that  
19 here. I mean, I know I do. That's been part  
20 of my life history is to try to be unified with  
21 all people of all races, of all diversities,  
22 LGBTQ, everything. And I've always thought of  
23 Huntsville as a place like that. So I hope we



1 can actually create that here.

2 So that's what I was saying is that we --  
3 our demands have been set forth by the Citizens  
4 Coalition for Criminal Justice Reform. That's  
5 CCCJR on Facebook, and you can look at all of  
6 that information on there. And also, Angela  
7 Curry is working really hard with you guys, I  
8 believe, and with the mayor and everybody. So  
9 we're really -- you know, we're reasonable  
10 people, and we want a good community. I've  
11 been here since 1987 and so, you know, I've  
12 tried to make it home here. But also, we need  
13 to think about the makeup of your panel, and we  
14 need to see if we can't make it into something  
15 with a little more teeth. Because it's our  
16 understanding that the mayor chose two of you,  
17 I believe, and that the chief of police chose  
18 three of you. So five -- half of you are  
19 chosen by the police chief and the mayor. So I  
20 personally would like to see a very objective  
21 panel with very good teeth.

22 There are lots of cities in the nation  
23 that have panels that actually oversee, you



1 know, misconduct of the police and actually  
2 are -- they can fire people and get rid of  
3 people, and we need that here. We're growing  
4 into such a large city and, you know, we're  
5 growing the police department. And we're  
6 bringing the FBI in, and we're growing all this  
7 into a big huge agency. And it's a little  
8 frightening to all of us, honestly. And some  
9 of us are really up in arms about that a little  
10 bit. But we do feel like, you know, it's  
11 unacceptable to be friends with the people that  
12 you're -- that you're reviewing. I personally  
13 am ashamed of myself for not being more  
14 involved in local politics. I only got  
15 involved about ten years ago, and I haven't  
16 been able to be as participatory as I'd like to  
17 be. So I'm going to encourage every citizen to  
18 try to stay informed about all of our  
19 leadership. We need strong deterrents, as I  
20 said. Madison City needs to follow suit  
21 because of crimes such as the murder of Dana  
22 Fletcher. We're really trying to get that  
23 settled for that family because they have not





1 seen police cam, and they have not seen the  
2 contents of the 911 call for why he was -- you  
3 know, why the police was called on him. And  
4 we're working really hard. And we hope you  
5 guys will support Madison and the Fletcher  
6 family in that regard as well.

7 So to the public, I would like to say, for  
8 every elected official, such as the mayor and  
9 the council -- city council, please vote on  
10 August 25th for new leadership. That's it.  
11 And I appreciate you guys.

12 MS. GUERRIERI: You're welcome,  
13 Ms. Martin. Thank you. I think -- did someone  
14 else have -- I think this gentleman right  
15 here -- this gentleman right here had his hand  
16 up first. Am I right? You work it out between  
17 the two of you.

18 UNIDENTIFIED SPEAKER: All right. You  
19 go.

20 MS. GUERRIERI: Okay. And would you  
21 spell your last name for the court reporter?

22 CHAD CHAVEZ: Yeah. I'm Chad Chavez.  
23 Last name is, C-H-A-V-E-Z.



1 MS. GUERRIERI: Welcome again,  
2 Mr. Chavez.

3 CHAD CHAVEZ: Thank you again. So I  
4 just wanted to take another minute here to  
5 speak to you about the timeline that led up to  
6 the protest. Heard a couple of people talk  
7 about how they felt like we were trapped  
8 essentially on the square by the police, and  
9 that they really came ready to inflict the  
10 violence that they did knowing that there would  
11 be confusion. And really because we heard from  
12 someone this evening that said that they  
13 thought we got our chance to speak, and I don't  
14 think that the timeline actually shows that.  
15 After the 6/1 chemical agents were used to  
16 disperse protesters, McMurray gave an interview  
17 to the press saying that there would be another  
18 protest if people felt the need to continue to  
19 express their concerns. They could come 5:00  
20 to 8:00 on 6/3. He said that to the media.  
21 The morning of the protest, Madison Sheriff's  
22 Office gave an interview saying there will be a  
23 protest tonight from 5:00 to 8:00. And again,



1 that's why they were closing down the  
2 courthouse. They were going to make a safe  
3 environment for everyone to practice that. I  
4 took screenshots, and I will provide these to  
5 you guys through the portal that we appreciate  
6 you guys putting together. But I took  
7 screenshots that, right around 3:00, the NAACP  
8 had to update -- what the timing for their  
9 event would be. They changed it from 5:00 to  
10 8:00 which had been planned the entire week.  
11 They changed it two hours before the event from  
12 5:00 to 6:30, and that's where a lot of the  
13 confusion -- with what the event was supposed  
14 to be, where we were allowed to be -- came  
15 from.

16 It's hard to communicate that when you  
17 change it at the last minute, and that change  
18 came through Chief McMurray. He said that  
19 during his -- during his presentation. When  
20 people were at the NAACP event, we thought that  
21 we were allowed to go up onto the square  
22 because they had blocked it off per the  
23 original permit, per the original plan. The



1 entire thing had been blocked off. There was  
2 no traffic we were blocking because they had  
3 already blocked the roads. The orders to  
4 disperse came well before that original 8:00  
5 time that everyone thought that they were  
6 allowed. And I don't think that it was a  
7 coincidence that they specifically used that  
8 force before the 8:00 mark. The calls to  
9 disperse came, but we saw video of Chief  
10 McMurray using an LRAD to disperse people, but  
11 not to communicate to them. He communicated by  
12 a handheld bullhorn. Did not use the  
13 magnification technology available to the LRAD  
14 to tell people to disperse.

15 So these people thought that they --  
16 because the police don't like what we have to  
17 say, they were kicking us out ahead of the time  
18 that we had been planning on for the entire  
19 time. And that's where a lot of these concerns  
20 about Chief McMurray using his power to trample  
21 the rights of our 1st Amendment come from. And  
22 then for him to come in here -- and again, I've  
23 got screenshots of the same tweets that



1 everyone has talked about him using to imply  
2 things about people that aren't true to risk  
3 our standing in the community, our jobs,  
4 because we dared to speak out against police  
5 violence.

6 I think that if they had given us until  
7 8:00 like we were originally told -- I don't  
8 think that people came looking for a fight.  
9 He's right that that first protest was  
10 peaceful. He's wrong that it was a different  
11 group on the square. It wasn't. None of the  
12 people that he claimed he saw coming in through  
13 social media or technology ever appeared.  
14 Instead of posting up police officers at these  
15 cars that he claims that they saw in the square  
16 that came from other states -- they could have  
17 had officers sitting there waiting to arrest  
18 people that they claimed were organizing  
19 violence. Instead, they all lined up to  
20 brutalize our citizens -- the citizens you guys  
21 represent. That's not proactive policing.  
22 That's -- their only interest was proactive  
23 violence and they said that. They were not



1 worried about -- they were more worried about  
2 the defensive capabilities of a set of goggles  
3 and not the supposed act of violence and  
4 property damage that was coming. And yeah, I  
5 just think it's important to establish that  
6 timeline and how the police actions led to the  
7 confusion that then gave them the green card to  
8 do -- commit these acts of violence. And  
9 again, I will be more than happy to provide,  
10 any of you individually, screenshots. I'll  
11 also upload those to the portal because I think  
12 it's important to recognize the failures in  
13 communication.

14 MS. GUERRIERI: Thank you. Thank you  
15 for that, Mr. Chavez. Is there anyone else who  
16 wishes to speak? Okay. If you could state  
17 your name and spell it for the court reporter,  
18 please.

19 LEE ELLENBURG: Lee Ellenburg,  
20 E-L-L-E-N-B-U-R-G.

21 MS. GUERRIERI: Welcome.

22 LEE ELLENBURG: Thank you again for  
23 allowing me to come back. I just kind of



1 wanted to pick up to my -- I know this has been  
2 said a lot, but I just want another voice to  
3 say, you know, what I experienced personally.  
4 Once I came back into the protest crowd, I was  
5 on the south side of the square. Just like  
6 what I heard from a lot -- there was a lot  
7 of -- I guess now I know Madison County police  
8 officers in plain clothes with, you know,  
9 bulletproof vests on and shotguns and -- very  
10 much intimidating. And I can verify the all  
11 looks and the -- we're here. I mean, it was --  
12 it was very evident. Anyone who was there, if  
13 you didn't -- I mean, it was -- it was very  
14 evident. I -- I think it's really important  
15 that -- you know, to mention that the time was  
16 changed, and it was changed by the police.  
17 That is who made the change from the 8:00 to  
18 the, you know, 6:30, 5:30 -- whatever the  
19 actual time ended up being. And so I was  
20 there, and I -- at one point -- my friend was  
21 with me, and we were getting a bit nervous just  
22 because you could hear the tension. I never  
23 once heard the bullhorn say it was time to



1 leave. But I mean, you didn't have to hear the  
2 bullhorn to know that things were, kind of, you  
3 know, getting a bit dicey. I don't know what  
4 time it was that it was getting dark. I  
5 decided -- well, my friend decided to start --  
6 to maybe try to make our way back over. At  
7 that point, the riot police, essentially -- I  
8 guess it was right in front of Green -- I don't  
9 know the name of the street there. I forget.  
10 But anyway, right in front of Commerce Kitchen  
11 lined up. We tried to go out. They said no.  
12 Go this way.

13 I looked up, and looked at one of the  
14 officers, and they said, yeah, yeah. Go that  
15 way. That's exactly what he told me. Right  
16 into -- so what did we do? We kind of just  
17 went back to the crowd, and at that point, we  
18 started getting, you know -- I don't know if it  
19 was the gas or the smoke or whatever, but it  
20 was loud bangs. And it was very disruptive,  
21 and so we -- I managed to -- and at this point,  
22 I had not seen any -- anything. I think at one  
23 point, there were people in the street, but the





1 crowd -- like, everybody come back on the  
2 street -- come back into the street. So we --  
3 you know, I think we for the most part, most  
4 people were on the sidewalk, and maybe one or  
5 two people in the street here and there. But  
6 it wasn't -- and then as I was circling, trying  
7 to escape from the tear gas, I did see -- I did  
8 see -- I think I saw two water bottles thrown  
9 from the protesters. One hit a barricade in  
10 front of the courthouse, and I think one was  
11 thrown at the state troopers that then  
12 barricaded through the middle of -- of the  
13 protest. That was to break us up, I guess.  
14 And that's literally -- I was trying to be  
15 pretty vigilant, and that's all I saw.

16 At that point, I started making my way, my  
17 friend and I. You'll see me in the videos too.  
18 I had my bike, which was a terrible idea. And  
19 I saw a Huntsville police officer get out of  
20 his car, a large canister of tear gas, and  
21 nonchalantly spraying it all over. Right?  
22 This is when people were starting to break up,  
23 and this is before they reconvened and went



1 down into the park. Very just -- I mean, just  
2 nonchalantly. Like (demonstrating). And it  
3 was -- and that's probably where that sign  
4 was -- was sprayed, and that's where the news  
5 media was sprayed. And, you know, it's very  
6 obvious on video.

7 And so at that point, I decided to leave,  
8 and my friend and I -- I was walking down. And  
9 at this point, I'm on the north side of the  
10 square. And a tear gas canister -- well,  
11 actually, I take that back. My friend -- one  
12 of the police officers on -- on the  
13 courthouse -- I wouldn't say aggressively  
14 provoked, but said, why are you doing this?  
15 Didn't move. We were still walking. He said,  
16 why are you doing this? As we kept walking by,  
17 a tear gas canister was shot, and I guarantee  
18 it missed his head just barely and landed right  
19 in front of us as we were walking out. Like,  
20 this is well past the area of the -- you know,  
21 where -- we were leaving.

22 So I do -- so I -- I -- it's very  
23 difficult. I understand and I -- you know,



1 like, I didn't see all these police officers --  
2 you know, I didn't have them in band. But I  
3 saw them there that night, and it's -- and I  
4 don't believe that all police officers are  
5 terrible. But I saw that. And I saw what they  
6 were looking for, and it was aggressive and it  
7 was not -- it was not appropriate. And I fully  
8 believe that that was what caused it. I mean,  
9 again, there's been protest after protest after  
10 protest. Only those two ended that way. Thank  
11 you.

12 MS. GUERRIERI: Thank you for your  
13 comments. Who is next to speak?

14 AVA CALDWELL: Ava Caldwell,  
15 C-A-L-D-W-E-L-L.

16 MS. GUERRIERI: Thank you.

17 AVA CALDWELL: Hello. I just wanted to  
18 bring up, you know, Police Chief McMurray was  
19 in charge, is my understanding of his event.  
20 It's in his city. He brought in the sheriff  
21 and some others. But he should be fully  
22 responsible for what happens in his city. Now,  
23 the Sheriff's Office has said, oh, yeah, we'll



1 come before the commission and maybe provide  
2 some information. And the chief has said, oh,  
3 we can't answer for them. Yeah, he can answer  
4 for them. He invited them over onto the square  
5 to help him, and, yes, he should be answering  
6 for what they did. And I believe part of your  
7 investigation absolutely should be what the  
8 Sheriff's Office did as he let them in. What  
9 was the communication? What did he tell them?  
10 What purpose were they supposed to serve that  
11 day? From every accounting, it was a very  
12 aggressive posture by everybody there. It's  
13 like they were all told ahead of time to --  
14 that there was -- that this was imminent. Like  
15 they were going to end up attacking their  
16 citizens. So I think while you do -- you're  
17 looking at the HPD. They're the ones who  
18 called in the Sheriff's Office and whatnot.  
19 He's responsible. He's supposed to be the  
20 leader of the police in this city.

21 I also want to bring up the fact that the  
22 police chief in the news said he wasn't going  
23 to provide an accounting of weapons and



1 ammunition that were used against the citizens  
2 that day because it would provide some kind of  
3 secrets. Well, you know, they left spent  
4 canisters all over the ground that were  
5 obviously picked up, so it couldn't have been  
6 that secretive. You all need that information  
7 to even complete your job. I mean, because  
8 it's obviously relevant how many canisters, how  
9 many rubber bullets, et cetera, that were fired  
10 at people. Like, if they were trying to maybe  
11 just look at one specific person because they  
12 thought that person was trying to do some harm,  
13 that's one thing. But, you know, firing  
14 hundreds of rubber bullets might mean something  
15 else. So the fact that he said he won't  
16 provide that information makes me question how  
17 good of a job y'all are going to be able to do  
18 without the given information.

19 In regards to the body cam footage, how do  
20 you know you're getting all the body cam  
21 footage? How do you know that you're getting  
22 all the police officers -- that were there that  
23 day -- body camera footage? Are they giving



1 you the full video? Are they giving you only  
2 part? How much control do you actually have  
3 over that? Because we can tell he picked and  
4 choosed the information that he provided during  
5 his little presentation -- considering we have  
6 plenty of video that's out there in the public  
7 showing some pretty egregious things done by  
8 the officers. So I'm very concerned that,  
9 really, he has full control over the  
10 information and how much you all are going to  
11 push back on that and say, how do we prove  
12 this, do you have an accounting of every single  
13 officer that was there -- at least HPD. Do you  
14 have an accounting what they fired? What  
15 weapons they had? What was their protocol?  
16 What were they told ahead of the event? All of  
17 this is very important information. And if you  
18 all can't get that information from him, then  
19 the whole -- it's a moot point. You cannot  
20 perform a review unless you know you have the  
21 full body of the information from the other  
22 side. You have people here doing their best to  
23 provide their view of what happened when they



1 were there, their perspective. We're all out  
2 in the public. Everything they're doing with  
3 you guys is behind closed doors.

4 So I'm going to want to hear from the  
5 Citizens Advisory Council also as you go  
6 through this, yes, we requested this  
7 information and it was provided. If they  
8 refuse to provide you information, we want to  
9 know that. Because we're not going to trust  
10 whatever the review response or your end report  
11 is if we don't know that you actually got all  
12 the information that's needed to do the review.  
13 That's part of trusting you and then also trust  
14 in the police that needs to be rebuilt.

15 If you find a police officer acted  
16 unlawfully or inappropriately, what happens?  
17 Are you're providing that information to the  
18 police chief, their name, et cetera? How are  
19 we going to know, as citizens, that there was  
20 actually any kind of actions taken against that  
21 person? Were they fired? Especially if they  
22 were found to do something unlawful where  
23 somebody is spraying with -- just randomly



1 spraying pepper spray, shooting things right  
2 next to people's heads, shooting in ways that  
3 it says -- and hopefully you'll review those  
4 different weapons and how far they should  
5 actually be fired. How are we going to know  
6 that justice is actually going to be done after  
7 your review? Okay.

8 I really, really appreciate the time that  
9 so many of you are putting into this, but we're  
10 talking about a multiagency, militaristic-like  
11 actions that took place on the citizens of this  
12 city with dozens -- maybe a hundred people  
13 involved. And with people with day jobs that  
14 are responsible for this that maybe don't have  
15 any background in police investigations and how  
16 they interact with each other. So I'm very  
17 concerned that we put a very major task on a  
18 review committee because the police do not  
19 actually want to have to deal with it. So I  
20 need to hear -- we need to hear from you that  
21 you are actually going to get everything you  
22 need from the police, and we will do everything  
23 on our part as citizens to provide you our





1 perspectives. And I appreciate your time.

2 MS. GUERRIERI: Thank you for coming.

3 UNIDENTIFIED SPEAKER: Josh Roberts is  
4 here.

5 MS. GUERRIERI: Oh, okay. This is  
6 Mr. Robert's first time speaking. I'll get to  
7 you after him. Okay? If you'll state your  
8 name, please.

9 JOSHUA ROBERTS: My name is Joshua  
10 Roberts.

11 MS. GUERRIERI: Welcome.

12 JOSHUA ROBERTS: All right. You might  
13 recall someone wearing this mask from the  
14 footage you have reviewed. That someone is me.  
15 I bought this as a prop for a photo shoot that  
16 took place in January, and never in a million  
17 years would I have guessed it would be needed  
18 just to breathe in downtown Huntsville. So  
19 what exactly happened on June 1st? I arrived  
20 downtown without a mask. I then joined the  
21 group in Big Spring Park for several beautiful  
22 speeches and calls to action. After this, the  
23 crowd wanted to march. We marched -- we wanted



1 all of downtown Huntsville to know that black  
2 lives matter. We marched not in the name of  
3 rioting, not in the name of looting, but in the  
4 name of justice. So we left the speeches in  
5 the park, marched around downtown nonviolently  
6 calling for justice and reform. The group  
7 became stagnant coincidentally in front of the  
8 Confederate monument and was about to  
9 peacefully disperse of its own accord when a  
10 heavily fortified police presence drew our  
11 attention. We once began chanting for reform  
12 and justice. We first calmly asked officers to  
13 take a knee in a show of solidarity -- a show  
14 of understanding that they won't accept corrupt  
15 orders, and that they were able to think and  
16 act independently if need be. We had our hopes  
17 up, too. We really did. We thought, this is  
18 Huntsville. We're the progressive city in  
19 Alabama; right? That hope soon faded and our  
20 calm demeanor became more agitated once that  
21 dream died. And while agitated, we remained  
22 peaceful. Nothing was thrown. No one  
23 attacked. Shortly after this, we were



1 corralled like cattle into a small square.  
2 There's body cam footage of me pleading with  
3 officers to do the right thing. Spoiler alert,  
4 they did not.

5 They decided that the 1st Amendment had a  
6 curfew, and they began gassing us after an  
7 initial warning shot. I watched in horror as  
8 Huntsville turned into Hong Kong before my  
9 eyes. I watched as people half the size of  
10 their attackers were knocked down and trampled  
11 on. I watched as the sense of the state motto,  
12 "We dare defend our rights," evaporated into  
13 thin air.

14 June 3rd. I arrived at Big Spring Park  
15 with a mask in my backpack this time. Also in  
16 my backpack was a first-aid kit, milk, and  
17 water. Mark McMurray called these preparations  
18 for combat, on record. I called it a survival  
19 tool for those interested in exercising their  
20 1st Amendment rights in Huntsville, Alabama.  
21 The first night, we had speeches and moved  
22 straight on marching around the courthouse.  
23 However, more people were with us as they had



1 heard of the injustices that took place two  
2 days prior. Peaceful protesters once again  
3 stagnated at the Confederate monument, and the  
4 police presence was still there. However,  
5 increased. What's odd about June 3rd is the  
6 crowd was even -- on even better behavior, yet  
7 was met with the multiagency brutality that  
8 likely hasn't been seen here since the Civil  
9 Rights era. Well, the old Civil Rights era  
10 anyway; not the current one.

11 We stood a stagnant in a quasi-line facing  
12 the courthouse steps when a riot squad lined up  
13 on our right flank. The attention then shifted  
14 to said flank. We lined up echoing chants of  
15 police reform and calls for justice. The crowd  
16 kept its distance from police, never getting in  
17 their faces. Individuals rarely even crossed  
18 the halfway line of a two-way street that was  
19 separating police from protesters.

20 We continued chanting. Somewhere in  
21 between, a single -- somewhere in between, a  
22 single water bottle was tossed at officers in  
23 total riot gear. The crowd quickly moved to



1 quell any further actions of such nature. A  
2 while after the police started -- a while after  
3 the police began talking to the crowd through a  
4 megaphone, though most of us could not hear it.  
5 Shortly after this, the riot officers began  
6 donning their gas masks. State troopers  
7 arrived, and the crowd let them through with no  
8 hang-ups. It was immediately after this that  
9 police began firing cannisters and rubber  
10 rounds indiscriminately into the crowd. As I  
11 witnessed smoke tole physically handicapped  
12 people, children, and dogs in the crowd, I  
13 distanced a gas canister from both the crowd  
14 and approaching police. My punishment for this  
15 was two rubber rounds. One landed less than a  
16 foot from my groin, and that wound just fully  
17 healed 15 days ago. It's the one that  
18 resembles a large avocado, both in size and  
19 image. The second, on my left buttock.

20 After the initial assault by police, I  
21 began backing away in step with police with  
22 both hands raised in peace signs. Protesters  
23 in general began to clear the area, most moving



1 towards Clinton as the Big Spring Park safe  
2 route was shrouded in gas. As we approached  
3 the Jackson Street Pub alleyway, I witnessed a  
4 woman ahead of me bleeding out of both legs  
5 that could barely walk. Police were screaming  
6 at her to move, closing in for an arrest. She  
7 was in tears, so I ran up to talk sense into  
8 them. Saying things like, guys, come on. Look  
9 at her. Another protester joined and we helped  
10 her back to the medics in the alleyway.

11 When the police reached the medics, they  
12 forced everyone to leave, even though they were  
13 bandaging multiple people who could barely  
14 walk, and applying milk to tear-gassed eyes.  
15 That group moved into the parking garage near  
16 -- as the man -- as the main group of  
17 protesters were treated further south towards  
18 the Veteran Memorial. Once police were no  
19 longer following the group, the group then  
20 dispersed. And I personally moved towards the  
21 park to make sure everyone was okay and didn't  
22 need any milk for tear gas or first-aid kits.  
23 Upon arriving at the park, I ran into the rest



1 of the protesters that had to regroup. I'm  
2 almost done. They stood in their -- and --  
3 they stood in their international park  
4 protesting. The police arrived and the group  
5 was pushed back. I witnessed a small woman get  
6 pepper sprayed without warning. The group was  
7 pushed all the way to Wynn Avenue between the  
8 Museum of Art and (inaudible) itself. At this  
9 point, the group was forced by police into  
10 oncoming traffic. I applied first-aid to the  
11 pepper sprayed woman in the median as she cried  
12 out in pain.

13 MS. GUERRIERI: Sir, your time is up.

14 JOSHUA ROBERTS: We then moved to the  
15 southeast corner of Lowell. At this point, I  
16 watched a small boy --

17 MS. GUERRIERI: Sir, your time is up.

18 JOSHUA ROBERTS: -- get a --  
19 asking police --

20 MS. GUERRIERI: Sir --

21 JOSHUA ROBERTS: I told the little boy I  
22 would protect him as the cops moved --

23 MS. GUERRIERI: Thank you. Yes, sir.



1           BOB BACCUS: My name is Bob Baccus,  
2 B-A-C-C-U-S.

3           MS. GUERRIERI: Welcome, Mr. Baccus.

4           BOB BACCUS: If any of us here in this  
5 room are driving down the Parkway and a  
6 policeman pulls us over, gets -- turns on his  
7 blue lights, and we pull over. We roll down  
8 our window. We put our hands on the steering  
9 wheel. That's what we're supposed to do so  
10 they can see them, and we do what the policemen  
11 says. We all do that. We don't try to outrun  
12 him. In this particular case, if the people  
13 and the demonstrators had marched around and  
14 had their demonstration, had their say, and  
15 then the police said, disperse, go home -- if  
16 they had obeyed the police, we wouldn't be here  
17 tonight. Thank you.

18           MS. GUERRIERI: Thank you, Mr. Baccus.

19           RITA BURKHOLDER: I'm sorry. I know  
20 this is unorthodox, but I'd ask that any  
21 commentary by a person that was not at the  
22 events on June 1st and June 3rd not be  
23 submitted for approval.





1 MS. GUERRIERI: That's -- no. We're not  
2 doing this, ma'am.

3 RITA BURKHOLDER: Just a request.

4 MS. GUERRIERI: We will have decorum.  
5 We will have decorum in this chamber.

6 RITA BURKHOLDER: Fine.

7 MS. GUERRIERI: We are going to take a  
8 ten-minute break and see if anyone who has  
9 signed up to speak comes in because we have  
10 stated that we will be here until 8:00. But --  
11 so a ten-minute break. See you in ten minutes.

12  
13 (At which time, a brief recess was  
14 taken.)

15  
16 DAMAR THOMAS: Hello.

17 MS. GUERRIERI: If you'll just give us  
18 your name and spell your last name, please.

19 DAMAR THOMAS: My name is Damar,  
20 D-A-M-A-R, Thomas, T-H-O-M-A-S.

21 MS. GUERRIERI: Welcome, Mr. Thomas.

22 DAMAR THOMAS: Thank you. So just a  
23 little bit of background about me. I am a 2020



1 college graduate from Oakwood University in  
2 political science, and I am actually aspiring  
3 to join Huntsville PD. I want to start with, I  
4 actually did not come planning to speak today,  
5 but there's some things that I feel inclined to  
6 comment on. First, I want to start with saying  
7 that not all cops are bad. I am not  
8 anti-police. However, I am anti-abuse of  
9 power, anti-injustice and anti-racism wherever  
10 it may manifest. If anything, I'm pro-police  
11 because I understand the necessity for a police  
12 force. I believe the thin blue line is  
13 necessary to separate order from chaos. We  
14 just need good people holding it up.

15       Something I wanted to comment on is the  
16 County's presence and the sheriff department's  
17 presence. As far as we know, the courthouse is  
18 County property, so I do not believe that -- at  
19 least I heard that, you know, McMurray, I  
20 guess, called the sheriff's department to be  
21 there. I do not know that to be all the way  
22 true, given that the sheriff's department does  
23 have the responsibility of protecting County



1 property.

2 Now, I consider myself a Constitutionist.  
3 The 1st Amendment guarantees the citizens the  
4 right to peacefully assemble and to petition  
5 the government for an address of grievances.  
6 The police do not have the power to say you can  
7 exercise your rights from this time to this  
8 time, especially when there's no curfew in  
9 place. The police do not have the power to  
10 say, okay. We've heard enough. Time to go  
11 home.

12 But I don't think that the issue is the  
13 fact that they dispersed the crowd. And I  
14 think people are trying to -- oh, they said go  
15 home. You guys should've went home. That's  
16 not -- because I was out there. I saw my  
17 cousin be shot by a rubber bullet, and that's  
18 not the issue at hand. It's not the fact they  
19 dispersed the crowd. Yes, you know, law and  
20 order needs to be held up. We don't want any  
21 rioting, any looting, anything like that. But  
22 the issue was not that they chose to disperse  
23 the crowd, but the tactics they used.



1           There was no need for snipers on rooftops,  
2           drones, helicopters, you know, about -- I don't  
3           think I've ever seen so many officers in my  
4           life. I mean, you'd think it was like a  
5           behind-the-scenes of some dystopian movie that  
6           was about to come out. It was for no -- and  
7           for no real reason beyond that he thought it  
8           may have gotten violent or that he saw some  
9           Facebook posts.

10           I was reading an article written by  
11           Montgomery Advisor entitled, Constructive not  
12           destructive. No confrontation, no violence at  
13           Montgomery protest. Why? I was embarrassed to  
14           see our city, the quote, unquote, star of  
15           Alabama, as the very first topic of discussion.  
16           The article read, in Huntsville, police in riot  
17           gear used tear gas and rubber bullets on a  
18           crowd of protesters. But, when the nighttime  
19           crowd of Montgomery protesters reached a  
20           barricade in front of the Capitol building on  
21           June 1st, they came face-to-face with local  
22           police officers who wore little more than their  
23           regular uniforms, hands at their sides. One



1 protester shouted questions, and Montgomery  
2 police chief Earnest Finley came forward to  
3 answer, eventually mixing with the protesters  
4 and talking to people one-on-one. This protest  
5 in Montgomery took place at nighttime in front  
6 of our State Capital and could have easily  
7 escalated, but it didn't. I'm sure Chief  
8 Finley could have found some Facebook posts and  
9 out-of-town license plates if he looked for  
10 them, but still, the starting position of their  
11 police force was drastically different in  
12 Montgomery than that of ours.

13 June 1st and June 3rd. McMurray being  
14 afraid of the dark doesn't justify what  
15 happened on June 3rd. McMurray doesn't -- does  
16 not justify what happened on June 3rd.  
17 McMurray seeing random Facebook posts and  
18 out-of-town license plates in downtown  
19 Huntsville during summer does not justify what  
20 happened on June 3rd. There is nothing that  
21 can justify the terrorization of innocent  
22 civilians at the hands of their own police  
23 force.



1           So I think that when you guys do your  
2 review, I think that it's most important not  
3 to -- I think the most important thing that  
4 needs to be looked at are the tactics that they  
5 utilized to disperse the crowd and not the fact  
6 that they dispersed the crowd. Because there  
7 were protests in a whole bunch of other cities  
8 that -- right here in Alabama, and we're the  
9 only ones that were dispersed with rubber  
10 bullets and tear gas. And I'm sure we weren't  
11 the only -- I mean, there was actually, you  
12 know, real riots taking place in Alabama. And,  
13 you know, these -- these cities here getting  
14 the same kind of response from the police  
15 force. So I think that, you know, in the  
16 review, it's important to look at and discuss  
17 and hold them accountable for the tactics that  
18 they used to disperse the crowd. I mean,  
19 there's no reason my 18-year-old cousin who was  
20 just there should've been shot with a rubber  
21 bullet. I mean, he wasn't rioting. He wasn't  
22 looting. He was just there. You know, that --  
23 his presence being there should not put him at



1 risk of being, you know -- what happened that  
2 day. So, thank you.

3 MS. GUERRIERI: Okay. Thank you very  
4 much. Is there anyone else in the chamber that  
5 signed up to speak that has not had the  
6 opportunity to speak yet? We have -- we will  
7 be here for another nine minutes, so we can  
8 give five-minute speaking to one other person.  
9 Anyone wish to speak again? Okay, ma'am.

10 UNIDENTIFIED SPEAKER: I'll speak again.

11 MS. GUERRIERI: No. We're just -- we  
12 don't have time.

13 UNIDENTIFIED SPEAKER: I --

14 MS. GUERRIERI: We have -- it's 7:51.

15 UNIDENTIFIED SPEAKER: She's speaking.

16 UNIDENTIFIED SPEAKER: Oh, okay. I  
17 gotcha.

18 MS. GUERRIERI: Did you sign up, ma'am?

19 LINDSEY LOUQUE: I have not signed up.  
20 Is that all right?

21 MS. GUERRIERI: But you haven't spoke  
22 first?

23 LINDSEY LOUQUE: I have not.



1 MS. GUERRIERI: Please go to the  
2 microphone. You're fine.

3 LINDSEY LOUQUE: Thank you. I'm a bit  
4 nervous about public speaking, but given  
5 that -- by the way, I'm Lindsey Louque.

6 MS. GUERRIERI: State your name, please,  
7 and spell your last name for us.

8 LINDSEY LOUQUE: Oh, L-O-U-Q-U-E. I  
9 know that's odd. I interviewed five arrested  
10 protesters, as well as being there on June 3rd.  
11 I wasn't at all harmed, but I really want to  
12 speak about the five that I did interview. I'm  
13 sorry. None of them were doing anything other  
14 than holding signs and maybe yelling, I mean,  
15 because we're frustrated. What they told me  
16 that shook me the most -- and I'm going to  
17 protect their identity because, obviously,  
18 they're going through trauma right now. I  
19 don't want to reveal anything other than,  
20 they're not white.

21 This person, female, had been pepper  
22 sprayed, maced, their skin burning to an extent  
23 where their full body, arms, legs, everything,





1 burning. Like, and they didn't stop.  
2 Extensively. And in front of crowds, they made  
3 her undress down to her bra and panties. They  
4 beat her. I had this account from at least  
5 three or four. Beat her. And then one of the  
6 cops was telling one of the five arrested that  
7 -- but something along the lines of  
8 reassurances that -- pointed at her and said,  
9 "Except for this dummy over here."

10 I'm a bit nervous, but this is -- of all  
11 the accounts that I heard, I think this needs  
12 to be said the most. I'm trying not to cry  
13 right now. I can't even imagine what she's  
14 going through. She's been too nervous to come  
15 out and speak. And I don't need all the five  
16 minutes. That'll be it for me. Thank you.

17 MS. GUERRIERI: Thank you. Okay. We've  
18 got -- we've got six more minutes. Do you want  
19 to take another person? You will be our final  
20 speaker unless there's anyone else in the room  
21 that has not spoken? Okay.

22 JOSHUA ROBERTS: My name is Josh  
23 Roberts. I want to talk about how HPD



1 responded to the simple idea of a peaceful  
2 protest downtown before it even took place.  
3 For starters, they were unable to read the room  
4 and inappropriately diagnosed nationwide law  
5 enforcement alerts provided to NAMAC as  
6 definitive local threats. Threats such as  
7 ANTIFA being bussed in and the idea that a  
8 highly corrosive acid would be shot out of a  
9 thin, plastic squirt gun. Again, nationwide  
10 alerts sent to every law enforcement agency in  
11 the country. Alerts that HPD either had  
12 cognitively believed or used as an excuse for  
13 their show of strength that Tommy Battle, on  
14 record, instructed this police chief to conjure  
15 up. If you haven't seen these alerts, I hope  
16 you know how to inquire about them. I know  
17 that Mayor Battle denied a request in June to  
18 give this committee access to the info that  
19 they need to properly function as a police  
20 oversight committee. But those nationwide  
21 alerts are in the law enforcement database and  
22 provide great insight into what has unfolded  
23 here in Huntsville.



1 I truly feel that Mark McMurray nerve took  
2 a step back and said, oh, wait. This is  
3 Huntsville, Alabama -- not a large city with a  
4 history of actual riots. That's the only  
5 answer for how police were positioned,  
6 equipped, and subsequently acted June 1st  
7 through 3rd. And again, I just want the say,  
8 no one with good intentions limits the ability  
9 of a police oversight committee.

10 And before I wrap up, I want the talk  
11 about Blue Lives Matter. Blue Lives Matter,  
12 for those that don't know, was formed in  
13 response to Black Lives Matter. Black Lives  
14 Matter was formed due to lifetimes of recorded  
15 police brutality. Blue Lives Matter has been  
16 denounced by the ACLU and the Southern Poverty  
17 Law Center. People against Black Lives Matter  
18 often rally around Blue Lives Matter. And a  
19 member of this committee has a Blue Lives flag  
20 as their profile picture on Facebook. And  
21 that's all I have to say.

22 MS. GUERRIERI: Sir, I have to stop you  
23 right there. Thank you very much.



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JOSHUA ROBERTS: I'll stop myself.

MS. GUERRIERI: This concludes our --  
this will conclude the listening session. This  
concludes the public hearing for August the  
12th. Another public hearing is scheduled for  
August 28th, 10:00 a.m. to 1:00 p.m. Sign up  
on the website, HuntsvillePoliceReview.com. On  
behalf of the Citizens Advisory Council, thank  
you for taking the time to come and speak to  
us. Do I hear a motion to adjourn?

MR. DAY: Second -- I'm sorry. Moved.

MS. GUERRIERI: All in favor?

(All members say answered in the  
affirmative.)

MS. GUERRIERI: We are adjourned.

MEETING ADJOURNED.



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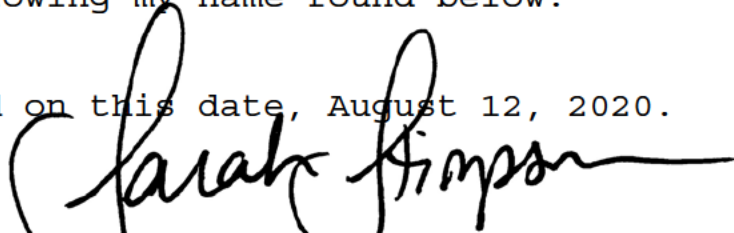
STATE OF ALABAMA  
AT LARGE

I hereby certify that the above and foregoing hearing of HPCAC Hearing was taken down by me in stenotype and the questions and answers thereto were transcribed by means of computer-aided transcription; transcribed by me or overseen by me, and that the foregoing represents a true and correct transcript of the testimony given by said witness upon said hearing.

I further certify that I am neither of counsel, nor of kin to the parties to the action, nor am I in anywise interested in the result of said cause.

I further certify that I am duly licensed by the National Court Reporters Association as a Registered Professional Reporter and by the Alabama Board of Court Reporting as a Certified Court Reporter as evidenced by the NCRA and ACCR numbers following my name found below.

So certified on this date, August 12, 2020.



/s/ Sarah Carlton Stimpson  
Sarah Carlton Stimpson, CCR, RPR  
NCRA No. 45087, AL No.612  
Commissioner and Notary Public  
Alabama State at Large

My Commission Expires: September 30, 2020