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Republican-Controlled UNC Board of Governors Sides With White Supremacist Confederate Group

By Martha Waggoner

RALEIGH (AP) - A national civil rights group has warned the leaders of the University of North Carolina that they should reconsider a \$2.5 million settlement involving a statue of a Confederate soldier that protesters toppled last year at the system's flagship campus.

In a letter sent to the attorney who represented the UNC Board of Governors, the Lawyers' Committee for Civil Rights Under Law urged the board "to take all necessary action to meet (its) fiduciary obligations to protect UNC's interest and to recover the 2.5 million dollars to be paid to support a white supremacist organization whose values are antithetical to UNC's mission."

The letter was sent Dec. 11, two days before the board holds its regularly scheduled meeting via conference call. It doesn't identify anyone who might be plaintiffs in a lawsuit, although it clearly lays out a case to sue.

Last month, UNC announced that the statue known as Silent Sam would be given to the Sons of Confederate Veterans, which would be banned from keeping the monument in any of the 14 counties that are home to university campus. Silent Sam, dedicated in 1913 to honor UNC alumni who fought for the Confederacy, stood in a main quad of the Chapel Hill campus for more than a century before protesters pulled it to the ground in 2018.

Under the agreement, university officials are to create a \$2.5 million private fund that would be used for expenses related to preserving the monument or potentially building a facility to house it. Officials have said no state money will be used for the fund.

Since the agreement was announced, faculty members on the Chapel Hill campus have condemned the agreement and protesters have marched against it. The state attorney general's office has distanced itself from the settlement as well.

Attorney General Josh Stein "personally believes it is an excessive amount of money that should instead be used to strengthen the university and support students," said Laura Brewer, a spokeswoman for the state Department of Justice, putting responsibility squarely on the shoulders of UNC leaders.

The department's attorneys had no role in negotiating the agreement, she said. "The Board of Governors hired outside counsel and negotiated this deal entirely on its own, sidelining our office," Brewer wrote in an email on Dec. 12.

But the letter from the Lawyers' Committee for Civil Rights Under Law says the interim chancellor of UNC-Chapel Hill, Kevin Guskiewicz, wrote earlier this month that the settlement agreement was "reviewed and authorized by the Attorney General."

Joel Curran, vice chancellor for communications at UNC-Chapel Hill, said in an email that he doesn't see anything in the chancellor's comments that contradicts the statement from the attorney general's office.

UNC didn't respond to a request to turn over the letter. On Dec. 11, Guskiewicz, wrote a letter to the system president and chairman of the Board of Governors. He asked that the board and system ensure that the \$2.5 million trust is administered appropriately and that the UNC system consider providing more information about the settlement.

Ironically, most of the details of the settlement have come from a letter sent by Kevin Stone, president of the Sons of Confederate Veterans' North Carolina division. Stone, who signed the consent order, sent a letter to SCV members in which he "explained how the parties secretly worked together to craft a meritless lawsuit" in order to gain possession of Silent Sam and get \$2.5 million for its care, the Lawyers' Committee letter says.

In the letter, Stone says the SCV had no legal standing to sue and if it did sue, "we were 100% certain" that the lawsuit would be dismissed immediately.

"The apparent misrepresentations to the court relating to the SCV's standing to bring the lawsuit are particularly disturbing," the Lawyers' Committee's letter reads. "Mr. Stone signed a verified complaint alleging under oath that the SCV had standing to bring the suit and then sent a letter to his members admitting not only the claim had no merit but also that the standing was intentionally concealed from the court."

The Sons of Confederate Veterans did not respond to an email seeking comment.



Oscar award-winning costume designer Ruth Carter encouraged North Carolina Central University's approximately 709 Fall 2019 graduates to push beyond their comfort zones and reach for bigger opportunities. See story and photos on page 2.

UNC Black Pioneers Criticize Board of Governors for Confederate Settlement

CHAPEL HILL - The UNC Black Pioneers, an organization including many of the surviving members of the first generation of African-American students at Chapel Hill, has joined the ranks of individuals and organizations criticizing the UNC Board of Governors for their reported agreement to pay \$2.5 million to a trust for the Sons of Confederate Veterans (SCV) to resolve issues involving a controversial Confederate monument, and have called on the board to rescind that action.

In an email sent to the Board of Governors Sunday night and copied to interim system president William L. Roper the Pioneers said the Board should rescind the agreement if that can be done legally, and if that can not be done they asked that an equivalent \$2.5 million be provided for scholarships that usually go to African-American students at the university and for the Sonja Haynes Stone Center for Black Culture and History on the Chapel Hill campus. They said such funds could be used to "begin to counteract the negative effects of the funds being given to the Sons of Confederate Veterans."

The Pioneers' email bore the names of 18 UNC-Chapel Hill African-American alumni from around the country and said they represented the thinking of many more of their colleagues. They said the first generation of Black students at UNC were those whose class years were during the first twenty years of integration on the campus, 1952-1972.

The message sent by the Pioneers said they were "appalled at UNC Board of Governors reported effort to resolve the issue of the Confederate monument known as Silent Sam by putting \$2.5 million into a trust for the Sons of Confederate Veterans." They said some African-American alumni and others were withholding making donations to the university because of the board's action.

The Sons of Confederate Veterans is an organization "known for promoting discord and spreading false versions of history."

The entire text of the email to the Board of Governors follows:

Statement to the Board of Governors of the UNC System Regarding the Payment of \$2.5 Million to a Trust Fund for the Sons of Confederate Veterans

To the UNC Board of Governors:

The UNC Black Pioneers, representing the first generation of African-Americans to attend UNC-Chapel Hill between 1952 and 1972, are appalled at the UNC Board of Governors' reported effort to resolve the issue of the Confederate monument known as Silent Sam by putting \$2.5 million into a trust for the Sons of Confederate Veterans.

We the undersigned, on behalf of numerous colleagues around the country, strongly oppose the decision that was made to try to appease some of those persons who are still trying to fight the Civil War, and we hereby register our dissent. World-class Institutions of higher learning such as our alma mater should promote inclusiveness and oppose outdated philosophies that hurt the growth of our society. When the Board of Governors makes decisions that affect the university's contribution to society, those decisions should be aimed at promoting societal good. The decision that has been made does not do that.

More than 15,000 African-American alumni have now studied at UNC. Already we have learned that some of those alumni, as well as a number of other non-minority alumni and philanthropists, are moving to withhold contributions from the university because of the action that is being taken. We respectfully and forcefully request that the Board of Governors act to rescind the action of providing the said money to the Sons of Confederate Veterans, an organization known for promoting discord and spreading false versions of history, if that is in any way something that can be done legally. If that donation cannot be reversed, we request that an equal or greater amount be set aside for UNC Chapel Hill's Light on the Hill Scholarships and for the Sonja Haynes Stone Center for Black Culture and History, as one step to begin to counteract the negative effects of the funds being given to the Sons of Confederate Veterans.

Respectfully,

Walter A. Jackson, '67, Durham, Chair
John W. Sellars, '71, Raleigh
Algin Holloway, '68, Durham
Karen Parker, '65, Winston-Salem
Otto White Jr., '65, Chapel Hill
Jimmy Barnes, '69, Durham
Eddie Hoover, MD., '65, (BS), Charlotte
Eugene C. Hines Jr., '72, BA, '75, MPH, Charlotte
Dr. Linda Powell Addo, '66, Greensboro, Woodrow Wilson Fellowship
Lewis Burton, '65, Chicago
Joanne AP Wilson, MD, '69 (BS), Raleigh
Sylvia Norris Jones, '68, Ypsilanti, MI
Nat B. White Jr, PHD student, '67-'69, Atlanta
Prof. Philip L. Clay, '68, Cambridge, MA
Edith Autry Hubbard, '68, Carrboro
George E. McDaniel Jr., '67, Oakland, CA
Prof. Adolph L. Reed Jr., '71, Philadelphia
William Wicker, '72, Greensboro

Bond granted for Mississippi man tried 6 times in killings

By Emily Wagster Pettus
Associated Press

WINONA, Miss. (AP) - A Mississippi man whose murder conviction was overturned by the U.S. Supreme Court for racial bias was granted his freedom for the first time in 22 years Monday while prosecutors decide whether to retry him for a seventh time.

A judge set a bond of \$250,000 for Curtis Flowers, but told him he would have to wear an electronic monitor while awaiting a decision by the district attorney's office to either try him again or drop the charges.

Flowers was convicted four times in connection with a quadruple slaying in the city of Winona in 1996: twice for individual slayings and twice for all four killings. Two other trials involving all four deaths ended in mistrials. Each of the convictions was overturned, but Flowers has remained in jail because the original murder indictment is still active.

Circuit Judge Joseph Loper said it was "troubling" that prosecutors had not responded to a defense motion to drop the charges against Flowers. He said if prosecutors do not respond, "the state will reap the whirlwind" from him.

Assistant District Attorney William Hopper left the courtroom without speaking to news reporters. Earlier, he declined to comment when asked if the district attorney's office would try Flowers a seventh time.

Flowers' attorney Rob McDuff said after the hearing that a person who wanted to remain anonymous was putting up the standard 10% percent, or \$250,000, required for Flowers' release. McDuff said Flowers could be freed later Monday.

Supporters who were among the more than 150 people packing the wooden pews of the 1970s-era courtroom hugged Flowers after the judge announced his decision. His father, Archie Lee Flowers, choked back tears. He said the first thing he would do when his son was released, was pray.

The elder Flowers said he frequently visited his son in prison, where they sang and prayed together. He said he has always believed in his son's innocence.

During his sixth trial in 2010, Flowers was sentenced to death. The U.S. Supreme Court overturned that conviction in June, finding that prosecutors had shown an unconstitutional pattern of excluding African American jurors in the trials of Flowers, who is black.

After the Supreme Court ruling, Flowers was moved off death row at the Mississippi State Penitentiary at Parchman and taken to a regional jail in the central Mississippi town of Louisville.

"This case is unprecedented in the history of the American legal system," McDuff told the judge during Monday's hearing. He said Flowers had spent 23 years in prison "without a lawful conviction to justify his incarceration" and had an "exemplary" record of good behavior in prison.

Hopper had asked the judge to deny bond. He cited several examples of evidence that he said pointed to Flowers' guilt.



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