



Winston-Salem

December 31, 2018

City Attorney's Office

City of Winston-Salem
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Peggy Johnson, President NC Chapter,
United Daughters of the Confederacy

Caroline Hancock, Local Chapter
United Daughters of the Confederacy

E. Thomas Drake, Registered Agent
United Daughters of the Confederacy, NC Division

Herbert R. Coleman, III, Manager
Winston Courthouse, LLC.

Re: Confederate Statue at 4th and N. Liberty Streets, Winston-Salem, N.C.

Dear Mses. Johnson, Hancock, Messrs. Drake, and Coleman,

Confederate statues across the nation, including those in Durham and Chapel Hill, North Carolina, have been at the center of confrontation and violence for the past sixteen (16) months. You may recall that a woman in Charlottesville died on August 12, 2017 during one such confrontation.

Following the Charlottesville incident, the privately owned Confederate statue that sits in the heart of downtown Winston-Salem on real property that is privately owned by Winston Courthouse, LLC was vandalized and spray-painted on August 18th with the word "Shame". In response thereto, the City proceeded with removal of the markings and the Winston-Salem Bike Patrol added this area to its nightly patrols. The landowner proceeded to post "No Trespassing Private Property" signs. Unfortunately, such efforts have not deterred individuals' intent on vandalizing private property and inciting a public response.

On or about December 25, 2018, vandals defaced the Confederate statue with the inflammatory words "Cowards & Traitors" thereby invoking significant concern about the safety of the statue and the potential for confrontation, breaches of the peace and other nuisance type conduct similar to that endured by other cities. It is clear that the tenor of the

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City Council: Mayor Allen Joiner; Vivian H. Burke, Mayor Pro Tempore, Northeast Ward; Denise D. Adams, North Ward; Dan Besse, Southwest Ward; Robert C. Clark, West Ward; John C. Larson, South Ward; Jeff MacIntosh, Northwest Ward; Annette Scippio, East Ward; James Taylor, Jr., Southeast Ward; City Manager: Lee D. Garrity

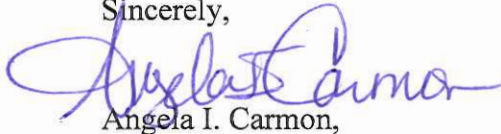
vandal's message has escalated and the intensity of the same is not likely to wane with the passage of time. The City is not in a position to provide constant security checks necessary for the protection of the statue and to mitigate the recurring acts of vandalism.

It does not appear that the statue is publicly owned. Claims of ownership of the statue have come from the United Daughters of the Confederacy. While the deed from Forsyth County to Winston Courthouse, LLC contemplates the conveyance of an easement for maintenance to Forsyth County, it appears that there is no record of such a conveyance. Consequently, it appears that the statue does not sit on public property.

Based on the foregoing, it appears that you have the ability to remove and relocate the Confederate statue to protect and preserve the same and to minimize additional public safety concerns. Due to concerns for overall public safety and protection of the statue, I hereby direct you to remove and relocate by January 31st the subject Confederate statue from its present location to a more secure location where the same can be protected from vandals and others looking to create a Charlottesville type incident in Winston-Salem.

Failure to comply with this direction may result in the city seeking a court order for the removal and relocation of the subject statue to preserve the same and to address public safety concerns that are escalating as the messages left by vandals intensify after each incident. Please give this matter your immediate attention. Should you have any questions, please do not hesitate to contact me.

Sincerely,



Angela I. Carmon,
City Attorney

pc. Lee D. Garrity, City Manager
Scott Horn, Registered Agent & Attorney for Winston Courthouse, LLC.
380 Knollwood Street, Suite 700, Winston-Salem, NC 27103-1862
Gordon Watkins, County Attorney