

Huntsville Police Citizens Advisory Council

HUNTSVILLE CITY COUNCIL RESOLUTION NO. 20-487

August 28, 2020



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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 28, 2020
10:00 a.m.

The HPCAC public hearing was taken
before Sarah Carlton Stimpson, CCR, RPR, on
August 28, 2020, commencing at approximately
10:00 a.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 10:00 a.m. on August 28, 2020,
8 the HPCAC public hearing, in the above cause,
9 whereupon the following proceedings were had:

10

11 MS. GUERRIERI: I'd like to call the
12 meeting to order now. My name is Vicki
13 Guerrieri, appointed by Councilwoman Robinson,
14 District 3. I currently serve as Chairwoman.
15 On behalf of the Huntsville Police Citizens
16 Advisory Council, I would like to welcome you
17 to the second public hearing regarding the
18 protest events of June 1st and June 3rd.

19 To get us started, I will call the roll of
20 the Advisory Council. When I call your name, I
21 would appreciate if each member would announce
22 their presence. Willie Love?

23 MR. LOVE: Present.



1 MS. GUERRIERI: Willie Love was
2 appointed by the mayor, and he's currently
3 serving as Vice Chair. John Olshefski?

4 MR. OLSHEFSKI: Present.

5 MS. GUERRIERI: John Olshefski was
6 appointed by the mayor. John Reitzel?

7 MR. REITZEL: Here.

8 MS. GUERRIERI: John is -- was appointed
9 by the chief of police. Ruben Flores?

10 MR. FLORES: Present.

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

14 MR. LITTLE: Here.

15 MS. GUERRIERI: Thank you, David. David
16 was appointed by the chief of police, and he is
17 currently serving as media communications.

18 Gregory Bentley?

19 MR. BENTLEY: Here.

20 MS. GUERRIERI: Thank you, Greg.
21 Appointed by Councilman Keith, District 1.
22 Jonathan Rossow?

23 MR. ROSSOW: Here.



1 MS. GUERRIERI: Thank you, Jonathan.
2 Appointed by Councilwoman Akridge, District 2.
3 Shelley McCulley?

4 MS. MCCULLEY: Present.

5 MS. GUERRIERI: Thank you, Shelley.
6 Appointed by Councilman Kling, District 4.
7 Wiley Day, Jr.?

8 MR. DAY: Present.

9 MS. GUERRIERI: Thank you, Wiley.
10 Appointed by Councilman Culvert, District 5.

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

23 This evening, each speaker has five



1 minutes to address the Advisory Council and to
2 give testimony to the events of June 1 and June
3 3. This is a listening session, one in which
4 the public's comments are the focus. For that
5 reason, and also to maximize the time for
6 public comment, Advisory Council members will
7 not make remarks this morning, other than my
8 efforts as Chair to guide the procedure. This
9 hearing is being broadcast live on WOW! and
10 Comcast and also live streamed on Facebook and
11 City of Huntsville website. It will also be
12 archived. Please keep your remarks civil. As
13 fellow citizens, we should express our views
14 vigorously, but in a constructive manner. Foul
15 language which violates the FCC broadcast rules
16 or derogatory name calling of any individual
17 will not be tolerated. Again, decorum and
18 clarity are important here.

19 Each speaker will be given five
20 uninterrupted minutes after stating their name.
21 Time cannot be given or shared with another
22 speaker. I will call the speakers in the order
23 they are registered, beginning with Geneva



1 Saint.

2 MS. SAINT: Good morning.

3 MS. GUERRIERI: Welcome

4 MS. SAINT: My name is Geneva Saint.

5 MS. GUERRIERI: Welcome.

6 MS. SAINT: Thank you for the
7 opportunity to speak here today. I'll begin by
8 saying that I do not condone the death of
9 George Floyd. Neither do I condone so-called
10 peaceful protests that result in physical
11 violence, rioting, looting, destroying lives
12 and livelihoods.

13 Now, I did not attend the Huntsville
14 protest. I did follow the news accounts given
15 at that time, and I've gone back and reviewed
16 those accounts and watched a lot of videos.
17 Immediately following the death of George
18 Floyd, thousands of protests sprang up all
19 across our country, most of them turning
20 violent. Protests sprang up in Alabama as
21 well. I think a lot of us were very anxious
22 wondering if our city could fall prey to such
23 violence and destruction.



1 On August 12th, at the first session, I
2 heard from several of the protesters. Their
3 comments were pretty much in unison. Their
4 protests were peaceful. There were no
5 activists. There were too many officers.
6 Officers wearing riot gear. Tactics used by
7 the officers were excessive. Presence of the
8 officers made them uncomfortable. Huntsville
9 was the only city in Alabama that used such
10 tactics. And they were very unhappy with the
11 leadership of Mayor Battle and Chief McMurray.

12 I looked at the news reports from around
13 the state to see what was happening, and here's
14 what I found: Protests never turned chaotic in
15 Montgomery -- but from AL.com, May 31st, in
16 Birmingham, protesters broke several windows in
17 the courthouse and other businesses. Fires
18 were lit in the streets. There was widespread
19 vandalism and looting. The mayor also
20 requested support from the state police.
21 Because the protests were so ugly, he declared
22 a State of Emergency and set a curfew. Also,
23 from AL.com, in Mobile, police shot pepper



1 balls at activists as peaceful protests turned
2 violent, resulting in mass vandalism and
3 clashes with local police. Protesters
4 attempting to march onto I-10 found themselves
5 face-to-face with Mobile police officers clad
6 in riot gear. Police used tear gas to push
7 them back.

8 Here in Huntsville, permits were granted
9 to organizers. Adequate time slots were given
10 for them to have their rally and march to air
11 their grievances. The permits expired.
12 Protesters were asked to leave. Some did.
13 Others refused, even after the mayor and the
14 president of the city council pleaded with them
15 to go home.

16 In my opinion, police exhibited patience
17 with the crowd. It was one to two hours after
18 they were asked to leave before police acted.
19 And even then, they set off smoke warnings.
20 Some still refused to leave, and police
21 forcefully dispersed them. All the strife the
22 protesters spoke of could easily have been
23 avoided. When the police asked them to go



1 home, they should've gone home.

2 Mayor Battle and Chief McMurray are
3 charged with the duties of protecting about
4 200,000 of us. What a responsibility. I'm
5 sure Chief McMurray surveyed all the events and
6 chaos that was occurring in Alabama and around
7 the country. He knew that even the most
8 peaceful protest could turn violent in a
9 second. So he did what any good administrator
10 would do; he and his department prepared for
11 the worst. They were joined by Madison County
12 Sheriff Turner, his deputies, and also a group
13 of state troopers.

14 Now, I've never met or talked with Mayor
15 Battle or Chief McMurray or Sheriff Turner, but
16 I fully support all of them. I believe the
17 actions they took were justified. I appreciate
18 their making and keeping Huntsville, Madison
19 County, and Alabama safe.

20 Attorney General Barr just recently said,
21 quote, being a police officer is one of -- it
22 is the hardest job in the United States. We're
23 asking people to go into very dangerous



1 situations, not knowing what will happen, end
2 quote.

3 Major Battle just won his re-election. We
4 need to keep Chief McMurray in his position and
5 commend him for the great job he is doing. We
6 did not experience the events here that
7 occurred in other cities. So let's surely
8 fund, not defund, our police. And all of us
9 should agree that all lives matter. Thank you.

10 MS. GUERRIERI: Thank you. Thank you
11 for coming. Next is Eve Lichay.

12 EVA LICHAY: Good morning. My name is
13 Eve Lichay, and I am here today in support of
14 Chief McMurray and all law enforcement
15 officers. It takes a special person to become
16 a police officer. They all have courage and
17 compassion for others. Yes, there are bad
18 apples in every organization. Police are
19 humans just like you and me, and most of the
20 police departments are really good about
21 calling out their own. Can we do better? Of
22 course. But violent protests do not help this
23 situation. Police have to make split-second



1 decisions under extreme duress that can either
2 save or take a life. To blame all the police
3 for the actions of a few is just not fair.

4 In regard to the protest in question, I'm
5 sure there were people who had good intentions
6 to voice their dismay about racial issues,
7 police, et cetera. That was their right to do
8 so. But let's get specific. Look at what
9 other protests have led to in other cities. By
10 her own admission, the speaker at the last
11 meeting on August 12th basically said she was a
12 professional protester and an anarchist.
13 Anarchist, according to the Webster dictionary,
14 is a person who rebels against any authority,
15 established order, or ruling power. Definition
16 of anarchy is, state of lawlessness or
17 political disorder due to the absence of
18 governmental authority. By their own
19 description, BLM is an avowed Marxist
20 organization. "We are Marxists. We are
21 ideological." But their cofounder, Patrice
22 Cullors, admits BLM is a hard-left Marxist
23 organization. I took that from their own



1 website.

2 People wearing these shirts, carrying
3 signs with raised fists and chatting defund the
4 police, are not out to have a picnic downtown.
5 And, unfortunately, the truly peaceful
6 protesters got caught up marching with other
7 people who infiltrated their group. And that
8 is when bad things can happen. It is like
9 America is under siege. We all had seen how
10 the peaceful protests that escalated to all-out
11 war in major cities across the United States.

12 After viewing all the damage done in other
13 cities by so-called peaceful protesters and
14 realizing that our town is having people come
15 in from out of town, the police prepared
16 themselves for the worst in case it happened.
17 To do otherwise would've been negligent
18 leadership. They had already had several
19 protests. How could anyone know what was going
20 to happen here? How much more could the
21 protesters say? And more importantly, what
22 else did they want to do?

23 So I respectfully ask the protesters: How



1 did you think the police officers should've
2 shown up to this protest? Y'all dressed and
3 chanted just like the rioters. Your nasty
4 words and disrespect for authority do have
5 consequences. A few did not like the verbal
6 dialogue you overheard from the police. How do
7 you think they feel when you chant vulgar and
8 incendiary words and signs at them? One cannot
9 expect to dress like the rioters, speak the
10 same language as the rioters, use the same
11 phrases, words, and demeanor and expect flowers
12 and bonbons to greet them. Why would you show
13 up with paint respirators, fireworks, and leave
14 your children home if you thought it was going
15 to be peaceful? When you were told to leave
16 the area, you deliberately disobeyed and threw
17 rocks and fireworks at them. That's when they
18 had no choice but to use smoke and tear gas to
19 get you to leave.

20 Many protesters came to provoke anarchy,
21 and the police answered the call. The police
22 were there to protect taxpayer property and
23 businesses downtown from being ruined. They



1 swore an oath to protect and defend and to
2 serve the public. They are willing to put
3 their lives on the line every day to do this.
4 The right to protest does not mean that you can
5 create chaos and intimidate everyone until
6 things change your way. The protest caused
7 businesses to close early, board their
8 buildings and leave the downtown area.
9 Restaurants were not able to stay open and earn
10 much needed income to recover some of the COVID
11 losses.

12 I would remind protesters that we were
13 just getting ready to reopen this town when all
14 hell broke loose across the country. Do you
15 think my rights should have been violated that
16 day for you? Most of us nonprotesters do not
17 believe -- do not feel comfortable having
18 dinner downtown with an angry group marching
19 around. One protest should be enough. We get
20 it.

21 I have a possible solution to consider.
22 In the future, you could issue a permit to
23 protest, but only on the following location:



1 Milton Frank Stadium. Have police check
2 entrance in at the gate, just like TSA. Only
3 signs and bottled water on a Saturday, during
4 daylight hours, such as noon to three. Have
5 media attend if they want. Charge a refundable
6 deposits in case protesters deface any part of
7 the stadium, and let them march until their
8 heart is content. When it's over,
9 announcements can be made to leave.

10 Huntsville is not going to be like the
11 other cities that no longer have law and order.
12 We've seen what has happened to cities where
13 the mayors and governors prevent law
14 enforcement from doing their job, and we will
15 not tolerate anything happening to our town.

16 So thank you to Chief McMurray and all the
17 law enforcement officers for doing your job.
18 We need you and want you to do your job without
19 the fear of reprisals from anyone. Our country
20 is not perfect, but we are the best country in
21 the world. Our police department is not
22 perfect. No one says we are. We can all
23 improve; even the protesters. I thank you for



1 giving me the opportunity to speak today.

2 MS. GUERRIERI: Thank you for coming.

3 Next is Emily Heflin.

4 EMILY HEFLIN: Hello. My name is Emily
5 Heflin.

6 MS. GUERRIERI: Welcome.

7 EMILY HEFLIN: I was at the protest on
8 June 1st and June 3rd, and I witnessed
9 everything the other protesters have described
10 to you. I don't really feel like it would be
11 productive to go over it again blow-by-blow and
12 repeat what others have said much more
13 eloquently than I could. Because at this
14 point, you have all the information you need to
15 make the right decision. At this point, all
16 that remains to be seen is whether you care
17 about holding the people responsible
18 accountable for their actions or not.

19 I would like to tell you all about the
20 trauma that these incidents have caused me and
21 my loved ones. I didn't sleep the night of
22 June 3rd. I had been able to get out right
23 before the arrests started, but I knew people



1 had been arrested, and I was terrified as to
2 how they were treating those people. Turns out
3 I had reason to be scared. The cops had giving
4 multiple people concussions and slamming them
5 to the ground, dislocated someone's shoulder --
6 something they'll have to have surgery for --
7 and refused to give anyone medical attention
8 for 4 to 24 hours. Their face masks were
9 confiscated as they were not allowed to have
10 masks in the jail. And the officers were not
11 wearing masks either, despite being in the
12 middle of a deadly pandemic.

13 For a month, I had nonstop nightmares
14 about the tear gas and rubber bullets, and so
15 did most of my friends. Several of my friends
16 have panic attacks and flashbacks anytime they
17 come to Big Spring Park. And I can't come to
18 the park anymore without that same panic rising
19 in my chest. I have never had problems with
20 anxiety on July 4th, regarding fireworks, so I
21 didn't really expect it when I almost crashed
22 my car on the way home from work because those
23 fireworks made me flashback to the tear gas



1 cannisters and rubber bullets being shot at
2 peaceful protesters. About ten of my friends
3 who were at the protest experienced the same
4 thing. All of us are now given flashbacks by
5 any loud noises in a way that we never were.
6 One of my fellow protesters was so affected
7 that they had to check themselves into a mental
8 hospital.

9 And council members, if that sounds bad,
10 then you'll be horrified to hear that these are
11 things that black people in Huntsville have
12 been telling us that they've experienced for
13 their entire lives. They see their friends and
14 family members abused and murdered by the
15 police with no justice. No due process. They
16 hear the way city officials like Jennie
17 Robinson talk about them. They grow up knowing
18 that one accidental wrong move or wrong word or
19 wrong tone of voice around a police officer
20 could very well mean their death in a way that
21 white people are not treated.

22 If two nights of police brutality have
23 affected me and my white friends like this,



1 imagine how generations and lifetimes of police
2 brutality affects our neighbors of color.
3 These symptoms are PTSD symptoms. You have a
4 police department that gives its citizens PTSD
5 for the crime of being black, for the crime of
6 advocating for black lives. You have a police
7 department that shoots a rubber bullet halfway
8 through a teenager's leg and says there were no
9 injuries. You have a police department that
10 boxes in a group and protesters in a park, most
11 of whom were trying to leave, including myself,
12 shoots tear gas in the middle of the crowd, and
13 expects people who can't see and can't walk
14 straight to find their way out of downtown.
15 You have a police department that acts with
16 impunity and then claims that there might have
17 been a threat, so that mass traumatization and
18 violation of the citizens rights was warranted.
19 You have a police department that was
20 caught on police scanner radio joking about
21 throwing water balloons and shooting protesters
22 from the parking garage roof at the beginning
23 of the June 3rd protest. Are we proud of that?



1 Huntsville is supposed to be the star of
2 Alabama. But right now we are proving that we
3 are a city just as backwards and just as racist
4 as every sundown town in this state with a very
5 thin veneer of technological literacy and
6 gentrification on top to cover the rot. How
7 easily the racism came to the surface. How
8 easily the police brutalized people. How
9 easily they excused their violence and laughed
10 it off. And why wouldn't they? Seems to many
11 of us as if no one is interested in making sure
12 they follow the law.

13 I really do love the phrase, if you ever
14 wondered what you would've done during the
15 Civil Rights Movement, is what you're doing
16 now. I would like you all to ask yourselves
17 that. The whole world is watching America and
18 Alabama right now. We are a historic state
19 with a long history in the Civil Rights
20 Movement. History is being made right now by
21 the amazing activists in this city. How do we
22 want Huntsville to be remembered? Thank you.

23 MS. GUERRIERI: Thank you for coming.



1 Next is Henry Turner. Mr. Turner? We'll come
2 back to Mr. Turner. Jessica Johnson.
3 Ms. Johnson, could you speak directly into the
4 microphone?

5 JESSICA JOHNSON: Yes, ma'am.

6 MS. GUERRIERI: Some members were having
7 a difficult time hearing.

8 JESSICA JOHNSON: Good morning. I'm
9 Jessica Johnson, and I live in District 2.

10 MS. GUERRIERI: Welcome.

11 JESSICA JOHNSON: Thank you. And thank
12 you all for being here today and volunteering
13 your time and service to our community. I'd
14 like to tell you a little bit about myself.
15 I'm a 35-year-old, mini-van-driving mother of
16 two. I grew up in Birmingham. Eight years ago
17 my husband and I moved to Huntsville to open
18 his orthodontic practice, and we've fallen in
19 love with the Rocket City. I'm a graduate of
20 Sanford University, and when I'm not
21 chauffeuring my kids around, I enjoy
22 volunteering in our community. To be clear, I
23 am not an anarchist or an outside agitator.



1 And on the evening of June 3rd, 2020, I was in
2 downtown Huntsville carrying a sign that read,
3 "when hate is loud, love cannot be silent.
4 Black Lives Matter."

5 I'm here to give you a firsthand account
6 of what transpired that evening. You might not
7 have been in attendance. So by sharing my
8 personal experience, I sincerely hope each of
9 you will feel compelled to use your position as
10 a member of this council to hold the Huntsville
11 Police Department responsible for their
12 atrocious and violent behavior towards
13 Huntsville's peaceful citizens. It is my
14 strong desire to see HPD make positive changes
15 to the way it operates. It's important that
16 HPD acknowledge how they could have responded
17 in a more reasonable and less violent manner,
18 and that they detail a plan for changes in
19 future tactics so that each and every citizen
20 of Huntsville feels safe.

21 So there I was in Big Spring Park on June
22 3rd amongst a multitude of people joined
23 together in solidarity against police brutality



1 and the killing of unarmed black Americans. I
2 walked from the park up to the courthouse
3 square where our peaceful crowd was greeted by
4 officers surrounding the courthouse decked out
5 in riot gear and clutching rifles. Additional
6 officers could be seen on every corner. There
7 were drones overhead and snipers perched atop
8 the courthouse. I took an incredulous look
9 around and did a lap around the square to see
10 if there was something I'd missed. Was there a
11 different crowd up here? Was anyone being
12 overtly aggressive? I wondered what kind of
13 threat could be lurking in this crowd to elicit
14 such an overwhelming police presence.

15 As I carefully observed and walked around,
16 I saw friendly and familiar faces of concerned
17 citizens. I saw people chanting and kneeling.
18 I saw people handing out water and hand
19 sanitizer. I saw people helping others
20 register to vote. Not once did I see any hint
21 of violence from those protesting. I was
22 struck by the real sense of camaraderie. The
23 compassion and attitude of the crowd stood in



1 stark contract to the aggressive and flippant
2 attitude of the law enforcement officers.

3 I was making my way towards Madison Street
4 to leave when a group of protesters shrieked
5 and began running away from the intersection.
6 The sound of their frightened screams caught my
7 attention. I looked back to the area that they
8 were running from, and what I saw next will
9 stick with me for the rest of my life. Less
10 than ten yards in front of me was a heavily
11 fortified group of law enforcement officers
12 that were storming the crowd. I watched as
13 they poured out from the parking deck where
14 they'd been hiding. They set off an alarm that
15 added to panic and confusion amongst the crowd
16 of peaceful protesters. Then they formed a
17 forbidding line blocking anyone from exiting
18 via Madison Street. An officer was speaking on
19 a bullhorn. And although I was in close
20 proximity, it was difficult to understand what
21 was being announced. My heart was pounding. I
22 was scared. It was hard to believe this was
23 happening in my progressive and beloved



1 Huntsville. It was a truly traumatizing
2 experience.

3 I respect law enforcement. They have a
4 tough job. I've taught my children that law
5 enforcement officers are helpers and good guys.
6 My brain was racing as the beliefs I held were
7 being directly contradicted by what I was
8 witnessing with my very own eyes. I felt
9 threatened by the people I believed would
10 protect me. I was saddened to realize that our
11 own police force has fallen prey to implicit
12 bias through gross misconceptions which led
13 them to make a series of extremely poor
14 judgment calls, entirely misreading the
15 situation on June 3rd, and ultimately resulting
16 in the attack of peaceful residents of Madison
17 County.

18 HPD is tasked with protecting all citizens
19 of Huntsville, not just the ones that look like
20 them or vote like them or agree with them.
21 Freedom of speech and the right to peaceably
22 assemble are Constitutionally protected.
23 They're cornerstones of a true democracy. And



1 on June 3rd, HPD infringed on my right to do
2 both through intimidation tactics and threats
3 of force.

4 MS. GUERRIERI: Your time is up. Thank
5 you for coming.

6 JESSICA JOHNSON: Thank you.

7 MS. GUERRIERI: Has Mr. Turner come in?
8 Okay.

9 HENRY TURNER: Good morning. I want to
10 thank you for allowing me to speak. Mine will
11 be short and simple. I see this as a pretty
12 cut-and-dry issue. I'm a --

13 MS. GUERRIERI: Could you -- excuse me,
14 sir. Could you give your name first?

15 HENRY TURNER: I'm sorry. Henry Turner.

16 MS. GUERRIERI: Welcome.

17 HENRY TURNER: I'm a life-long citizen
18 of Huntsville, Alabama. I'm proud of my city.
19 I have seen it go through a lot of changes in
20 my lifetime. And I appreciate Huntsville
21 Police Department for taking care of my city
22 and making it a safe place to live. I am here
23 to express my concern over the attitudes and



1 commentary made about the incident over the
2 protests over the Floyd incident.

3 I, like most of the country, was upset
4 over what I saw on TV. I'm thankful that an
5 event like that did not take place here in
6 Huntsville, and I understand those that were
7 upset. It brings to mind to me the old saying,
8 "Give 'em an inch and they'll take a mile."
9 And though the event was over -- and I will
10 commend our police chief for allowing it to
11 extend past the time of the allowed permit. I
12 believe he showed understanding and compassion
13 towards the event because I believe he was
14 upset, as most of the country was.

15 However, I think it reached the point of
16 going for the mile after the inch was given
17 when they were allowed to ingress the
18 courthouse square. And I, with the trained
19 observance of the police department, observed
20 that it was fixing to turn into something else.
21 And I want to commend them that, without that
22 action, I believe it would have been a slap in
23 the face to the Police Academy and the sworn



1 oath that they took when they graduated from
2 the Police Academy. I think it would've been a
3 slap in the face to the citizens of Huntsville,
4 the businessmen, and property owners of
5 downtown Huntsville, and the whole city as a
6 whole. I look at their cars. Their cars state
7 on them, "To serve and protect." It would've
8 been a slap in the face to that motto and would
9 be a laughingstock of the fleet of cars out
10 there. I am honored to know that we have a
11 police chief, have a force that we have, and to
12 make us -- me and the rest of us citizens, feel
13 safe in this town. And I would hope that in
14 case anything else ever happened, the actions
15 would be the same. That's about all I have to
16 say. I want to thank you for allowing me to
17 come out, and I hope you can all make the right
18 decision.

19 MS. GUERRIERI: Thank you for coming.
20 Next is Abby Kunkle, K-O-N-K-L-E. Ms. Kunkle.
21 We'll come back. Cindy Seeley.

22 CINDY SEELEY: Good morning. My name is
23 Cindy Seeley.



1 MS. GUERRIERI: Welcome.

2 CINDY SEELEY: I currently live in the
3 Blossomwood area, but I grew up in the Chapman
4 area, near Oak Park. I'm a native of
5 Huntsville, and I was born in 17 inches of
6 snow. So if you're a true native, you pretty
7 much know exactly when that last happened in
8 the City of Huntsville.

9 In all of my adult years, I have never
10 been what I would call a politico. But right
11 now, I just cannot stand any longer to just be
12 quiet and not stand up for what is right in our
13 country.

14 The morning of the protest, I was walking
15 to my office at the Times building. Outside of
16 my office, I was greeted by Sergeant Thigpen,
17 who'd been canvassing the downtown since early
18 that morning. There was a neatly stacked pile
19 of bricks right outside my building. I walked
20 -- I walk to that building the same way every
21 day, and I have never noticed those bricks.
22 Now, apparently, they were left over by a
23 remodel at SiP. I've built a lot of houses in



1 Blossomwood, and there wasn't a bit of dirt,
2 there weren't any weeds, nothing growing out of
3 those bricks, so I still kind of questioned
4 that. So -- but I digressed. Whatever the
5 case, Sergeant Thigpen had them removed
6 immediately, not wanting to take any chance
7 that the protesters would gather in the old
8 Belk Hudson parking lot for supplies.

9 My assistant and I strolled downtown that
10 day just to see the preparations. We were both
11 extremely impressed by the depth of the
12 preparations right down to the dumpster
13 removal. They'd really thought of everything.
14 However, I had very, very much underestimated
15 the depths of those preparations when I watched
16 the four-hour PowerPoint presentation by Chief
17 McMurray. As I watched his presentation, I
18 will honestly say I sat up a little straighter
19 in my seat with amazement and pride for the
20 HPD. The sophistication and brilliance of
21 their research, intel and planning was nothing
22 short of what we should be finding in cities
23 like New York, Chicago, and LA. The



1 collaboration of the HPD, the Madison County
2 Sheriff's Department, ALEA, and, I believe, the
3 FBI put forth a detailed and successful plan
4 for handling the protesters. I firmly believe
5 that if cities like Portland and Seattle
6 allowed their police officers to do their jobs,
7 they wouldn't have the problems they are
8 having. We don't want to be Portland, and the
9 HPD made sure that this didn't happen here in
10 Huntsville. And for that, the citizens of this
11 city are truly grateful. And when I say
12 that -- the citizens of this city, I have
13 talked to many, many, many people across this
14 city. Most of them are really worried,
15 actually, about coming to speak in front of you
16 and the city council because they don't want to
17 be targeted.

18 While protecting the businesses and
19 residents, the police still bent over backwards
20 to allow the protesters to exercise their First
21 Amendment rights. They allowed the protests to
22 leave the permitted area. They allowed them to
23 stay long past their permitted time, and they



1 even blocked off streets that protesters
2 weren't supposed to be on to keep them safe.

3 Again, the citizens of this city are
4 grateful to the HPD, not just for ensuring that
5 protests did not descend into chaos, but we are
6 grateful they did it in a way that still
7 honored our First Amendment rights to
8 peacefully assemble. For those naysayers out
9 there, when the party is over, the party is
10 over. Go home. And when you get out a gas
11 mask instead of going home, then you pretty
12 much better be prepared for what you get. And
13 to all those people on Facebook that were
14 horrified by the police pouring milk out of a
15 water bottle, again, if you show up at a
16 protest with milk to compensate for the tear
17 gas, you are expecting to do bad things. The
18 police are reacting to the protesters' bad
19 decisions and nothing more.

20 As it stands right now, we still live in a
21 country where we are free and safe, and we owe
22 that to the men and women who show up every day
23 to put their lives on the line for the rest of



1 us. So thank you to the HPD for keeping us
2 safe, and more importantly, doing it in a
3 manner that respects our Constitutional rights.
4 And if you haven't gotten the hint yet, I back
5 the Blue. Thank you so much for allowing me to
6 be here.

7 MS. GUERRIERI: Thank you for coming.
8 Has Ms. Kunkle come in? Abby Kunkle?

9 UNIDENTIFIED SPEAKER: I know her, and I
10 don't see her here today.

11 MS. GUERRIERI: Okay. We'll keep trying
12 back. Cara Greco?

13 CARA GRECO: Hello, Council. My name is
14 Cara Greco. I am here today to give my
15 complete --

16 MS. GUERRIERI: Welcome.

17 CARA GRECO: -- support for Police Chief
18 Mark McMurray, the officers of the Huntsville
19 Police Department, Mayor Battle, and all the
20 law enforcement agencies that served to protect
21 Huntsville during the recent protests. I live
22 a few blocks from downtown -- the downtown
23 square. I can speak for family, as well as



1 many of my neighbors and downtown business
2 owners, that we are very grateful for the
3 police presence and dedication of our law
4 enforcement professionals, especially on the
5 nights of June 1st and June 3rd. We have all
6 watched the recent protests unfolding across
7 many cities in our country since the tragic
8 death of George Floyd.

9 While I champion every American's right to
10 peacefully protest, I've also watched in dismay
11 as many of these protests have turned
12 violent -- resulting in looting, burning of
13 buildings, and destruction. Invariably, these
14 protests have seemed to take a violent turn
15 after protests have continued for hours and
16 hours and stretched into the darkness of night.
17 We've seen this happen in major cities across
18 the country, but we've also seen it in cities
19 closer to home; namely, Nashville, where the
20 courthouse was set on fire, and vandalism in
21 downtown Birmingham.

22 We have all heard the rumors about outside
23 agitators coming to Huntsville and to escalate



1 the planned protests in the days preceding the
2 protest. In my humble opinion, peaceful
3 protests seemed to turn violent when there was
4 no plan in place by law enforcement to handle
5 the crowds as emotions shifted from peaceful to
6 hostile.

7 Our local law enforcement had a plan in
8 place. They were proactive. And they had a
9 place -- plan in place to handle this
10 transition. I watched the protests on Facebook
11 Live and heard the officers on the speakers
12 announce many -- multiple times that the
13 permitted time had passed, and it was time for
14 protests to leave the area. These
15 announcements went on for at least an hour and
16 a half on both nights. Many protesters left at
17 this point, but the ones that remained were in
18 defiance of the police order. Intentions
19 seemed to be escalating. At that point, law
20 enforcement put into action their preemptive
21 plan to disperse the crowd. Had the crowd left
22 when the permitted time was over, those
23 measures would not have been needed.



1 Because of our police, our downtown was
2 spared any potential destruction, and people
3 were kept safe from potential violence. It's
4 easy to retrospectively look at the protests on
5 June 1st and 3rd and say that the rumors of
6 outsiders coming into town weren't true or
7 didn't pan out or that the police presence was
8 too excessive. But you -- police had to make a
9 plan based on the information they had
10 beforehand. Had the protests ended with
11 violence and damage and destruction of our
12 downtown, we would all be sitting here
13 criticizing the police for not doing enough to
14 protect our city. I have heard many protesters
15 say they felt intimidated and threatened by the
16 police presence. Well, I can assure you that
17 my family and my neighbors felt safe and secure
18 because of the police presence. No one has a
19 right to be free of fear at the expense of
20 another.

21 Again, I commend the HPD for managing the
22 protests in a professional and expertise
23 manner. Thank you.



1 MS. GUERRIERI: Thank you for coming.
2 Joshua Heard -- I mean, I'm sorry. Carrie
3 Coan?

4 CARRIE COAN: Good morning, council
5 members. I am here first and foremost --

6 MS. GUERRIERI: Could you give your
7 name, please?

8 CARRIE COAN: Sure. Sure. Carrie Coan.

9 MS. GUERRIERI: Welcome.

10 CARRIE COAN: Good morning. I'm here
11 first and foremost to voice my approval of how
12 HPD, the sheriff's department, and ALEA handled
13 the events that occurred in downtown Huntsville
14 and Bridge Street the week of May 30th through
15 June 5th.

16 First, we should recognize that there was
17 one protest consisting of at least two separate
18 groups. One group came with the intention of
19 actually exercising their right to peacefully
20 protest, and the other came prepared for a
21 confrontation with law enforcement. The
22 peaceful protesters came and went when the
23 event ended. Yes, a few stuck around to



1 witness the aftermath, but most followed permit
2 policy and left without incident. The second
3 group, which came with ill intentions, refused
4 to leave once the event concluded. Many used
5 the excuse that they weren't aware of when the
6 protest ended or didn't hear the police tell
7 them to leave.

8 Council members, it took me five seconds
9 to pull up a permit, which I have in my hand,
10 that clearly shows the beginning and end time
11 of 4:00 p.m. to 6:30 p.m., with a generous
12 30-minute window after to disband from the
13 event by 7:00 p.m. It is the obligation of the
14 protester to know when their permitted time
15 concludes, not the obligation of the police to
16 tell them. Albeit, the police tried over and
17 over. Ignorance of the law, or in this case,
18 the policies of the permit, is no excuse.
19 Thousands of us watched on Facebook Live and
20 could clearly hear the police over the loud
21 speakers for over an hour asking the group to
22 disband.

23 So how do we know for sure this second



1 group was ill-intended? The ones that refused
2 to leave? It was brought to my attention that
3 a few curious fliers were circulating around
4 special media sites throughout our city, one
5 entitled *Protesting Safely*, and another,
6 *Protest Digital Security Guide*, both of which I
7 will submit to you with proof, if necessary,
8 that the fliers indeed were posted on local
9 social media pages.

10 Now, if you want to be peaceful, then you
11 act peacefully; correct? For one, you don't
12 need -- you don't need protest attendees
13 calling themselves medics, which they are not,
14 prepared to care for injured people. You don't
15 come for -- to a peaceful protest equipped for
16 a fight, as these fliers clearly suggest, that
17 a confrontation is imminent. If your
18 intentions are indeed peaceful, then you abide
19 by the permit policies and act accordingly.
20 Therefore, there is no need for a security
21 guide.

22 Let's go over what these security guides
23 that circulated around suggest. Don't wear



1 your contact lenses. Bring bandages and first
2 aid supplies or water for when you're tear
3 gassed. Earplugs to protect you -- your ears
4 from loud noises. Perhaps like the firecracker
5 that was thrown in HPD's direction June 3rd?
6 Goggles to protect your eyes from rubber
7 bullets, and gloves to protect your hands from
8 tear gas. Tie your hair up in a bun and write
9 emergency contacts on your arm.

10 Now, here's the real kicker. When you go
11 to a peaceful protest, you should encrypt your
12 phone so that the cops can't see where you are
13 in a crowd, or purchase a burner phone and
14 disable face and touch ID. Disable data and be
15 sure to turn off location services and monitor
16 which apps you're allowing access to so that
17 location services -- so that your records
18 cannot be subpoenaed for later. Make sure you
19 scrub and blur faces before posting them on
20 social media.

21 Council members, these are not actions
22 taken by individuals headed to a peaceful
23 protest, just in case your police department,



1 your sheriff's department, Alabama Law
2 Enforcement Agency, and the FBI have all
3 conspired against you, and unprovoked, for no
4 reason at all, they begin to attack you. The
5 fact is, these fliers circulated the week of
6 the protest to teach ill-intentioned attendees
7 how to prepare for a fight with law
8 enforcement. Plain as the nose on our face.
9 And that's what they intended to do.

10 HPD had every legal right to serve and
11 protect, first and foremost, the innocent lives
12 of this city, our property, our businesses, and
13 our public spaces. Which, by the way, did you
14 know that a random man was walking through
15 downtown with an automatic rifle and two
16 magazines full of bullets strapped to his
17 belts. Those snipers, they would've saved your
18 life had he opened fire. Thank you, snipers.
19 I'm grateful beyond words that we're not just
20 another city that was torched, looted, and
21 vandalized by these ill-intended protesters.

22 So, you've asked, what could HPD have done
23 differently? As far as I can see, they



1 responded within their legal limits. However,
2 it may be that our city council can amend the
3 policy's permit holders that, in addition to
4 the permit, all materials, advertisements, and
5 social media posts must clearly state a
6 beginning and end time and any other pertinent
7 policies so that the "we didn't know" excuse is
8 never used again.

9 In conclusion, thank you, council members,
10 for listening. And thank you again Huntsville
11 Police Department and Chief McMurray for
12 continuing to serve and protect the citizens of
13 Huntsville even in the face of such adversity.

14 MS. GUERRIERI: Your time is up.

15 CARRIE COAN: Thank you.

16 MS. GUERRIERI: Thank you for coming.

17 MR. LITTLE: Thank you.

18 MS. GUERRIERI: We had scheduled in a
19 ten-minute break at this point in
20 preparation -- I think it was going to be at
21 11:00 Do we want to continue until 11:00 or
22 take our break now? We'll continue until
23 11:00. Next is Mr. Joshua Heard.



1 JOSHUA HEARD: My name is Joshua Heard.

2 MS. GUERRIERI: Welcome.

3 JOSHUA HEARD: H-E-A-R-D: Thank you.

4 Firstly, I would like to thank the members of
5 the council for allowing me this time to speak
6 and the prudence of these hearings. I would
7 also like to preface my remarks with the fact
8 that I've served as a law enforcement
9 professional for roughly 20 years. I have
10 master's degrees in both criminology and
11 criminal psychology, as well as sociocultural
12 anthropology. I'm a recognized subject matter
13 expert in several law enforcement areas. So
14 while I'm speaking to you today as a private
15 citizen and expressing my personal opinions,
16 they are opinions based on extensive knowledge
17 and professional experience. While there are a
18 great many things that I wish to speak to --
19 speak on to this council, I will limit myself
20 to brief remarks on topic -- relatively brief.

21 Regarding the protest events which took
22 place in June of this year, and concerning the
23 actions and conduct of Huntsville Police



1 Department, as well as supporting law
2 enforcement agencies at those events, I have
3 personal friends, acquaintances, professional
4 associates who were all present at the protest
5 events of the week of June 3rd. And I've
6 reviewed hours of video footage, listened to or
7 read first-, second-, and third-hand
8 accountings of the events. It's understandable
9 that many of the attendees in these events had
10 never been to a thing -- to an event that
11 ultimately involved the use of smoke, riot
12 control agents, pepper spray, visual
13 demonstrations of presence, and the like, by
14 law enforcement.

15 It's also understandable that perception
16 of events and the police presence and actions
17 can be clouded by the emotionality of the
18 situation, as well as biases and some other
19 influences. This has not been helped by
20 misinformation, anecdotal evidence, and
21 anti-police sentiment expressed nationally and
22 locally prior to, during, and after these
23 events.



1 Responsibility for the events of the
2 evening can't and shouldn't be placed solely
3 with the Huntsville Police Department or its
4 supporting law enforcement counterparts. While
5 the officially organized and sanctioned
6 activity was without significant incident, it
7 was the subsequent actions of lingering persons
8 that elicited the responses from law
9 enforcement. Some might view those law
10 enforcement responses as inappropriate or
11 excessive, but based on the situation, I
12 believe it was the actions by law enforcement,
13 as well as some of the more responsible members
14 of the community that were in attendance, that
15 prevented this lawful protest from evolving
16 into something that could've significantly had
17 negative impacts on the people present, as well
18 as our local communities, business
19 infrastructure, et cetera.

20 There are many people who want to vilify
21 the police, who want to perpetuate narratives
22 that police and policing are problems
23 nationally and locally. That law enforcement



1 is antiquated or an obsolete construct that is
2 no longer necessary or somehow harmful or
3 detrimental to progress in our country and our
4 area. That's simply not the case. Whether
5 people want to acknowledge it or not, the
6 overwhelming preponderance of facts and
7 evidence demonstrates that US police and
8 policing, including those in the
9 Huntsville/Madison County area, are not
10 monsters to be feared or vilified or
11 vanquished.

12 Police and policing is about more than
13 just law enforcement and public safety. They
14 are an invaluable and foundational part of our
15 communities and society, nationally and
16 locally. They have grown with us as a nation.
17 Not apart from us, but as part of us. Crime
18 prevention and reduction, safer school
19 initiatives, mitigation and prevention of
20 gangs, combating terrorism, sexual assault
21 prevention and response, community-oriented
22 policing, advancements in forensic science,
23 addressing human trafficking, drug



1 interdiction, evidence and intelligence-based
2 policing, disaster preparedness and response,
3 et cetera, are all a small portion of the
4 things that have benefited every single member
5 of our nation and this community. All of its
6 citizens, regardless of race, ethnicity,
7 ancestry, or any other factor. Because the
8 police are part of this community, they serve
9 this community. And more than that, they are
10 members of this community.

11 Huntsville Police Department is, in my
12 opinion, an exceptional city police department
13 because its leadership and its members
14 understand those things. And it is my belief
15 that during the events in question, the police
16 department acted within the standards of
17 objective reasonableness and Constitutionality.
18 So while policing isn't perfect, neither is
19 society. And the only way that we're going to
20 be better and to do better is to do so together
21 with mutual support and cooperation as a
22 community. A house divided against itself
23 cannot stand. Thank you for your time.



1 MS. GUERRIERI: Thank you for coming.
2 Has Ms. Kunkle come in? Okay. Next is Karen
3 Reed.

4 KAREN REED: Okay. Hi, I'm Karen Reed.

5 MS. GUERRIERI: Welcome.

6 KAREN REED: And I'm glad to be here.
7 Boy, there are a lot of smart, well-spoken
8 people in this group. I hope everybody has
9 listened to them today because it's been
10 amazing to me. It's opened my eyes to a lot.
11 And I want to thank everybody that did speak
12 today. And I want to thank y'all for doing
13 this for our community. I know it's a long,
14 arduous, and hike where you're heading.

15 But I grew up here, been here since 1969,
16 before the computer and before anything was
17 four-laned, and when Bailey Cove was two-lanes.
18 I went to Grissom, and then I went Auburn. And
19 then I got in a mixed marriage and married
20 somebody that went to Alabama. But that's
21 okay.

22 Anyway, I just wanted to tell you that I
23 used to be a former special ed teacher, and I



1 tried to teach my children -- I taught lots of
2 children that were from varying homes, low
3 income, Mason Court, and various -- Butler
4 Terrace. And I tried to teach those kids to
5 respect authority. I saw that a lot of my boys
6 were going to get in trouble. I had a boy that
7 I taught in high school that told me he would
8 kill somebody for a hundred dollars. And I
9 told him, do me a favor. Call me. I'll give
10 you a hundred dollars not to. He ended up
11 being a great guy, ended up having a wonderful
12 job, and I think it was because of our
13 community. I think we gave him a lot of
14 options.

15 I'm here to say this: I was proud as I
16 could be that the protesters wanted to protest,
17 and I was proud that they were peaceful, minus
18 a few bad eggs, which we will -- like the young
19 man before me just said, not everybody's great
20 in society. But Huntsville Police Department
21 did what I think was right. They gave them
22 plenty of cushion time, and then they needed to
23 just say, it's time to go home.



1 And so I would just like to say thank you
2 to y'all again and to the Huntsville PD for a
3 job well done, in my opinion.

4 MS. GUERRIERI: Thank you for coming.

5 KAREN REED: Thank you for having me.

6 MS. GUERRIERI: Next is Lakin Crump. I
7 hope I pronounced that correctly.

8 LAKIN CRUMP: Hello, council members. I
9 am Lakin Crump.

10 MS. GUERRIERI: Welcome.

11 LAKIN CRUMP: I'm glad to be here today.
12 I'm here today in support of the Huntsville
13 Police Department, Police Chief Mark McMurray,
14 Mayor Battle, and all the law enforcement
15 officers that worked so hard to keep Huntsville
16 safe during the recent protests. I'm here to
17 bear witness to what I saw on June 3rd. As I
18 was driving downtown around 5:45 p.m., my
19 sister and I witnessed a male in his early 20s
20 at the corner of Gates and Green Street bent
21 over, placing an object in the bushes of the
22 house. We took pictures of the incident. When
23 he saw that we were watching and taking



1 pictures, he walked towards Williams Avenue.
2 We followed him where he -- where we witnessed
3 him changing clothes on the sidewalk. He also
4 carried with him a long metal cane, even though
5 no obvious injury, handicap, or walking
6 impediment.

7 After the individual walked away, we
8 notified two police officers of what we had
9 seen, and then we drove back around to notify
10 the homeowners where the object had been
11 hidden. While only a large roll of toilet
12 paper was found, we were very much aware from
13 news reports that items such as this had been
14 used as to start fires in the street and to
15 burn down businesses by saturating it in a
16 flammable substance such as kerosene.

17 I do not pretend to know what this
18 particular individual's intent was, but I do
19 know he fit the description of an instigator,
20 and his behavior was suspicious and suggested
21 the same. I have forwarded these pictures to
22 the HPD and will forward to the council as
23 well. I wanted to come today to share my story



1 and give full support of all the law
2 enforcement agencies in keeping Huntsville
3 safe. Thank you.

4 MS. GUERRIERI: Thank you for coming.
5 At this time, we're going to take a ten-minute
6 break.

7
8 (At which time, a brief recess was
9 taken.)

10
11 MS. GUERRIERI: Okay. Thank you. Our
12 next speaker is Tricia Murray.

13 TRICIA MURRAY: Oh, sorry. My name is
14 Tricia Murray, and I'm here to speak in support
15 of -- I'm sorry?

16 MS. GUERRIERI: Welcome.

17 TRICIA MURRAY: Oh, thank you so much.
18 My name is Tricia Murray, and I'm here to speak
19 in support of the police department and Chief
20 McMurray. I live in Old Town, just a few
21 blocks from the courthouse square, and I am a
22 life-long resident of Huntsville. My family
23 has lived here since the 1850s, so I have deep



1 emotions for our city.

2 As all of you know, leading up to June
3 3rd, there had been Black Lives Matter protests
4 all across the country and even in our state.
5 That had started off peacefully and turned
6 violent as day faded to night. As darkness
7 fell, protesters became incited and began to
8 riot -- assaulting innocent bystanders and even
9 journalists. Burglarizing, looting, burning
10 businesses, defacing buildings and monuments
11 with graffiti, blocking traffic, breaking
12 windows, and vandalizing dozens of businesses.

13 All of that I've just mentioned happened
14 in Birmingham just days before June 3rd. Yes,
15 95 miles south of here and on the same night,
16 just up the road, protesters set fire to a
17 courthouse. Again, under the cover of
18 darkness. All of this was very concerning to
19 me. I was also hearing from my local sources
20 and social media that these same people, ANTIFA
21 and Black Lives Matter, were planning on being
22 here for the NAACP rally on June 3rd.

23 I was concerned such that on June 2nd, I



1 placed a call to my councilwoman, Francis
2 Akridge. To her credit, she returned my phone
3 call and called to assure me that our police
4 department was not going to let happen here
5 what had happened in Birmingham and these other
6 cities. She told me that our police
7 department, with other -- FBI and other
8 agencies, were being very proactive and were
9 already here on the ground collecting
10 intelligence and were aware of these
11 out-of-state and other professional instigators
12 and their plans. Hearing this made me feel
13 more at ease.

14 The next morning, June 3rd, I sat on my
15 porch and watched as several of my neighbors
16 paraded by going down to protest. But there
17 were also people that passed by that I didn't
18 recognize. There were cars from Tennessee,
19 Georgia, Texas, and Florida on my street. But
20 I was comforted in knowing that the police were
21 stationed on my street and surrounding streets,
22 too. I have no doubt that the professional
23 instigators were present. I've watched over



1 seven hours of footage of the event of June 3rd
2 from AL.com, WHNT, and others.

3 After the NAACP rally, there were people
4 with all kinds of signs saying, F the police
5 and screaming same and worse. At approximately
6 7:10, 40 minutes after the NAACP permit had
7 expired, with Jefferson Street completely
8 blocked by protesters, and you can hear the
9 police order the crowd to disperse. Many left,
10 but hundreds stayed. The sun officially set at
11 7:56 on June 3rd. At 8:00 p.m., one and a half
12 hours after the rally permit had expired and
13 several attempts by law enforcement to disperse
14 the crowd by announcements, noise tactics, and
15 smoke, Jefferson was still completely blocked
16 by protesters. Some even kneeling in the
17 middle of the street.

18 It was at this time that the troopers from
19 ALEA drove in to help clear the street and
20 further disperse the crowd. As they drove in,
21 protesters became more violent. You can see on
22 the video, there were people throwing bottles
23 and other objects at the troopers and even



1 running out to physically kick their cars as
2 they drove by. They were tossing rental bikes
3 about and still in the streets yelling
4 obscenities at our law enforcement.

5 It is my opinion that the police showed
6 great restraint throughout the evening. But
7 after being verbally and physically assaulted
8 by the unlawful assembly of protesters a full
9 hour and a half after the permit had expired
10 and with night fast approaching, the police
11 took appropriate action to quickly disperse the
12 crowd and secure the streets with nonlethal
13 means.

14 Our Constitution protects the right to
15 speak and assemble freely, but it provides no
16 right to commit violence or defy lawful orders.
17 The citizens and business owners of Huntsville
18 should be grateful to Chief McMurray and his
19 department for their professional and steadfast
20 defense of the rule of law. I support Chief
21 McMurray and the police department.

22 I have a speech to submit to you with my
23 references from the videos, and I also have an



1 article from the Wall Street Journal that talks
2 about how systematic racism is a myth. I would
3 like to present that to you if you would like
4 it.

5 MS. GUERRIERI: Thank you very much for
6 coming. One of our members, Mr. Bentley, had
7 to leave on an emergency, so I just wanted to
8 mention that. And he will be reviewing the
9 rest of this meeting when it's posted online.

10 Our next speaker is Barry Garrison. Has
11 Ms. Kunkle come in?

12 UNIDENTIFIED SPEAKER: I haven't seen
13 her, no.

14 MS. GUERRIERI: Okay. Next is Paul
15 Bryant.

16 HALL BRYANT, JR.: Thank you so much for
17 letting me be here. My name is Hall B. Bryant,
18 Jr.

19 MS. GUERRIERI: Welcome.

20 HALL BRYANT, JR.: I want to thank my
21 daughter, Tricia, and my niece, Lakin. Great
22 job. Great job. And I want to thank y'all for
23 being in the arena.



1 I don't know if any has ever held public
2 office, but you're as close as you're ever
3 going to get, because you'll find out people
4 will lie, they will misrepresent facts, they
5 will tell facts, and they will tell them as
6 they saw them, and some will tell the truth.
7 But that's why you're paid this great salary,
8 to be able to separate those.

9 MR. REITZEL: Double it.

10 HALL BRYANT, JR.: As I said, my name is
11 Hall B. Bryant, Jr., and my family has lived in
12 Huntsville and Madison County for 200 years.
13 We have seen it all, participated in it -- the
14 good, the bad, the not so bad. I stand by and
15 am very proud of heritage. I have seen many
16 changes. 99 percent of them good. Thank you
17 for affording this opportunity. This is why
18 we're here. This is the United States of
19 America. Everybody should be able to speak.

20 Firstly, I want to thank all the law
21 enforcement officers, officials, and personnel,
22 especially the City of Huntsville, Chief Police
23 Mark McMurray and his assistants, Kirk Giles



1 and Corey Harris, as well as the Madison County
2 Sheriff Kevin Turner, Chief Deputies Eddie Houk
3 and Stacy Bates.

4 The word "police" first appeared in print
5 in the dictionary in 1589. The department of
6 government concerned primarily with maintaining
7 order, safety, health, and enforcement of laws,
8 and processing executive and judicial and
9 legislative power; the department of government
10 charged with prevention, detection, and
11 prosecution of public nuisances and crime.

12 John Adams, in the 1770s, used this
13 expression: "Government of laws rather than
14 men." It's simple. In a free society,
15 government rules must be fixed and
16 understandable. It's simple. Nor can
17 government rules be formulated or changed by
18 the whim of man. I was fortunate to watch and
19 listen as Huntsville Police Chief Mark
20 McMurray, assisted by his department heads,
21 presented a complete review of the Huntsville
22 Police Department. It was the best
23 presentation I've ever been witness to from a



1 city, county, or state agency. It presented an
2 in-depth review of the past problems and
3 procedures, the present problems and
4 procedures, the future problems and procedures.

5 In the present and future training review,
6 training was a top priority. Each department
7 head stressed that training and review was most
8 important. The chief emphasized hiring and the
9 top standards that it takes to be accepted into
10 the Police Academy and how many applicants are
11 washed out. But he must maintain that standard
12 and be wary of critical interest and change.

13 Being a past city council member, I can
14 appreciate his task of running a good
15 department and hiring and maintaining at its
16 best. As you have seen in Birmingham,
17 Portland, Minnesota, Wisconsin, Louisville,
18 St. Louis, and Atlanta, when politics gets
19 involved in an operation, it breaks the strong
20 chain of command that is necessary to maintain
21 order.

22 It is the job of the elected official to
23 monitor, support, and push for constant change



1 and reform to all city departments. It is an
2 administration job to make sure that political
3 decisions do not hinder police work in
4 maintaining law and order and protection of its
5 citizens. I have been in business all my life.
6 I think two expressions make or break a
7 business. It's the same with government. Plan
8 your work, work your plan, be ready to revise,
9 and perception is always reality.

10 A policeman or a fireman are special
11 people. They love their job. Their pay is at
12 the bottom of the list. They don't care.
13 They'd give their life for it. They run
14 straight ahead into the danger. They're
15 trained to handle situations.

16 The city and council -- and city and
17 county had planned their work well before the
18 disturbance downtown. They had reviewed their
19 intelligence. They knew what they were up
20 against. They had plans for two scenarios;
21 peaceful, or unruly and property destruction.
22 They worked their plan. Property destruction
23 was at a minimum. Number two, they took charge



1 early. Number three, they let it be known that
2 they would not tolerate insurrection and
3 destruction. People were hurt. No one wants
4 that. But when you become a part of a mob,
5 rather if you're innocent or not, you receive
6 the punishment dealt to the mob. The officers
7 and law enforcement personnel knew they had the
8 backing to do their job.

9 Millions of dollars in destruction and
10 looting have been incurred in Portland,
11 Minnesota, Wisconsin, Louisville, St. Louis,
12 New York and Birmingham. And the cost is over
13 12 million in Birmingham alone.

14 MS. GUERRIERI: Mr. Bryant, your time is
15 up.

16 HALL BRYANT, JR.: All right.

17 MS. GUERRIERI: Thank you very much for
18 coming.

19 HALL BRYANT, JR.: Thank you.

20 MR. LITTLE: Thank you.

21 MS. GUERRIERI: Next is -- well let's go
22 back and see, has Barry Garrison come in?

23 UNIDENTIFIED SPEAKER: No.



1 MS. GUERRIERI: Chad Chavez? We are
2 running a little bit ahead of schedule.
3 Melanie Murray? Beth Moore? We'll come back
4 to the others.

5 BETH MOORE: Good morning. My name is
6 Beth Moore.

7 MS. GUERRIERI: Welcome.

8 BETH MOORE: And I live in District 2.
9 Thank you for allowing me to speak this
10 morning.

11 I am here in support of our Huntsville
12 Police Department. My husband and I have
13 called Huntsville our home for 40 years. And
14 we believe that during this time, the
15 Huntsville Police Department has been balanced
16 with enforcing our laws and keeping our
17 community safe. I do not ever recall a protest
18 like the one that occurred in June during the
19 time that we have lived here. If my
20 recollection is correct, HPD has not had the
21 experience of dealing with what occurred during
22 the most recent protest. Yet, I believe that
23 the police department's efforts to keep the



1 June protest in order, while allowing the
2 participants' voices to be heard, were
3 appropriate.

4 My understanding of the facts is that the
5 protesters violated the agreed-to end time of
6 the permit. And from the live coverage that I
7 watched on Facebook Live and TV that night, I
8 believe the Huntsville Police Department acted
9 appropriately and with restraint. There's no
10 doubt in my mind the protesters transitioned
11 from simply wanting to be heard, to civil
12 misconduct. I will continue to back our Blue
13 and hope you will do the same. Thank you.

14 MS. GUERRIERI: Thank you for coming.
15 Shawn Estes?

16 UNIDENTIFIED SPEAKER: I haven't seen
17 him here, but I know who you are looking for.

18 MS. GUERRIERI: We're a little ahead of
19 schedule.

20 UNIDENTIFIED SPEAKER: Yes.

21 MS. GUERRIERI: We'll come back. Paige
22 Manz? Angela Curry?

23 UNIDENTIFIED SPEAKER: She's on her way.



1 MS. GUERRIERI: Okay. Let's -- let me
2 just call the names. If someone is here, they
3 can go ahead and speak. Jordan Steelman?

4 UNIDENTIFIED SPEAKER: Also on his way.
5 He's supposed to be here at 12:15.

6 MS. GUERRIERI: Emma Steelman?

7 UNIDENTIFIED SPEAKER: 12:15.

8 MS. GUERRIERI: Paul Hill?

9 UNIDENTIFIED SPEAKER: He's not coming.

10 MS. GUERRIERI: John Greco and Bob
11 Baccus?

12 UNIDENTIFIED SPEAKER: He'll be here at
13 12:30 p.m. I believe 12:30, John Greco.

14 MS. GUERRIERI: Let's take a five- or
15 ten-minute break and let our schedule catch up
16 with the time.

17 UNIDENTIFIED SPEAKER: Thank you.

18
19 (At which time, a brief recess was
20 taken.)

21
22 MS. GUERRIERI: Okay. Let's go down our
23 list again of people that we may have missed.



1 Abby Kunkle. Does anyone know if Ms. Kunkle is
2 coming?

3 UNIDENTIFIED SPEAKER: I don't know, and
4 I don't see her here yet.

5 MS. GUERRIERI: Okay. Barry Garrison?
6 Chad Chavez? Mr. Chavez?

7 CHAD CHAVEZ: Hello. My name is Chad
8 Chavez. I live in District 3.

9 MS. GUERRIERI: Welcome.

10 CHAD CHAVEZ: Thank you. Thank you for
11 having me today. I know that you continue to
12 spend a lot of volunteer time, both here and
13 outside of these meetings, and we appreciate
14 the opportunity to speak to you in a city that
15 is increasingly restricting citizen's rights to
16 address -- redress per their First Amendment
17 rights.

18 Last time I spoke to you, I came
19 presenting the fear that I felt exercising my
20 rights in the environment created by Chief
21 McMurray. I spoke to you about how novel the
22 snipers, the drones, the waiting riot cops were
23 compared to every other protest that I've ever



1 been to. I told you about sitting down with my
2 fiancée before the protest to discuss the need
3 for her to get behind me if the police opened
4 fire so that she wouldn't be at risk of being
5 blinded, or worse. That emotional appeal
6 apparently was not as moving as I had hoped.
7 There's been people on this committee and in
8 this meeting that expressed the demands for law
9 and order. So I came today to speak more to
10 the law.

11 As has been covered, the permit times of
12 the event were changed mere hours before the
13 event. This was after the police chief and
14 Madison's sheriff's office both confirmed the
15 time was from 5:00 to 8:00 p.m. in the media.
16 So let's talk about the law. Section 23-205 of
17 the Huntsville City Code specifies that an
18 organized event may be terminated or special
19 event permit revoked the day of an event
20 without prior written notice if the mayor, the
21 chief, the fire chief, or event administrator
22 determines that, Section 1, revocation or
23 termination is in the interest of the immediate



1 public safety because of fire, casualty, act of
2 nature, or a public emergency. Were any of
3 these metrics met? I saw no fire, no
4 casualties, no tornadoes, and no active public
5 emergency. Merely suspicions driven by a
6 police chief following suspicious media.

7 Section 2 addresses the conduct of the
8 event violating applicable law, including
9 provisions that result in secondary harm.
10 And section 3 covers the breach of peace
11 occurring or if the nature of a riot has
12 occurred. Both of these standards can only be
13 met when the event actually begins. So, again,
14 no threshold was met for the revocation of the
15 permit.

16 If the chief had chosen to alter the
17 permit mid-event, per the directives of Section
18 2, Section B allows for the opportunity for
19 cure, which there's no evidence was provided to
20 the NAACP. If they wanted people out of the
21 street, they could have given them the
22 opportunity to remove themselves from the
23 sidewalk before the order to disperse.



1 So failing to meet these standards, I went
2 to look at Police Chief McMurray's order to
3 disperse. The reasoning given differed. Some
4 representatives described it as preemptive with
5 the fear that falling night could cause
6 escalation. That's not enough to impede on
7 people's First Amendment rights.

8 Some described it as enforcing an unlawful
9 assembly. So we can tackle that. Alabama Code
10 defines the crime of unlawful assembly as if a
11 person assembles with five or more other
12 persons for the purpose of committing -- I'm
13 sorry -- for the purpose of engaging in conduct
14 constituting the crime of riot, or if being
15 present in an assembly that either has or
16 developed a purpose, he remains there with
17 intent to advance that purpose.

18 Again, we did not see rioting that night.
19 The property damage that occurred came from
20 police weapons used on peaceful protesters.
21 And, again, if they did think that there was a
22 riot, then why did we have representatives
23 presenting it as preemptive measures? And as



1 such, a riot -- a person commits a crime of
2 riot, according to Alabama Code, if he
3 wrongfully engages in tumultuous and violent
4 conduct, and thereby intentionally or
5 recklessly causes or creates grave risk in
6 public terror.

7 Again, calling the police mean names is
8 not violent. This -- however -- these
9 thresholds went largely unmet. Public terror
10 is not defined by a citizen being scared
11 because they saw an ACLU handout of safe
12 protesting. Are we really going to impose on
13 the rights of Huntsville's citizens because
14 someone is scared of the word, medic? Because
15 a citizens she saw the word Marxist on the
16 Black Lives Matter website, despite a cursory
17 Google search proving that to be untrue?

18 So what Chief McMurray -- what did Chief
19 McMurray actually charge people with? Most
20 were disorderly conduct on the grounds that
21 they refused a lawful order to disperse.
22 Again, we've seen how the chief did not act in
23 a lawful manner to dismiss a protest that he



1 was personally against.

2 So the problem is bigger than just one
3 protest. You have a police chief who's willing
4 to act lawlessly to suppress speech he doesn't
5 like. He changes permits at a whim to justify
6 kettling protesters. He came to city council
7 to slander citizens who were not at the event
8 but had criticized police brutality online. So
9 it's -- I know we're here to speak about these
10 individual protests, but really, if we
11 aren't -- if we care about law and order, and I
12 understand that a lot of people here do, those
13 laws should also apply to the police chief.

14 Thank you.

15 MS. GUERRIERI: Thank you. Thank you,
16 Mr. Chavez. Thank you for coming. Next is
17 Melanie Murray. Not here? Shawn Estes?

18 UNIDENTIFIED SPEAKER: I don't see him
19 here.

20 MS. GUERRIERI: Not here? Paige Manz?
21 We're really running early now. Angela Curry?

22 UNIDENTIFIED SPEAKER: She's on her way
23 still.



1 MS. GUERRIERI: Okay. Bob Baccus?

2 UNIDENTIFIED SPEAKER: Yes, ma'am.

3 These face masks don't work with hearing aids.

4 MS. GUERRIERI: They can be difficult.

5 BOB BACCUS: Okay. My name is Bob
6 Baccus.

7 MS. GUERRIERI: Welcome.

8 BOB BACCUS: Thank you. At the previous
9 meeting of this committee, I was the only
10 person who spoke up in support of the mayor,
11 the police chief, and law enforcement. Today,
12 I am glad to see that the silent majority is
13 showing up and speaking. Thank you. I am here
14 today to praise some of the protesters, the
15 officers of the NAACP. The NAACP officers
16 obtained a permit, conducted their organized
17 meeting, gave their speeches, did their
18 marching, and when the permit expired, they
19 ended their meeting. They left. They followed
20 the instructions on the permit, and they
21 followed the instructions of the Huntsville
22 police. Although, I may not agree with
23 everything they said in their speeches, I



1 commend them for following the instructions on
2 the permit and the instructions of the police.
3 They conducted a peaceful protest, and I will
4 defend their right to do that.

5 The protesters who refused to disperse,
6 who stayed and refused to follow the
7 instructions on the permit and the instructions
8 of the police, I do not praise. I do not
9 defend. They disobeyed police instructions.
10 They should suffer the consequences. If we
11 break the law today or if we deliberately
12 disobey the instructions of police and law
13 enforcement officers, we will suffer the
14 consequences. The instructions that the
15 Huntsville Police Department gave were clear,
16 easy to understand, and easy to carry out.
17 There was no instruction they gave that could
18 not have been easily carried out, immediately
19 carried out. These people disobeyed the police
20 instructions. They should realize that what
21 they did was wrong, and they know there will be
22 consequences for disobeying the police.

23 I, along with the majority of my



1 neighbors, my friends, and the majority of
2 Huntsville businesses that I have contacted,
3 support Mayor Battle, Chief McMurray, and the
4 Huntsville Police Department 100 percent.
5 Thank you for my time.

6 MS. GUERRIERI: Thank you for coming.
7 Jordan Steelman?

8 UNIDENTIFIED SPEAKER: 12:15.

9 MS. GUERRIERI: Okay. We're going to go
10 ahead and move to the people that signed up
11 today. I do believe they are here. And we
12 will come back to those in the actual sign-up
13 sheet, so no one is going to be missed.
14 Mr. Doug Seay?

15 DOUG SEAY: Seay.

16 MS. GUERRIERI: Seay. Sorry.

17 DOUG SEAY: Hi. My name is Doug Seay.

18 MS. GUERRIERI: Welcome.

19 DOUG SEAY: Thank you. The -- it's a
20 weird name. It sounds like the third letter in
21 the alphabet, but it takes four letters to
22 spell it because I come from a long line of
23 very poor spellers. I was not born in



1 Huntsville. And for a long time, except for my
2 children, I did not meet anyone born in
3 Huntsville after I moved here. Been here
4 almost 50 years now. But I am not trained in
5 civics and government and those sorts of
6 things, or psychology or the soft sciences. I
7 focused on physics and math. I chased facts.
8 I appreciate facts. I can rely on facts.
9 Sometimes they're very hard to determine. My
10 colleagues and I spent way too much time trying
11 to pin down a shock wave speed one time.
12 But -- so I enjoy when -- I can respect a
13 speaker's adherence to provable,
14 acknowledgeable facts. I attended a meeting
15 after -- I did not attend or participate in the
16 protest. Some may be good. Some may be bad.
17 I have no direct evidence to render, so I will
18 restrict my comments to facts that I know
19 about.

20 In a meeting, broadly based multiracial,
21 multireligious faiths represented, people from
22 all over the City of Huntsville and some from
23 Madison County were present, and there was a



1 lack of candor on the part of the police, that
2 representative that spoke, in that he spoke of
3 just bean bags, not rubber bullets. He spoke
4 of no tear gas being used. It was -- I nearly
5 said capsaicin. It was pepper spray, which is
6 concentrated capsaicin. So now, that is --
7 that may be true, but it's so misleading. It
8 draws one to wonder why one would express
9 himself that way. If your neighbor put a --
10 what he called a nondiscriminatory poison on
11 your lawn and said it wasn't particularly
12 Roundup. It wasn't Roundup. It wasn't
13 Roundup, you know. But it killed your lawn.
14 Capsaicin, in concentrated form, is very,
15 very -- it immobilizes people just as badly and
16 for a longer period of time than does the tear
17 gas from years back. So it's not a minor
18 thing.

19 The bean bags are not a child's toy that
20 we toss on a holiday toward a target out in our
21 backyard. You know, these are called pillows,
22 but they're small bags with rubber-coated BBs.
23 Those are rubber-coated metal objects. You



1 could characterize them as BBs. But
2 nonetheless, they're not called rubber bullets.

3 If this group would, I would be so pleased
4 to read your findings and conclusions that
5 dwell on the facts and reflect the facts in
6 your conclusions. I would greatly respect
7 that. Thank you so much for hearing me.

8 MS. GUERRIERI: Thank you for coming.
9 We're going to return now to the list of people
10 that had signed up previously. I'll run down
11 all of the names and then -- in order not to
12 miss anyone. Abby Kunkle?

13 UNIDENTIFIED SPEAKER: I still don't see
14 her here.

15 MS. GUERRIERI: Not here? Okay. Barry
16 Garrison? Melanie Murray? Shawn Estes?

17 SHAWN ESTES: Yes, that's me.

18 MS. GUERRIERI: Shawn Estes? Oh, yes.

19 SHAWN ESTES: I gave my experience at
20 the last meeting.

21 MS. GUERRIERI: Mr. Estes, would you
22 give your name before you start, please?

23 SHAWN ESTES: Sean Estes.



1 MS. GUERRIERI: Thank you. Welcome.

2 SHAWN ESTES: I gave my experience at
3 the last meeting. I would like ask you provide
4 a new medium for those offering testimony to
5 not have to do it in a room full of cameras.
6 Do you have a way to ask questions or seek
7 clarification from those offering testimony? I
8 think the answer to both those questions are
9 no, and that's disappointing. I submitted my
10 video and one photograph. Have you all looked
11 at that? Can I reference it here effectively?
12 I think probably not. It was a screenshot of
13 six different video clips I took regarding one
14 trooper. It was a trooper standing in the
15 bushes on the southwest corner of the
16 courthouse.

17 So we're here to talk about violations of
18 our rights; correct? That's what HPCAC is
19 reviewing. Because the trooper that -- I sent
20 pictures with six different videos; right? One
21 screenshot I circled where he was in the
22 screenshot. Very easy for you to look at,
23 identify, associate. Every few minutes, he



1 would menace his assault rifle. You understand
2 what I mean when I say menace; right? He would
3 point his weapon at peaceful protesters,
4 trained on them with itchy fingers. He would
5 stand up and pick out targets out of the crowd
6 to point his assault rifle at. It was -- it
7 was extreme intimidation. He was -- he was
8 obviously hoping to incite something. And this
9 is a trooper. A state trooper. Law
10 enforcement.

11 Can you imagine that being done to you,
12 where you don't react; right? You don't react
13 to the guy pointing the assault rifle at you,
14 looking very eager to fire. I didn't know what
15 yellow tape on his munitions meant back then.
16 The guy wanted -- the guy wanted action. He
17 wanted reaction. He wanted an excuse to shoot.
18 And that's not law and order. Law and order
19 requires accountability, which is why we're
20 here today.

21 Like I said before, this does feel like a
22 little bit of a dog-and-pony show. Not trying
23 to be disrespectful because we already know



1 what happened. When McMurray said he was going
2 to start shooting people before nightfall no
3 matter what, that's case closed. Failing to
4 hold the law enforcement accountable at this
5 time is begging for lawsuits.

6 So I say again, if they wanted to disperse
7 a crowd, why was the LRAD, the long-range
8 acoustic device, not used for voice
9 amplification. I assumed the police wanted to
10 play with their toys, as I've heard other
11 people say. They wanted riot gear and show of
12 force. There were kids down there mostly. If
13 you want law and order, you must hold law
14 enforcement accountable and to high standards
15 of justice. Until then, and with sorrow for
16 this city, I'm looking forward to the lawsuits
17 pending against the City of Huntsville.

18 MS. GUERRIERI: Thank you for coming.
19 Paige Manz? Next is Angela Curry.

20 UNIDENTIFIED SPEAKER: On her way.

21 MS. GUERRIERI: Let me just run the
22 names down here before we go to the ones that
23 signed up today. Jordan Steelman? Emma?



1 Jordan? Okay. Please state your name.

2 JORDAN STEELLMAN: My name is Jordan
3 Steelman.

4 MS. GUERRIERI: Welcome.

5 JORDAN STEELLMAN: Today I intend to
6 emphasize my two most critical concerns about
7 the first week in June. One, the inability of
8 law enforcement to fairly assess the
9 situational threat level in realtime and
10 respond accordingly. And two, unequal
11 treatment of citizens protesting on a
12 day-by-day basis. Law enforcement starts with
13 the basic understanding of the law. In the
14 June 18th city council special session, Chief
15 McMurray came to his decision to use less
16 lethal force and chemical weapons to disperse
17 the crowds on June 1st and 3rd was based in the
18 decision to maintain public safety. McMurray
19 states he has the discretion to declare an
20 unlawful assembly and thus can use force, if
21 necessary, to end such an assembly.

22 Let's explore what an unlawful assembly
23 really is. Criminal Code 13A-11-5: A person



1 commits a crime of unlawful assembly if he
2 assembles with five or more persons for the
3 purpose of engaging in conduct constituting the
4 crime of riot. Criminal Code 13A-11-3: A
5 person commits the crime of riot if, with five
6 or more other persons, he wrongfully engages in
7 tumultuous and violent conduct, and thereby
8 intentionally or recklessly causes or creates a
9 grave risk of public terror or alarm. Tumult
10 is defined as a turbulent uprising. Violent is
11 defined as, quote, marked by the use of usually
12 harmful or destructive physical force.

13 I've submitted 158 files, photos, and
14 videos that showed various parts of each
15 protest that week, June 1st, 3rd, and 5th.
16 Upon viewing this media, you'll consistently
17 notice, citizens are mad -- yelling, marching
18 and standing around and listening to
19 influential Huntsville -- Huntsvillian leaders
20 speak on police brutality. These citizens are
21 lawfully, nonviolently assembling per the First
22 Amendment. There's no tumult or violence on
23 any day, period, until the police escalated



1 their use of force.

2 So regarding my first concern, if HPD did
3 not observe the crowd acting in a way
4 consistent with the legal definition of a riot,
5 why did they escalate their use of force and
6 how did they legally declare an unlawful
7 assembly?

8 On June 18th, McMurray goes on to say,
9 there are many grave risks to public safety,
10 including guns and weapons in crowds, criminal
11 mischief, and sidewalks and roadways being
12 blocked. McMurray also states that individuals
13 with guns and weapons were handled on an
14 individual basis. That the criminal mischief
15 amounted to walking past some small wooden
16 barricades on the courthouse steps, and that
17 the sidewalks and roads were blocked. In
18 reality, they were blocked by HPD cruisers.

19 So if the actual threats, individuals with
20 guns and weapons, were handled appropriately,
21 why was the assembly not treated with the same
22 level of discretion? This inability to discern
23 threats and actions of an individual from the



1 threats and actions of a crowd led to police to
2 using excessive force. The decision to use
3 force created measurably more danger in injury
4 to citizens and, at the same time, confirmed to
5 the protesters that police will
6 indiscriminately use force against them.

7 My second concern is simple: HPD's
8 treatment of protests has varied day by day.
9 May 30th, this was a nonpermitted peaceful
10 protest with sidewalks being blocked and
11 citizens praying. No police force was used.
12 June 1st, this was a nonpermitted protest of a
13 similar size as May 30th with similarly
14 intended actions of a similar group of people.
15 Excessive police force was used to disperse the
16 crowd. June 3rd, this was a permitted rally
17 where a march took place similarly to May 3rd
18 and June 1st with a similar group of people
19 with a similar message an intent. Officers
20 were in full riot gear with snipers actively
21 scoping protesters and equipped with fully
22 automatic weapon platforms.

23 Finally, June 5th, this was a nonpermitted



1 protest, similar to May 30th and June 1st, with
2 the same message and action by the protesters.
3 No laws were broken. Fully armed Madison
4 County sheriff's officers and heavily armed HPD
5 officers were stationed all around the square
6 and the courthouse. No police force was used.

7 So my question is: If protesters were
8 relatively consistent in behavior, why was
9 police response so inconsistent? The only
10 direct answer that's been provided, again, in
11 the June 18th special session where McMurray
12 explains his intel for each event. May 30th,
13 zero intel was presented, minus a phone call
14 from counterprotesters. June 1st, most of the
15 intel presence revolves around Mr. 27 and a
16 couple of Facebook comments. What McMurray
17 failed to say is that the same Mr. 27 was at
18 the protest on May 30th, where somehow he was
19 not listed as a danger to anyone. June 3rd,
20 ANTIFA was being bussed into Huntsville.
21 Twitter memes were mentioned. June 5th, zero
22 intel is provided. Again, Mr. 27 isn't a
23 concern again. ANTIFA magically disappears,



1 and all the scary Twitter memes got deleted.

2 This is not credible, reliable, or

3 valuable information provided by the chief.

4 And it can definitely explain the incongruous

5 actions taken by the department day-to-day that

6 week. This type of inconsistency in policing

7 is a danger to the community, and it allowed

8 peaceful concerned citizens to be put in harms

9 way unnecessarily. HPCAC, please hold the

10 chief and HPD accountable for the inconsistent,

11 inept, and reckless actions. And uphold you

12 duty to quote: Ensure equal protection service

13 for all citizens.

14 MS. GUERRIERI: Thank you for coming.

15 Emma Steelman?

16 EMMA STEELLMAN: Good afternoon. My

17 name is Emma Steelman.

18 MS. GUERRIERI: Welcome.

19 EMMA STEELLMAN: I attended the protest

20 on the 1st, but I will not be speaking about

21 that night today because we've only been given

22 five minutes to speak, and that's totally

23 inadequate for two nights of terror. I have



1 been -- I have submitted my account to the
2 HPCAC. So if you care to read through my
3 entire account, it is there.

4 The first thing I did before deciding to
5 attend any protest was to learn my First
6 Amendment rights. I'm glad I did because the
7 police did not work to protect those rights
8 afforded the protesters. What I'm about to
9 read to you now are the police requirements if
10 they declare an unlawful assembly. One,
11 individuals must receive clear and detailed
12 notice of a dispersal order. Two, how much
13 time they have to disperse. Three, the
14 consequences of failing to disperse. Four,
15 what clear exit route they can follow. None of
16 those were made clear on June 3rd.

17 The NAACP rally event flier said the event
18 was until 8:00 p.m. I came with my husband and
19 my two friends because, as young working
20 professionals who have made Huntsville our
21 home, it was important for us to stand for
22 racial equality and against police brutality.
23 After the speakers were finished, we walked up



1 to the courthouse to begin our march like we
2 had done on the 1st. The majority of the crowd
3 participated in this. We were not a, quote,
4 unquote, different group of people having a
5 separate event.

6 What I saw when I reached the square will
7 haunt me forever. There were snipers on the
8 rooftop of the courthouse pointing actual
9 sniper rifles at citizens who were committing
10 no crimes. In what world is that okay? Do you
11 not think that binoculars exist for police
12 officers? Then the officers wrapping around
13 the courthouse were loaded up with an insane
14 amount of weapons and gear, even though nothing
15 had happened. They had zip-ties, meaning that
16 they were planning on making mass arrests.
17 They had huge orange guns already out, and
18 there were officers already in riot gear.
19 Again, we had committed no crime.

20 It was clear what the police intentions
21 were. They wanted to intimidate and get their
22 once-in-a-career opportunity to play with their
23 toys. My friends and I decided to leave around



1 7:45 because we did not feel safe. Not because
2 of the crowd, but because of the cops laughing
3 at the crowd, taunting at us, and coming out
4 with increasingly more intense gear. Up until
5 we left, I heard no dispersal order, no
6 announcement of how much time we had, no
7 consequences of failing to disperse, and there
8 was not a safe and clearly marked exit route.
9 Again, no crimes had been committed. The only
10 agitators working people up were the police
11 officers. What a sobering experience it was to
12 realize that we were going to make it onto
13 national news. We were just going to be
14 another city on the internet that would further
15 prove that police systems in place give power
16 to those who can't handle it and misuse it.

17 We had just made it to my friend's house
18 when the cops turned our town into a war zone.
19 We were watching a live stream and were
20 mortified to be watching officers shoot
21 less-lethal rounds at people trying to leave,
22 shooting them way too close of a range,
23 listening to their screams and cries. While I



1 was watching, I got a phone call. This call
2 was from a mother who was desperately trying to
3 make sure her daughter was safe. Her daughter
4 is a minor and had been shot by police
5 officers -- shot at by police officers, had
6 been tear gassed, and was now trapped in a
7 parking garage. My husband and I ran to our
8 car and immediately headed back downtown. I
9 was terrified. I had no clue where this child
10 was, and I had no clue if she has been injured.

11 We parked two blocks out of the town
12 square, and I instantly got choked with the
13 amount of tear gas that was in the air. It not
14 only makes it hard to breathe, but it burns
15 your skin. The tear gas was so thick, that,
16 within moments, I had a headache, and that
17 headache lasted for over 24 hours. I had to
18 throw on a jacket to cover my clothes because I
19 was worried that the cops would shoot me on
20 sight for wearing a shirt that said Black Lives
21 Matter. One officer on the outer perimeter of
22 downtown let me start walking into the chaos.
23 While walking through the smoke and listening



1 to the bangs and screams of my fellow citizens,
2 I was trying to call a worried parent and
3 locate her child.

4 At this moment, the reality hit me -- I
5 was attempting to rescue a minor from my own
6 police department. I eventually was able to
7 find out where she was, and I had to cross one
8 intersection before I could get to her. I was
9 stopped by police, asking what in the world I
10 was doing. I told them I needed to go get a
11 child out of the parking garage, and they said
12 no.

13 Now, mind you, this also means that if I
14 was just trying to get back to my car to leave
15 the protest, I would not have been allowed to.
16 The officers told me that some cops would go
17 and get her. While choking down tear gas, I
18 told the man that, this person is a child who
19 is now terrified of you, and I don't think
20 sending in a team of officers would be the best
21 idea.

22 After some back and forth, I was allowed
23 to walk through and go get her. I did see



1 people running, and all I'm hearing is
2 screaming and bangs. I find out that there's
3 actually three minors in this parking garage,
4 and they are terrified. I now have to figure
5 out how to get them out. The streets to the
6 parking garage had been blocked by officers, so
7 I couldn't get my husband to bring the car
8 in -- and I couldn't get the kid's car out. I
9 didn't know what to do to keep these kids safe,
10 so I just sat there on the sidewalk. The cops
11 finally ended up unblocking the street and
12 providing a safe exit route at 8:34 p.m.

13 HPD traumatized us all, and I will never
14 fully trust a police officer again. We need
15 reform and we need it yesterday. HPD must work
16 now and work hard to repair their damage.

17 MS. GUERRIERI: Thank you for coming.
18 Okay. Let's go down the list. Melanie Murray?
19 Paige, not here? Angela Curry? Angela Curry?

20 ANGELA CURRY: Do I speak here?

21 MS. GUERRIERI: (Indicating.)

22 ANGELA CURRY: Thank you. Do I need to
23 give any information?



1 MS. GUERRIERI: Just your name, please.

2 ANGELA CURRY: Okay. Angela Curry.

3 MS. GUERRIERI: Welcome.

4 ANGELA CURRY: Thank you. And I am here
5 because I have a series of questions. Let me
6 find them. Some of the questions that I have
7 for the CAC is, will we hear status reports
8 regarding these investigations in the public or
9 on your website so that we have an idea of how
10 long this is going to take? Another question
11 that I have is, what is the status of the
12 investigation/pursuit of the identified
13 anarchist who got away, according to Chief
14 McMurray's June 18th presentation? Another
15 question that I have for the CAC -- and I'm
16 asking these questions not knowing if you all
17 are doing this or not, so I'm putting them out
18 there for whoever. Will the status of those
19 investigations ever be made public? If the
20 investigations into the protest was a
21 coordinated effort under the sole command of
22 Chief McMurray, why would all information
23 related to the coordinated effort not be at his



1 disposal for mitigated relief to the public, of
2 course, redacting confidential information?

3 And so I'm speaking about the Madison County
4 Sheriff's Office and the state trooper reports.

5 So now I'm going to give some information
6 about the emergency management and focus on my
7 last two questions. One, where was the traffic
8 routing plan from HPD for the June 1st and the
9 June 3rd protest? Crowd control events
10 generally have to include some kind of traffic
11 plan. And two, my main question is, why wasn't
12 the public informed of the danger, which
13 warranted a multiagency response, to include
14 state agencies -- so that they could be
15 prepared for verified threats of violence?

16 So I was not at the protest. I watched it
17 through someone's Live. I read the news
18 reports where three-year-olds were gassed,
19 things of that nature. And so I want to read a
20 little bit from FEMA about emergency
21 management. It's most simply defined as the
22 discipline dealing with risk and risk
23 avoidance. Risk represents a broad range of



1 issues and includes an equally diverse set of
2 players. The range of situations and events
3 that could potentially involved emergency
4 management or the emergency management system
5 is extensive. So it's undeniable that
6 emergency management is integrated to the
7 security of our daily lives, as it should be
8 integrated into our daily decisions, rather
9 than being called upon in response to daily
10 disasters. So emergency management is an
11 essential role of government. The Constitution
12 tasks the states with the responsibility for
13 public health and safety. Hence, they are
14 responsible for public risk. And the federal
15 government assumes a secondary role, and the
16 federal government's ultimate obligation is to
17 help when state, local, or individual entities
18 are overwhelmed.

19 So based on Chief McMurray's presentation
20 from June 18, they called -- the North Alabama
21 Multiagency Crime Center was involved, which
22 means this was a multiagency event. Our local
23 law enforcement public safety activity that



1 take place starting well in advance of these
2 significant events they, I guess, interact.
3 And you said that their goal is always to
4 determine and plan the level of response needed
5 to best protect and serve our citizens. So as
6 the events grew closer and throughout the
7 duration of the event, more intel, more
8 potential threats, constantly screaming to a
9 team of analysts who are reviewing all this.
10 He mentioned Captain Brooks, a graduate of the
11 Command and Patrol Academy and how he finished
12 at the top of his class, he teaches at a
13 facility for Homeland Security. He trains
14 people all over the nation, he said. So,
15 again, there were credible threats, according
16 to Chief McMurray. We have an emergency -- we
17 have an obligation as a local government to
18 inform citizens of impending threat. I mean,
19 we have the tornado sirens for tornadoes.
20 Threats do not just include natural disasters.
21 They include threats of violence as well.
22 Where was the obligation for the chief of
23 police to pre-warn citizens? I want to know,



1 are these items going to be fact checked that
2 were stated, because there was a report by WZDX
3 news published at 4:17 p.m. on June 3rd that
4 says verified. Rumors around the rally against
5 police brutality. And I want to give you --

6 MS. GUERRIERI: Your time is up. Thank
7 you for coming.

8 ANGELA CURRY: Can I give you this
9 report? This news article?

10 MS. GUERRIERI: Could you give it to our
11 attorneys, please? The counsel right there.

12 ANGELA CURRY: Okay.

13 MS. GUERRIERI: Thank you. Paul Seeley?

14 MR. LITTLE: He's not coming.

15 MS. GUERRIERI: Not coming? And John
16 Greco is not here. Let's continue on with the
17 sign-ups that came in today. Susan Fultz?

18 SUSAN FULTZ: Good afternoon. Thank you
19 for your time. My name is Susan Fultz.

20 THE GUERRIERI: Welcome.

21 SUSAN FULTZ: In light of the violence,
22 looting, rioting, burning, and destruction and
23 anarchy across America in the past few months,



1 I feel the actions of our police was definitely
2 warranted. If Chief McMurray and Sheriff
3 Turner had not attended the protest and the
4 crowd proceeded with violence, rioting, burning
5 and destruction, they would have surely been
6 blamed, criticized or worse. While reviewing
7 the news events on June 1st and 3rd, I was
8 appalled to see someone setting an American
9 flag on fire in the center of a crowd of
10 people. I was shocked that this was occurring
11 in our beautiful, peaceful city. There were
12 many peaceful demonstrators, but it was obvious
13 there were agitators in the crowd. I am glad
14 our police stood strong and protected our city,
15 our courthouse, and our historic statue, and
16 our historic district, and I wholeheartedly
17 thank them.

18 I have spoken to several business owners
19 on the square, and there was resounding praise
20 to the police and their protection of their
21 businesses. Our police are dedicated and their
22 services are very much appreciated. The crowd
23 that would not disperse after almost two hours



1 past the permit time and after multiple
2 requests by the police could have easily
3 escalated, resulting in rioting and destruction
4 as it had in several of our country's cities.
5 All the protesters had to do was obey the law
6 and leave the area, as the permit, and as
7 requested by law enforcement.

8 Additionally, due to the close proximity
9 of our beautiful historic neighborhood, the
10 protesters may have migrated to that area,
11 proceeded to escalate, and the area quite
12 possibly could have been damaged, looted or
13 worse if they had not been dispersed.

14 I also heard the comments that the August
15 12th Advisory Council hearing were people who
16 had participated in the protest, spoke about
17 being treated unfairly and were afraid of the
18 police. If I had attended such an event, I
19 would have felt comforted in that our police
20 were there to protect me from harm. Those that
21 refused to disperse brought any police
22 escalation on themselves in not respecting the
23 guidelines set or the directions given by our



1 police officers.

2 I was born and raised in Miami, Florida.
3 And in 1992, my husband and myself moved here
4 to Huntsville with our young daughter. We did
5 not want to raise her in such a violent city.
6 There were many instances of rioting, burning,
7 looting, and major destruction to areas of
8 Huntsville (SIC) prior to our moving away. We
9 chose Huntsville after visiting family members
10 here and felt it was a wonderful, peaceful
11 place to raise our daughter. We were
12 pleasantly surprised by all the friendly and
13 honest people here, and we felt safe. The
14 majority of our police are good people, and I
15 can't imagine what our lives would be like
16 without them and the safety and security they
17 provide us.

18 Law and order is the most fundamental
19 element of civilization. It would be a
20 tremendous danger to our citizens to defund our
21 police. Our police officers put their lives at
22 risk every day, and their families never know
23 if they'll come home safely that day. I ask



1 you, who runs into danger as the rest of us run
2 away? Who do we call when we need help? Who
3 do we call when our home is broken into? Who
4 do we call when we are assaulted? Who do we
5 call when we are robbed? Who do we call when
6 we are raped? And who do we call when there's
7 an active shooter at our child's school? The
8 police. On a daily basis, our police have to
9 deal with the human issues that the rest of us
10 are afraid to deal with or don't have the means
11 to do so. I have family and friends who are or
12 have been in law enforcement, and it is a
13 thankless job like health care workers. So to
14 do -- they do it because they care and want to
15 help people and serve the public. The police
16 respect the citizens, and the citizens should
17 respect the police as well as the law. I have
18 taught my children and grandchildren to walk up
19 to an officer or a military person and thank
20 them for their service and sacrifice.

21 Again, my family and I would like to thank
22 you all -- thank all of our police officers for
23 all they do. Additionally, we would like to



1 thank the leadership who support our police,
2 because our police cannot do their job without
3 the backing and support of their management.
4 Thank you again for your time today.

5 MS. GUERRIERI: Thank you for coming.

6 Mr. John Greco?

7 JOHN GRECO: Timing is everything. Over
8 here (indicating)?

9 MS. GUERRIERI: Yes.

10 JOHN GRECO: Good afternoon.

11 MS. GUERRIERI: Good afternoon. Would
12 you state your name for us, please?

13 JOHN GRECO: John Greco. So many of
14 you -- or some of you know me. I'm an
15 orthopaedic surgeon here in town, and I've been
16 here for 24 years. So this is my adopted town,
17 and I love it so. So I'm here to support Chief
18 Mark McMurray the Huntsville Police Department
19 and all law enforcement officers who did
20 actions -- or took actions on June 1st and June
21 3rd. Listening to the rumors and seeing things
22 on TV, as we all did, you could see the damage
23 that was occurring to nearby cities, such as



1 Birmingham and Nashville. The concern was
2 real. I live in -- just two blocks from
3 downtown. So I was concerned as a homeowner,
4 seeing buildings being burned, seeing rocks
5 thrown through windows, Molotov cocktails.
6 It's just very, very concerning. So in fear of
7 that, I left my office early, had canceled 30
8 patients, apologized to them, to get home. My
9 young daughter was actually studying for the
10 bar exam so she was by herself so I didn't want
11 her to be there by herself. Came home, turned
12 off the gas because we were concerned about --
13 didn't know what was going to happen. Checked
14 bushes for objects because we had been told
15 that that was a -- something that was
16 potential. People would put bricks in the
17 bushes. So I did that. Took all my flags
18 down. My Alabama flag and my -- the state of
19 Alabama flag and the United States flag. So I
20 even got fire extinguishers. I figured if my
21 house is going to get burned, and it had lived
22 through the Civil War, I certainly wanted it to
23 live through this civil disturbance.



1 I think other cities had a lot of damage
2 because of no significant police plan and poor
3 backing from their government. Nationwide
4 cities are suffering because of the same
5 reason. If you don't have direction from city
6 officials, your police force is going to have
7 no direction. I think Mayor Battle worked with
8 our police force and the law enforcement
9 officers to have a plan. I took great comfort
10 knowing that the police were taking any and all
11 potential threats seriously and working hard to
12 ensure the safety of our city. As a surgeon,
13 it's the same thing. You plan for the worst
14 and hope for the best. I think if we had
15 planned and just kind of said, well, probably
16 nothing bad will happen, I think bad things
17 would have happened, and then we would have
18 been having this conversation wondering why the
19 police force didn't act enough.

20 So I think it was really important that
21 they were overcautious, and I think it saved
22 many aspects of our city. I really do believe
23 that. The protesters -- there was a set time.



1 I think everybody should be able to protest,
2 but there's a set time for protest. It's a
3 law. You can protest from this time to this
4 time. Police force gave them an hour and a
5 half -- and I'm sorry if this is redundant from
6 other speakers. I apologize. They gave them
7 an hour and a half to leave. When they're not
8 leaving, you've got to do something. Okay,
9 you've got to leave. If you don't leave, okay,
10 we're going to have to make you leave. That's
11 just the way it is. Laws are laws. Rules are
12 rules. It's a simple thing. It's not rocket
13 science. Bottom line, if you're told to leave,
14 I think you need to leave. I mean, it's just
15 easy. I think that -- you know, if you start
16 becoming belligerent -- it's like getting
17 pulled over in a car. Officer asks for your
18 license, asks for your registration, you
19 decide, I'm not going to give you my license
20 and registration, well, that's obviously going
21 to set a very poor tone, and your next 15
22 minutes is probably going to be very difficult.
23 It's the same type of thing. It's a simple



1 rule. Obey the rules. If you obey the rules
2 bad things don't happen.

3 My perspective of the law enforcement
4 officers is different from most. As an
5 orthopaedic surgeon, I've had the opportunity
6 to treat dozens and dozens of police officers,
7 DEA, sheriffs, state troopers. I call many of
8 them friends. I think these guys are -- and
9 men and women are beautiful brave souls who put
10 their lives on the line every day. You know,
11 it's easy to have hindsight being 20/20.
12 Everything is really clear in my rear-view
13 mirror, but it's still very fuzzy up front. So
14 you don't know what you're going to come upon
15 when you deal with folks, whether it's an angry
16 mob or not an angry mob. It's just one of
17 those things where you don't know what's going
18 to happen. Look at Officer Clardy. He didn't
19 think he was going to die that day. So I think
20 it's easy to say, you know, give people the
21 benefit of the doubt. In this scenario, giving
22 people the benefit of the doubt nowadays is
23 probably not the greatest idea. So I think



1 that you have to understand these people are
2 normal human beings. They're parents, they're
3 mentors, fathers, mothers. They're not bullies
4 and beasts, by and large. I mean, there's good
5 eggs -- far more good eggs and there's very few
6 bad eggs in every -- in my profession, in law
7 enforcement in everything, teaching. So I
8 think you have to take that with a grain of
9 salt and that most of these officers are good
10 folks.

11 MS. GUERRIERI: Thank you very much.
12 Your time is up.

13 JOHN GRECO: Okay. Thank you very much.
14 I appreciate it.

15 MS. GUERRIERI: Thank you for coming.

16 JOHN GRECO: Again, I'm very proud of
17 our police officers. I think they should be
18 commended and not condemned because I think
19 they did a great job.

20 MS. GUERRIERI: Let's see if we have
21 anyone that's come in that's previously signed
22 up. Melanie Murray? Do we know if Melanie is
23 coming or -- okay. Barry Garrison? Abby



1 Kunkle?

2 UNIDENTIFIED SPEAKER: She's not here.

3 MS. GUERRIERI: Okay. I want to make
4 sure I'm not missing anyone. And Paul Seeley
5 is not coming; is that correct?

6 MR. LITTLE: Yes, he's not coming.

7 MS. GUERRIERI: Let's continue on with
8 who signed up today. Lindsey Loque. I'm sorry
9 if I didn't pronounce your last name right.

10 LINDSEY LOQUE: I'm Lindsey Loque. I
11 live in District 2. I didn't prepare a speech.
12 And after hearing many of the people here
13 today, I have a lot more in mind.

14 First off, I heard from -- was it
15 Mr. Seay? He mentioned capsaicin. And I don't
16 think a lot of people know what that is right
17 off the bat. If you've ever eaten many, like,
18 chili peppers or something, capsaicin is the
19 component in it that basically makes it spicy.
20 So when he's talking about when he says it's
21 used in weapons as dispersal agents, it's that
22 in a very concentrated form. I ate some of the
23 spiciest hot sauce I've ever had last week, and



1 I had to lay on my stomach for the whole night.
2 So just imagine them using that to disperse
3 people. It works and it hurts, and necessarily
4 so.

5 Anyways, the last I spoke here, I let the
6 council know that just after June 3rd, I had
7 gotten together some of the arrested protesters
8 just to try to get their stories out there
9 while maintaining their anonymity. I tried to
10 ask them to be here today, but you have to
11 understand, when we hear about people with fear
12 to speak up here, these are people who have
13 pending trials so they can't -- like, their
14 legal counsel might not want them to talk
15 because that could jeopardize their case. It
16 also is police intimidation. I can tell you
17 that that's a real thing. As a little girl my
18 mom was brutalized by police, and I
19 witnessed -- while being driven to school, cops
20 would follow her while she was in a lawsuit.
21 And I was a white woman. I can't even imagine
22 what she would've went through if she was a
23 person of color. So I can truly understand why



1 these people aren't here today.

2 These are the points -- I just want to
3 present y'all with some things that they told
4 me that I found very concerning. In all the
5 ones I talked to, every single arrested
6 protester or people that are just harmed told
7 me they did not see an officer that did not
8 have their badge number covered with duct tape.
9 And I was very thorough in asking about this.
10 Some people said, well, that is odd. Officers
11 standing in line with fallen officers, but
12 that's just a bad excuse. That takes away
13 transparency. You're going to hear me bring
14 that word up a lot. There's no reason to cover
15 up your badge number. I'm sorry. Give me a
16 second.

17 Every single person that I've talked to
18 that's been arrested, none of them knows the
19 name of their physical arresting officer. And
20 many of them have the same two or three
21 arresting officers written on their report.
22 I'm pretty sure you can figure out that sounds
23 kind of fishy. Like, these arresting officers,



1 they've seen them now. Some of them have went
2 to trial, and they're not the same people who
3 physically arrested them.

4 And last but not least, I talked to
5 somebody who went to trial recently, and they
6 said the officer claimed there was no body cam
7 footage available for his arrest. That's very
8 concerning. I know John told me y'all have
9 access to that. If you could look into more
10 detail and make sure that body cam footage is
11 fully available for everybody who was arrested
12 June 1st and June 3rd.

13 And I don't need the full five minutes.
14 Thank you.

15 MS. GUERRIERI: Thank you for coming.
16 Chris Smalley?

17 CHRISTOPHER SMALLEY: Hello. My name is
18 Christopher Smalley.

19 MS. GUERRIERI: Welcome.

20 CHRISTOPHER SMALLEY: I'm a medic that's
21 been present at every protest since June 3rd.
22 At the beginning of the June 3rd protest, I
23 arrived with all of my gear on the belt and in



1 my bag ready to provide care, as I had seen on
2 the 1st and on the 30th of May that no medical
3 personnel were present at these protests.
4 HEMSI units that are usually present at
5 civil -- civil actions, including the one that
6 took place at Juneteenth, they weren't present.
7 Officers that were speaking to protesters after
8 this event stated that there were HEMSI
9 personnel and medically trained officers who
10 were imbedded with that line. At not one point
11 did I see an injured protester on any live
12 stream or in person rendering aid to an injured
13 protester. It was left to the street medics
14 who were on site to be able to render care, as
15 officers and HEMSI would not render aid to any
16 injured persons. According to the statements
17 given by those people who were provided after
18 jail care, injuries were left unaided while in
19 cells. Any person who was detained, arrested
20 and was injured was not cared for. This is an
21 absolutely unacceptable action. Ever since
22 that day, I have made it my job to go out to
23 every action for Huntsville protesters to



1 ensure safety. And every day I hope that the
2 only thing I do is hand out water and maybe
3 tell somebody to go sit in the shade.

4 On June 3rd, I was told by officers that I
5 could not enter the area because I had a bag
6 with equipment because they did not like the
7 equipment I carried: a spray bottle of liquid
8 antacid and water which is used to neutralize
9 capsaicin and tear gas particles on skin.
10 Because I had equipment that was capable of
11 defeating riot control agents. Because I was
12 there to care for those injured people who
13 would be left behind by traditional medical
14 institutions. I left that scene upon the
15 intimidation of police officers that day. And
16 I stood by ready to go, watching live streams,
17 until the very moment that first volley of tear
18 gas was fired by the officers. Who I might
19 add, missed completely. Fired off to the side,
20 ended up hitting himself. Great job. Great
21 aim. But simply put, the moment that first
22 volley went out, I hopped in my car, I grabbed
23 my equipment, and I rushed down there. I had



1 to treat six different people for tear gas, OC
2 spray. At least one person was shot by a
3 rubber bullet that I had to provide care to and
4 then give after care, discharge them and tell
5 them to go home or go to the hospital, and then
6 continue on because street medics don't just
7 stop. We can't just care for one person and
8 move on. It is constant. There were more
9 injured there than I would expect the standard
10 dispatcher had to be in action like this to be
11 able to render aid to. Numerous medics showed
12 up at actions after that event, because HPD
13 showed a complete and utter disregard for life
14 and valuing property over it.

15 I sincerely cannot believe that it is
16 acceptable for the City of Huntsville to allow
17 their officers to deploy tear gas in such
18 massive amounts that a cloud of it is visible
19 from the highway passing the downtown
20 metropolitan area. I am absolutely appalled at
21 the fact that children had to go through this
22 gas. As previous speakers stated, children
23 were trapped in a garage, terrified, being



1 tortured by this gas. Mind you, it only takes
2 a small amount of it on skin to create heavy
3 irritation. In the eyes, without eye wash, it
4 can cause ocular damage, up to, and including
5 blindness. Officers were found to be
6 indiscriminately spraying OC at protesters with
7 no clear motivation. All of these injuries
8 were left to either be treated by people like
9 me, who has received a 20-hour training in
10 order to provide medical care at these actions,
11 or people who are even less trained. This city
12 allowed the police department to injure its own
13 citizens who -- while the supporters of the
14 police will state that the police themselves
15 are doctors -- or you know, they're not
16 bullies. They've got children. Some of them
17 used to be teachers. Some of them have -- you
18 know, everybody's got lives. Everybody's
19 people. So are the people that are gassed. I
20 didn't see a single person on any live stream
21 other than the agitators. Yes, there were
22 agitators in the crowd. I saw one man in full
23 camo. He was the one that burnt that flag. I



1 saw other protesters on that stream, including
2 one who comes to my house quite frequently,
3 pull him off. Tried to stop the fire. Tried
4 to get him to go the hell away. Pardon my
5 French, but this is serious. Thank you.

6 MS. GUERRIERI: Thank you for coming.
7 Maurice Shingleton?

8 MAURICE SHINGLETON, JR.: Maurice
9 Shingleton, Jr.

10 MS. GUERRIERI: Welcome.

11 MAURICE SHINGLETON, JR.: This is
12 pretty -- well, not really good to be back
13 again, but watching the live stream this
14 morning, I noticed that many citizens have
15 finally came and spoke about their appreciation
16 for officers, which I'm proud of them for
17 coming up and making a statement because that
18 is exactly what a lot of protesters are or have
19 been doing. My question to that is, was it not
20 just in the 1950s that the police brutalized
21 the people of our color? Was it not just in
22 recent years that it was illegal be black? My
23 question to everyone that says police did their



1 job, which they were following orders, so I'm
2 going to go up the ladder to Mr. Battle and
3 Chief McMurray. Mayor Battle, even though he
4 is not here, was not present when things were
5 going on at the end. The difference between
6 June 1st, 3rd and the 5th is that on the 5th,
7 we had a council member stay with us the whole
8 time. If I am -- if I am not correct on that
9 information, someone will correct me. But the
10 fact is that the leadership was there on the
11 5th to make sure their citizens were protected.

12 It's sad to see that there is not one
13 person of color that has come up here and said
14 that they appreciate the police officers or
15 anyone outside of minority. Everyone that came
16 to speak up here, the system is meant to
17 protect you. It always has. The system is not
18 meant to protect people who go against the norm
19 as what is said. The system is not meant to
20 protect those that actually do what is right or
21 want to do what is right.

22 As we know, time was changed -- or the
23 time for the protest, it was changed, and a lot



1 of people did not know that. So many, many
2 people did not know that. And I am saddened
3 that there was no accountability from our
4 leadership on those days to make sure that
5 everyone was protected. We cannot -- we
6 shouldn't blame the citizens that tried their
7 best to leave when police cars were blocking
8 the exits that we were supposed to be able to
9 leave. But yet, as someone has said, at 8:34
10 they were finally allowed to leave or they
11 finally had exit. I'm disappointed in the
12 council and almost everyone here because it
13 doesn't seem like there's much action, and
14 that's because I haven't looked much into what
15 you all are doing. But as I see continuously,
16 that there's people every single day that come
17 up here -- or at least every time you have a
18 meeting, you come up here to speak the same
19 injustices that's going on.

20 So I didn't come up here with a speech,
21 of course, but I just came to speak my mind.
22 And we've got to do better, guys. We've got to
23 do better because there's innocence. And if



1 the actions that we see on -- or the actions on
2 June 1st and 3rd and any other time after, I
3 would hate to see what would have happened if
4 they had actual live weapons as they do every
5 time they sit on the streets. If someone would
6 sit there and call them outside of their name,
7 does that provoke them to just shoot on sight
8 or to antagonize or to pressure or hurt or harm
9 another citizen, which we have seen in our
10 city. Crystal Ragland, Dana Fletcher, and
11 many, many other names.

12 I am glad that the officers did not have
13 live ammunition because, as we see, simple
14 small actions -- as in small means of
15 disrespect -- for the same officers that
16 disrespect some of the citizens a lot of]
17 time. And I'm not speaking for all officers
18 because I do understand that there are officers
19 that are meant to be there and do the best they
20 can with what they have. But there's not a
21 system that protect those officers that speak
22 out against injustices. So it is up to you
23 paid individuals to continue to speak up for



1 us.

2 MS. GUERRIERI: Thank you for coming.
3 Okay. I'm going to go through the list of
4 names one more time before the ones who signed
5 up online, just to make sure we have not missed
6 anyone. Abby Kunkle? Barry Garrison? Melanie
7 Murray? Paige Manz? And we were notified
8 Mr. Sealey is not coming. And signing up
9 today, we have heard from Doug Seay, Susan
10 Fultz, Lindsey Loque, Chris Smalley, Maurice
11 Shingleton. And on our list, we have Jessica
12 Johnson who would like to speak again.

13 JESSICA JOHNSON: If that's okay.

14 MS. GUERRIERI: Members of the council
15 will be here until 1:00. Are you okay with
16 that?

17 MS. MCCULLEY: Is there a gentleman that
18 hasn't spoken?

19 MS. GUERRIERI: Are you Mr. Clifton
20 Officer? Let me get you first because you
21 haven't spoken today.

22 CLIFTON OFFICER: Thank you.

23 MS. GUERRIERI: If you'll state your



1 name, please.

2 CLIFTON OFFICER: Hi, I'm Clifton
3 Officer.

4 MS. GUERRIERI: Welcome.

5 CLIFTON OFFICER: Despite my last name,
6 I cannot condone the actions by the Huntsville
7 Police Department during the recent protest.
8 While I was not present, I did have many
9 friends that were there experience what they
10 described as a traumatic event. Plenty of
11 people have been up here speaking about their
12 own experiences, and I don't want to retread
13 old water, but what I want to talk to the
14 council today is about police accountability.
15 I understand that throughout the country,
16 qualified immunity exists for when an officer
17 feels that they are threatened. That they are
18 allowed to take actions in order to deal with
19 what they feel is ensuring safety to the
20 public. I think that the information that
21 Chief McMurray gave us during his hearing
22 wasn't as credible as we were led to believe.
23 I think that he acted proactively with



1 unsubstantiated evidence, and it ended up being
2 a lot of people hurt. What I would like to see
3 going forward is the end of qualified immunity
4 in our state and specifically from within
5 Huntsville.

6 Chief McMurray stated that releasing the
7 information in regards to the chemical
8 components of the chemical agents used, as well
9 as any information regarding tactical gear and
10 equipment and rounds, would be a detriment to
11 public safety if the information was released.
12 I wanted to briefly cite -- I believe it is
13 Alabama public records law under Code 36-12-40
14 and 36-12-41 stating that the public has a
15 right to these records. I believe that the
16 withholding of information in regards to the
17 equipment used on Huntsville citizens is more
18 of a detriment to public safety than the
19 holding onto the information. I believe it's a
20 problem that needs to be addressed in order to
21 bring about more transparency during these
22 times. That's all I had to say. Thank you.

23 MS. GUERRIERI: Thank you for coming.



1 Okay. This concludes everyone that we have on
2 our online sign-up. And then Jessica -- do we
3 have anybody else besides Jessica? Okay.

4 Jessica Johnson?

5 JESSICA JOHNSON: Thank you. And thank
6 you for giving me the opportunity to speak
7 again. I appreciate it.

8 MS. GUERRIERI: Welcome, again. Welcome
9 again.

10 JESSICA JOHNSON: Thanks. After
11 listening to everybody, I had a few more things
12 that I would like to say. I'd like to note
13 that rumors, hearsay and fear mongering are not
14 helpful. I believe it's important when
15 listening and considering the testimonies
16 you've heard today to know the people who were
17 actually in attendance on June 1st and/or June
18 3rd. Also, please note the significant
19 distinction between people who are preparing to
20 defend themselves against an attack versus
21 those who are actively inciting violence.
22 There are many videos of protesters and media
23 officials trying to leave the protest that were



1 unable to do so as they were pushed back into
2 the square by law enforcement officers. There
3 is a tactic known as kettling. The biggest
4 obstacle to dispersing the crowd was the
5 overwhelming police presence that blocked
6 multiple exits.

7 Much has been said about the permit for
8 the protest on June 3rd. The time of the
9 permit was shortened at the behest of HPD at
10 the last minute. This time change was not
11 clearly communicated to protesters. In his
12 special report to city council, the chief of
13 police stated that permits are not required for
14 holding a protest. He said this multiple times
15 in referencing a protest that occurred downtown
16 on Friday -- on June 4th. Yet when the chief
17 referenced the events of the evening of June
18 3rd, he stated that it was an unlawful assembly
19 and that the crowd needed to disperse because
20 their permit expired. So do you need a permit
21 or not? Which one is it?

22 Again, it's important to be clear that I
23 respect law enforcement and recognize the



1 difficult job that HPD has. I fully support
2 responsible policing. It's clear HPD officers
3 undergo rigorous training. I believe they
4 should be provided new training on methods of
5 deescalation.

6 I encourage each of you, and all of HPD,
7 to listen to the citizens who protested.
8 Listen to the people who were actually in
9 attendance. Listen to the citizens that are
10 hurting and step up and take responsibility.
11 Our country is at a crossroads. Our children
12 and grandchildren are watching. No doubt they
13 will read about these times in their history
14 books, and they're going to ask us, what were
15 we doing? What are you doing? Which side of
16 history are you standing on? Thank you.

17 MS. GUERRIERI: Thank you for coming.
18 Do we have anyone else that has signed up to
19 speak today? If no one else is here to
20 speak -- and it's been verified that we have
21 allowed 30 minutes for extras, but no one is
22 here, and we have the council chamber until
23 1:00, I will start the proceeding to end this



1 session.

2 This concludes the public hearing for
3 August 28th. Another public hearing is being
4 scheduled for leadership of groups and
5 organizations in September. As a reminder to
6 the public, video, photos, and comments can be
7 uploaded to our website,
8 HuntsvillePoliceReview.com.

9 On behalf of the citizens Advisory
10 Council, thank you for taking the time to come
11 and speak to us. Do I hear a motion to
12 adjourn?

13 MR. ROSSOW: Motion.

14 MR. LOVE: Second.

15 MS. GUERRIERI: All in favor?

16

17 (At which time, all council members
18 voted in the affirmative.)

19

20 MS. GUERRIERI: We are adjourned.

21

22 MEETING ADJOURNED.

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C E R T I F I C A T E

STATE OF ALABAMA

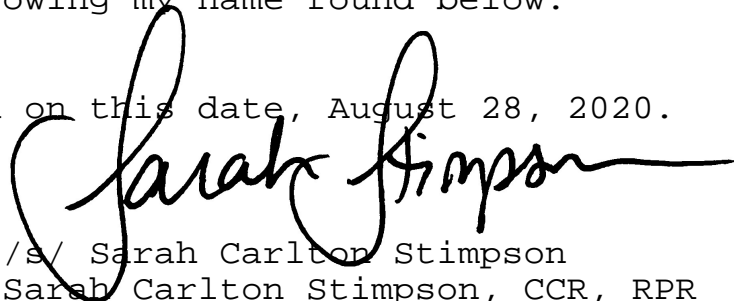
AT LARGE

I hereby certify that the above and foregoing hearing of the HPCAC 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 28, 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, 2021

