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AMERICA'S PEACEMAKERS

America's Peacemakers

The Community Relations Service and Civil Rights

*A new edition of *Resolving Racial Conflict**

Bertram Levine and Grande Lum




UNIVERSITY OF MISSOURI PRESS
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First Edition (Bertram Levine)

To Muriel

Who decorated my life

New Edition (Grande Lum)

In Gratitude to Bertram Levine's children: Neil, David, and Susan Rae

In a time of unnecessary trouble and disorder, the members of CRS had the capacity and courage to cool the tensions of a Nation. You helped to bring order where there would have been chaos. You helped bring peace where violence would have ruled the day.

On behalf of a grateful Nation, on behalf of a grateful people, on behalf of those who gave all they had in this fight, I stand here to say thank you for all that you did to help to get us to where we are today.

As a Nation, we are deeply indebted to the Community Relations Service at the Department of Justice for helping to create a more perfect Union. I say to each and every one of you who continue to work at CRS, never give up. Never give in. Keep the faith. Keep your eyes on the prize. We are going to build a beloved nation.

—Congressman John Lewis at
CRS's Forty-Fifth Anniversary, 2009

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FOREWORD

NONVIOLENCE, CONFLICT RESOLUTION, AND SOCIAL JUSTICE

THE LANDMARK CIVIL Rights of Act of 1964 is most known for its historic legislative enshrinement of civil rights, something African Americans struggled for centuries to achieve. Lesser known than the more publicly celebrated sections of the act is Title X, creating the Community Relations Service (CRS).

Bertram Levine and Grande Lum have written a compelling book describing more than five decades of service. The authors' work is a "must read" for anyone who seeks a better understanding of the historic magnitude of what the act sought to redress and achieve. It provides insight into the value of nonviolent negotiation of what could otherwise, in the absence of such negotiation, become instances of violence and setbacks to the intent of the act. In summary, the book is about over fifty years of racial conflict in America, and what was done by federal conciliators to help resolve it.

As the former political adviser, personal lawyer, and draft speechwriter for Dr. Martin Luther King Jr., I am honored that former CRS director Grande Lum asked me to write a foreword to what is a superb new edition of this book about the operation of CRS created under the Civil Rights Act of 1964. I feel especially so given the deep polarization in this country in 2020 and the need for conflict resolution experts to aid in the cause of social justice. Since Levine's book covered CRS's history up until 1989, it is particularly important to shed light on CRS's amazing work since then, which includes:

- throughout the country post-9/11, preventing backlash violence against innocent people targeted by xenophobic racists;
- in Miami, a valiant attempt to create a peaceful handover of Elián González from his Florida relatives to his Cuban father;
- in Overt, Mississippi, mediating after local residents harassed occupants at Camp Sister Spirit, a lesbian retreat center;

- throughout the South, helping to protect African American churches from arson following President Bill Clinton’s signing of the 1996 Church Arson Prevention Act;
- in Sanford, Florida, easing tensions after the tragic 2012 killing of Trayvon Martin, where the state’s “Stand Your Ground” law enabled violence with a “Get Out of Jail Free” card;
- and in Oak Creek, Wisconsin, in 2012, enhancing communication after a white supremacist entered a Sikh gurdwara and murdered six congregants.

Grande’s focus on CRS’s work from 1990 forward adds to how we think about how American society has evolved as a whole in terms of civil rights. What is striking is that as other minority groups—whether Native American, Hispanic, Muslim, LGBTQ, or Asian American—increased their civil rights advocacy, they also began utilizing CRS, especially when the situation involved governmental actors. The Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act opened up CRS’s ability to work in situations beyond race for the first time, mirroring the changes in the country as a whole.

Neither the author of the first edition, Bertram Levine, nor anyone working on civil rights immediately after the assassination of President John F. Kennedy on November 22, 1963, could have known that this event would result in Martin Luther King developing what may have been the most important strategic decision during his leadership of the civil rights movement: that there would be no major material improvement on the issue of race in the United States unless it occurred under the political leadership of a white, southern political leader. A description of the genesis of this political thesis by Dr. King is described in greater detail in my own forthcoming memoirs.

Just what role does nonviolent conflict resolution play when conflict resolution and civil rights programs enacted under the Civil Rights Act end up at cross-purposes? This is one of the challenging issues Levine and Lum bring to our attention. One of the most profound and prescient observations from Levine is that from its earliest days, it was apparent to CRS’s leaders that the roots of racial animosity lay deep beneath the surface of American society.

This seems to be right on the money with the issues that our country’s political leaders are confronting today. For example, in competing

for the Democratic Party's nomination to prevent President Donald Trump's reelection, former vice president Joe Biden has faced challenges to his civil rights credentials because when he was a senator, he worked with segregationists from the South to enact various pieces of legislation, including civil rights, during his more than thirty-five years in the Senate. This is exactly what President Lyndon Johnson had to do to enable the successful passage of the Civil Rights Act of 1964.

President Johnson, in the creation of CRS, was politically savvy. He appointed white business, civil, and political leaders, who themselves at one time or another had supported racial segregation. Johnson recognized that effective politics often requires working with people who once held racist views.

This book makes clear that both President Johnson and former Governor LeRoy Collins of Florida saw CRS as an indispensable "fountainhead that would reach out to opinion molders and community leaders across the nation" following the enactment of the 1964 Civil Rights Act, "to create a climate in which civil rights and racial amity would flourish."

Johnson is appropriately heralded for his historic leadership in the enactment of the Civil Rights Act of 1964 and Voting Rights Act of 1965. Bertram Levine's and Grande Lum's book about the work of CRS makes it clear that substantial nationwide compliance with these landmark civil rights achievements would not have been possible without the largely unknown work of CRS.

The authors have written a compelling narrative of the agency's history. It is a "must read" for anyone who seeks to better understand how we as a nation largely peacefully complied with the greatest civil rights revolution in our country since the Civil War. Thus, as mentioned earlier, it is a special moment for me to have been asked to write this foreword.

As Grande Lum writes, "The work of CRS is ultimately to help the country sustain harmony in all its diversity." President Johnson was so politically tuned in to the soul and body issues of the average white person from the South that he uniquely created CRS "to help the medicine go down." The Civil Rights Act of 1964 was strong medicine.

Neither President Johnson nor Dr. King in their wildest imaginations could have predicted that CRS would become the federal

statutory framework for nonviolent resolutions of disputes arising in communities following its enactment. Its existence became tantamount to a prescription for nonviolent pursuit of social justice, embodying Dr. King's philosophical commitment to nonviolence based on the legacy of Mohandas K. Gandhi, who used nonviolent resistance so effectively to free India from British colonialism.

Dr. King, in an article that appeared in the magazine the *Christian Century* on February 6, 1957, stated, "The basic question which confronts the world's oppressed is: How is the struggle against the forces of injustice to be waged? There are two possible answers. One is resort to the all too prevalent method of physical violence and corroding hatred. . . . The alternative to violence is nonviolent resistance. . . . [It] does not seek to defeat or humiliate the opponent, but to win his friendship and understanding." Nonviolent resistance seeks to "awaken a sense of moral shame in the opponent. The end is redemption and reconciliation."

In a new chapter written by Grande Lum for the second edition, he reminds us that the advent of "smartphone videos of police officers' actions against citizens changed the landscape by providing immediate, visceral, visual documentation that kept the narrative going." What is particularly troubling as I write this is the resurgence of white nationalism and xenophobia in this country. I am appreciative that Grande went back in time and wrote about CRS's early 1970s work in Skokie, Illinois, when a small American Nazi group threatened to come to Skokie, with its numerous Jewish and Holocaust survivor residents. The work that CRS's Dick Salem and Werner Petterson did to help prevent violence is nothing short of incredible.

As we face the social media and fake news-driven extremism of the twenty-first century, social justice requires culturally skilled dispute resolution experts like those at CRS more and more. The work that Grande and his staff did in Sanford after Trayvon Martin, Baltimore after Freddie Gray, and Ferguson after Michael Brown is crucial if we want to both make our minority communities safer and build trust again between minority communities and law enforcement.

In sum, this book about the history of CRS is an essential historical reference to obtaining an accurate understanding of just how prescient President Johnson was in his requirement that CRS be a constituent part of the 1964 Civil Rights Act.

We all owe a debt of gratitude to the authors and to the staff, both past and present, of the Community Relations Service.

Thank you.

Dr. Clarence B. Jones
Scholar in Residence
Martin Luther King Jr. Institute
Stanford University

PREFACE TO THE NEW EDITION

We can't expect to solve our problems if all we do is tear each other down. You can disagree with a certain policy without demonizing the person who espouses it.

President Barack Obama, May 1, 2010

JUST WEEKS BEFORE President Barack Obama articulated this sentiment at his May 1, 2010, University of Michigan commencement speech, I made the decision to join his administration. I was especially proud to do so because, throughout his career, Obama had often advocated a passionate and balanced approach to conflict- and problem-solving. I had spent my career in conflict resolution, mediating numerous types of issues with a wide range of parties, and I had been a clinical professor and ran a center on negotiation and dispute resolution at the University of California Hastings College of the Law. Two years later, I would be leading the one federal agency that was legislatively mandated to resolve disputes and reduce tension, and doing so as the United States entered its most challenging period of social discord since the 1960s civil rights era. This later period started with the killing of Trayvon Martin, an unarmed African American high school student visiting his father, by neighborhood watch captain George Zimmerman in Sanford, Florida. The unrest spiked with further tragic deaths of unarmed African American citizens, primarily by the hands of police officers in Ferguson, Missouri; New York City; and Baltimore, Maryland.

When the possibility of joining the Community Relations Service (CRS) presented itself to me, I found the one and only book that provided a complete narrative of its first twenty-five years of existence. I tracked down a copy, and as I read the book, even though I had been familiar with CRS's work, I was awestruck by the agency's unique and critical service to the country. Much of its history I did not know. The

book, *Resolving Racial Conflict: The Community Relations Service and Civil Rights, 1964–1989*, floored me on that first read. I learned for the first time how CRS was the brainchild of President Lyndon Baines Johnson and how future Supreme Court justice Arthur Goldberg formulated the agency in order to mediate community civil rights issues. Through compelling writing about an urgent time of our country's history, the book's author, the late Bertram Levine, a longtime CRS staff member, detailed how Johnson then stewarded CRS into being through the 1964 Civil Rights Act, arguably the most important American legislation of the twentieth century. CRS mediators played a critical role after Bloody Sunday in keeping successive marches from Selma to Montgomery safe, in creating biracial parent coalitions during the Boston Public Schools desegregation, in bringing the American Indian Movement takeover of Wounded Knee to an end, and in mediating a dispute between Vietnamese and white fishermen in Galveston, Texas, where the Ku Klux Klan was actively engaged.

After President Obama nominated me as the ninth director of CRS and the Senate confirmed me by unanimous consent on June 29, 2012, the book took on new importance. It became the touchstone that I would turn to regularly to understand how the agency responded in similar past situations. My start as CRS director on August 1, 2012, was low-key, as I was in the process of moving my family from the San Francisco Bay area to Washington, D.C. I met with a single human resources employee at the San Francisco U.S. Attorney's Office, who swore me in so I could officially start working. I then walked over to the federal building where the CRS San Francisco Field Office was located, and the single conciliator there, Carol Russo, welcomed me to the agency.

My real introduction to the world of CRS came three days later. On Sunday, August 5, I was about to board a flight to Dallas, Texas, to meet my entire staff for the first time. As I stood at the gate, the CNN broadcaster on the airport television monitor reported that there had been a mass shooting in a Sikh gurdwara in Oak Creek, Wisconsin. After landing in Dallas, I rode to my hotel with CRS staff members who were all on their cell phones to Sikh leaders throughout the country and to Department of Justice colleagues to understand the situation, share information, and strategize next steps. Tragically, the shooter, a white supremacist, had killed six people and wounded four others. Within

hours, we were in contact with the Federal Bureau of Investigation; the Bureau of Alcohol, Tobacco, Firearms, and Explosives; and the White House Office of Faith-Based and Neighborhood Partnerships, enhancing communication between law enforcement and community members by providing critical information for key law enforcement personnel.¹

That Wednesday, August 8, CRS conciliators—along with Jim Santelle, then the U.S. attorney for the Eastern District of Wisconsin—ran a community session to discuss anxieties over the shooting, better understand hate crime definitions, coordinate law enforcement response, and problem-solve funeral arrangements. There were rumors of a second shooter that needed to be dispelled and desires to have the Oak Creek gurdwara revert to a place of worship rather than a closed crime scene. We were also able to help shooting victims who did not have relatives close by receive out-of-town visitors to support them. CRS coordinated and facilitated a larger community meeting the following day at Oak Creek High School with more than 250 people. I personally briefed the staff of First Lady Michelle Obama in preparation for her visit to the Oak Creek gurdwara on August 23. Thus began a whirlwind three and a half years in which CRS played both a first responder role as well as a preventive one, with me at its helm.

After the initial post-tragedy work, CRS continued to work with Sikh community leaders and law enforcement to reduce fears and ultimately enhance safety for the Sikh community. This work included the revision and national launch in September 2012 of resources to prevent hate crimes against Sikhs, notably a cultural awareness training program for first responders to inform and educate communities still experiencing tension. In 2013, CRS contributed to the inclusion of the Sikh religion in the FBI's Uniform Crime Reporting (UCR) form in order to measure bias-based incidents targeting Sikh community individuals. Those killed and injured in Oak Creek could not be counted as victims of anti-Sikh violence because the option was not available on the form. CRS and the Civil Rights Division of the Department of Justice convened religious leaders, civil rights advocates, and Department of Justice representatives to address shortcomings of the UCR form and determine changes that could improve it. The inclusion of Sikhs and additional groups on the UCR form was approved by FBI Director Robert Mueller and went into effect on January 1, 2015.

Throughout my time at CRS, I found myself flipping through the pages of the first edition of this book to see how early CRS conciliators worked with Martin Luther King and negotiator Andrew Young (later Atlanta mayor, congressman, and UN ambassador) of the Southern Christian Leadership Conference; Alabama state trooper Colonel Al Lingo in Selma; or Russell Means and the FBI at Pine Ridge, South Dakota. I also used the book for inspiration and grounding in discussing CRS's illustrious history. For example, when I spoke to Department of Education employees, I shared the courage of CRS conciliator Silke Hansen during her work in the Boston Public Schools to facilitate court-ordered desegregation.

Levine's book provided the historical context to the contemporary work, which came to the forefront in 2014 when CRS celebrated its fiftieth anniversary. Attorney General Eric Holder presided as the entire staff and alumni showed up for the commemoration. It was a moment where past and present met to reflect on a half-century of peacekeeping accomplishments. In the Great Hall at the Robert F. Kennedy Main Justice Department Building we were honored to have Andrew Young interviewed by me as well as former CRSers Ronald Gault, Rose Ochi, Stephen Thom, Grace Flores-Hughes, and Joan Trumpauer Mulholland sharing their memories.

When I left CRS in February 2016 after directing the agency during the George Zimmerman trial and the Ferguson and Baltimore tragedies, I felt gratified to have completed some of the most important work of my life. After I left, I became the first director of the Divided Community Project at the Ohio State University Moritz College of Law, whose mission it was to complement CRS work by focusing on prevention and helping communities transform conflict into cooperation. As I unpacked my boxes, I reopened the Levine book. Bertram Levine's motivation for writing the book jumped out at me: "The Community Relations Service of the Justice Department had provided the nation with a unique and important service during a critical—and dangerous—period of history, and virtually nobody knew anything about it. Here was a book that cried out to be written." It struck me in that moment that the decades of CRS work since 1989 also needed to be captured for future generations.

During my time at CRS, I met with Bertram Levine's sons, Neil and David. They both were excited and supportive of the idea of a second

edition of the book. I spoke with the editors at the University of Missouri Press, and they agreed that a new edition made sense given both the expanded work CRS was doing to address community conflicts beyond race and the worldwide attention to the protests in Sanford, Ferguson, Baltimore, and numerous other cities.

Having worked during these most recent crises, I was disturbed by the parallels with what had transpired in the civil rights era of the 1960s and 1970s and saddened to see Levine's sense of "monumental progress" in police-minority relations not borne out. Modern-day tools Twitter, Facebook, and social media as a whole made Sanford and Ferguson into worldwide phenomena. Smartphone videos of police officers' actions against citizens changed the landscape by providing immediate, visceral, visual documentation that kept the narrative going. While newspaper photos and network television news transformed conflicts in the 1960s, information from witnesses and family members was now being shared directly on new, faster, farther-reaching platforms.

The context of CRS had also evolved due to its decision to expand its mission beyond issues of race, color, and national origin. This shift came about as a result of the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act, which was signed into law by President Obama on October 28, 2009. For the first time in its then-forty-five-year history, CRS worked on issues involving gender, gender identity, sexual orientation, religion, and disability. CRS was again breaking new ground in using conflict resolution to address pressing civil rights matters. For example, I was proud to initiate CRS's production of the first federal video training on transgender issues.

To appreciate the unique contribution CRS makes, it is important to understand that the fields of social justice and conflict resolution intersect sparingly. This separation is largely due to inherent tension between advocacy and neutrality. It is a complex dynamic to simultaneously strive to uphold civil rights while serving as a conciliator or mediator trusted by both sides of a conflict. Only recently have researchers and academicians begun to analyze the work of those who navigate this intersection. Allowing for greater examination of the groundbreaking work of CRS requires creating a record, which is what I seek to do here.

I sought to honor the original book by walking the same path that Bertram Levine took toward composition. I read through all of the CRS annual reports. I perused the interviews of CRS conciliators by

Richard Salem and Heidi and Guy Burgess, especially those concerning their work after 1989. Many of the choices for a second edition were clear-cut. I prioritized CRS's work in Mississippi after neighbors harassed a lesbian community; throughout the country on hate and violence against Muslims, Sikhs, and others post-9/11; in Miami, Florida, after two fishermen saved Elián González; and in Sanford, Florida, after George Zimmerman shot Trayvon Martin. I also honor the confidentiality provision of the 1964 Civil Rights Act by only sharing information in the public record or provided to me with no confidentiality expectation.

The importance of capturing the record of CRS's involvement since 1989 particularly hit home when I read Bernard Mayer's excellent 2004 book *Beyond Neutrality*. In that volume he stated, "Years later, when the Elian Gonzalez case was in the news, I wondered why there was no serious attempt to mediate that situation."² As this new edition makes clear, there were in fact serious, extended mediation efforts led by CRS to find a peaceful resolution to Elián's custody crisis. If CRS's work was unknown even to renowned dispute resolution experts, there was an obvious need to fill that gap with this publication.

The harder choice was what to leave out regarding all the tremendous work that CRS did from 1990 to the time of writing this book. CRS conciliators Stephen Thom, Silke Hansen, and others spent significant time in Los Angeles after the police brutality against Rodney King.³ Thom and Julian Klugman did groundbreaking work in California mediating disputes on Native American repatriation of remains and artifacts.⁴ Also, CRS was closely involved with communities after Hurricane Katrina hit Louisiana and the Gulf Coast. A large team of CRS conciliators, including Silke Hansen, Azekah Jennings, Pascual Marquez, Rosa Melendez, Carmelita Pope-Freeman, and Synthia Taylor, were dispatched by Director Grace Flores-Hughes and spent weeks away from home, working with tragedy-stricken communities, mediating numerous disputes, and facilitating help and support. Conciliators worked diligently in Jena, Louisiana, after six young African American students were initially charged with attempted murder of a white student. After I departed CRS, my successor, Acting Director Paul Monteiro, and a conciliation team did crucial work in the Dakota Access Pipeline protest in maintaining safety and helping marginalized voices be heard. I wish there was room to explore all of this work in depth, and I hope this

book encourages others to document and analyze more CRS efforts in the future.

I made only one substantial pre-1990 addition to this book. When I started at CRS, I reached out to legendary CRS mediator Richard Salem, and he mentioned his work with a neo-Nazi group in Skokie, Illinois. It rang a bell, as it was a well-known constitutional case I had read in law school, which effectively set the precedent that the First Amendment right of freedom of speech is for all, even Nazis. I then read a journal article by Salem that went into detail on how CRS's work fundamentally changed the events in Skokie.⁵ Given the 2017 Charlottesville tragedy in which white nationalist protests resulted in the death of a young woman, Heather Heyer, and the continuing national struggle with race and memory, I thought it would be immensely beneficial to add a chapter on how CRS helped avoid bloodshed in Skokie.

In some of Levine's original chapters, I provide a few additional paragraphs and endnotes to provide insight from the last thirty plus years of change in the country and CRS experience. Per my respect for the first edition, I have kept them to a minimum. Nonetheless, it was important to update chapter 6, "Police-Minority Relations," given how this issue has surged in the American consciousness in the decades following where the first edition leaves off, on an optimistic note for the future. The final chapter reflects more editing, primarily to acknowledge the addition of numerous CRSers since 1989 and to give a fuller overview of its history.

In that vein, I wanted to be as respectful as possible of the original text, particularly as Bertram Levine had passed away and I was unable to seek his counsel. In writing a new edition, I was confronted with how terms to describe different racial groups have evolved over time. For today's reader, terms like "Negro," "Asian," and "ghetto" can be jarring at best and offensive to many, and the new chapters use today's common terms like "African American" and "Asian American." I consulted with Neil and David about whether to leave the original text undisturbed, and David made the point that the changes in terminology "reflect trends that are meant to enhance equality and respect," which is certainly my goal as an author and that of CRS in its work. We also agreed that the book would be a more unified whole if we changed this terminology. Thus, I made the final decision to update the terms in the earlier text, though of course not in quotations or proper names of organizations.

My editor and I also discussed at length whether to leave the N-word in given the highly offensive impact the term has. The word was used four times in the first edition, and in each instance it is in quotations. Three of the instances were usages of the term by police officers and one was a usage in the Boston Public Schools integration controversy. We made the decision to leave them in to better reflect the context of the situations the communities and CRS faced at the time.

I also faced the same personal quandary as Bertram Levine in that, like the original author, I had worked at CRS. While I was not there nearly as long, I was involved in the period 2012–16 and led the agency during the Oak Creek tragedy, through the Sanford, Ferguson, and Baltimore work. This work is not an autobiography, so I do not delve into my involvement in great detail but mention it only where I believe it is helpful in sharing the narrative of events. I added five new chapters: chapter 11, “Nazis, Free Speech, and Hate: Preventing a Bloodbath in Skokie and Beyond”; chapter 12, “Arabs, Muslims, and Sikhs: Preventing and Responding to Unfounded Violence after 9/11”; chapter 13, “Not Only Race: Confronting Other Types of Hate”; chapter 14, “Crossing Borders: The Elián González Custody Dispute”; and chapter 15, “Back to the Future: Law Enforcement and Race Takes Center Stage in Sanford, Florida.” I updated and added sections to the final chapter of the first edition, “The Quest for Value” (now chapter 16), to reflect events and trends since the book was originally written, as well as additional analysis.

The work of CRS is ultimately to help the country sustain harmony in all its diversity. The American story has always involved diversity, which has been both a source of strength and a basis for discord. From the moment the Native Americans who first occupied the land encountered European settlers, there has been conflict and tension. Later, whole economies were founded on the work of enslaved people brought to the country from Africa. The social repercussions of this economic model have reverberated throughout American history. Secession and the Civil War were fought over slavery, while the denial of rights in the Jim Crow South and segregation continued for a hundred years afterward.

The country’s diversity—and need for civil rights protections—encompasses not only differences across race and ethnicity but also religion, gender, gender identity, and sexual orientation. Religion was a reason why many who came to the United States fled their home

countries. Many found support in America, while some found themselves at odds with others' beliefs or religious identity. Women have been fighting for equality since the country's founding, and the recent Me Too movement reveals how much further there is to go on inclusion. Issues involving sexual orientation and gender identity have come to the forefront of national consciousness. This continuing struggle toward equality for all has, in fact, come far since 1989, where Bertram Levine's original edition of this book left off. This new edition covers this more recent era to continue to document that journey and provide social justice and conflict resolution insight for an even more inclusive—and hopefully more harmonious—future ahead for all Americans.

A LOOK AHEAD

The first edition of this book was completed in 2004, fifteen years after the period it covered. In that edition Bertram Levine noted that patterns of racial conflict and the Community Relations Service's response were the same and yet different.

In 2004, Levine observed that police-minority friction was still the number-one source of conflict in which CRS became involved. While the frequency of such incidents appeared to have diminished, acts of police abusiveness still had the power to inflame an entire community. Many scenarios were unchanged: a young African American man was shot by police who thought they saw a gun; a Hispanic man died in police custody. To these examples have been added the practice of racial profiling by police, which to many appears to be an adaptation of the notorious, racially biased stop-and-frisk excesses that were condemned by the Kerner Commission more than three decades earlier.

In 2019, when I reread Levine's original final chapter, I was quite chastened by how the situation seems to have worsened dramatically in the last fifteen years. The tragic shooting of seventeen-year-old Trayvon Martin by a self-appointed neighborhood-watch captain sparked the Black Lives Matter movement. Martin's death was soon followed by those of Michael Brown in Ferguson, Missouri; Eric Garner in New York; Philando Castile in Minneapolis; Walter Scott in Charleston, South Carolina; Laquan McDonald in Chicago; Antonio Zambrano-Montes in Pasco, Washington, and a further stream of unarmed African American and Latino males shot to death by police officers, often caught on smartphone or police camera videos. The George Floyd tragedy in

the midst of the COVID-19 pandemic has unleashed a dramatic new round of protests in the United States calling for defunding of police and fundamental change. A new civil rights era driven by technology and social media has shined a brighter light on such incidents than has been seen in decades.

In 2004, Levine also noted that hate violence cases had been making up an increasing portion of the CRS caseload. This second edition devotes a chapter to the 9/11 tragedy. From that moment forward, CRS significantly increased its work with Muslim, Sikh, and other Arab communities targeted since 9/11. The second edition also contains a new chapter on the hate crimes jurisdiction work CRS has done since the 2009 Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act.

This new edition was finished in 2020. It is troubling to see that these last few years have seen a rise in anti-immigrant, anti-Semitic, and nativist rhetoric and violence both nationally and internationally. Presidential candidate Donald Trump spearheaded a “birther” campaign against President Obama, falsely promoting the idea that Obama was born in Kenya, and portrayed Mexicans seeking entry into the United States as “criminals and rapists.” Since Trump’s election, he has insisted that “very fine people” were among the white supremacists participating in demonstrations in Charlottesville, Virginia, that led to the death of a young liberal protester; referred to immigrants involved in gangs as “not people” but “animals”; and made barriers to the entry of people from Mexico, Central America, and Muslim-majority countries a cornerstone of his ambitions.⁶ The COVID-19 pandemic gave rise to scapegoating of Chinese and Chinese Americans and increased hate crimes against Asian Americans. President Trump insisted on calling the coronavirus disease a “Chinese virus.”

A Pew Research Center survey shows that regardless of who is president, the political divide in the country has steadily worsened in the twenty-five years since the poll was first given. That same trend applies to political differences, which are now seen as a bigger conflict than race or gender ones.⁷ Major legislation on critical issues like immigration, infrastructure, taxation, and trade have been nearly impossible to pass in the past two decades. While politics is not within its legislative mandate, politics is the crucible by which CRS was created and the landscape in which it has operated. CRS’s impartiality and confidentiality serve CRS well in that regard. Mediation, facilitation, and other conciliation

services have and continue to serve this country well when dealing with political gridlock and enmity.⁸

In this political climate, since 2016, hate crimes have occurred at greater frequency. The 2017 FBI Hate Crimes Report revealed a 17 percent increase in hate crimes that year, which was the third year in a row that hate crimes have risen. A 37 percent increase in anti-Semitic crimes also took place in 2017. Note that FBI data has often been criticized for underreporting, as only 12 percent of law enforcement agencies submitted reports regarding hate crimes in 2017.⁹ While the FBI reported 7,175 criminal hate crime incidents that year, the Bureau of Justice Statistics estimates upward of 250,000 hate crimes. The Southern Poverty Law Center reported in 2019 that the number of hate groups operating in the United States has reached an all-time high.¹⁰

What Levine observed in the first edition may be even truer today, given the stoking of nativist, anti-immigrant, and race-based fears. In the first edition, Levine observed that the impact of America's changing population had triggered a rising number of hate crimes and provided a foretaste of future stress as the nation adjusts to the transition from being predominantly white to being a country in which whites will be in the minority.¹¹ Demographic changes involve not only immigrants from Asia, Eastern Europe, Mexico, and other Latin American countries. The problem is compounded by a major population shift within the country, as "new Americans" follow jobs and relatives to areas of new settlement. Many of these formerly "untouched" communities are in outlying suburbs and in small cities outside major metropolitan areas. These population movements have generated a variety of clashes between newcomers and other ethnic groups, and between the newcomers and the Immigration and Naturalization Service. Anxiety about newcomers, particularly when it comes amid growing economic uncertainty, has reawakened nativist fears. Preventing and responding to hate crimes have become major CRS priorities.¹²

CONFLICT RESOLUTION AND SOCIAL JUSTICE

As I read and reread Levine's book, as I led the agency, and finally as I wrote the chapters for this new edition, the theme that came back to me over and over again was the perceived tension between conflict resolution and civil rights. The fundamental question is on the relationship between peace and justice. Skeptics of CRS working from a social justice

perspective would focus on how its conciliators tamp down protest and conflict, and those are the primary tools of marginalized groups. This is reflective of an understanding of social change as resulting from conflict-applied pressure, that is, a hydraulic model of social justice.¹³

Wallace Warfield, a theorist on the nexus between social justice and conflict resolution who worked at CRS for many years, wrote, “Any intervention that diverts or bleeds off pressure does so at the expense of social change and should not be encouraged. The critical measurement of conflict resolution processes then is whether they interrupt, increase or direct the pressure.”¹⁴ In this book, the reader can reflect on this measurement for every CRS case. For example, in Sanford, Florida, conciliators helped protestors like the National Action Network and Dream Defenders work with local and state government officials and law enforcement to enable voices to be heard while preventing injury and possibly worse.

Neutrality is at the heart of this question too. CRS conciliators, both historically and certainly in my experience as the agency’s director, have to be seen as impartial and unbiased in order to work in the highly polarized and politically charged environments CRS works in. Add to that the fact that CRS is within the Department of Justice, the only federal agency whose title is a moral value, so following rules and regulations is imperative. Yet the reality is also that CRS’s stated goals and jurisdictional mandate are provided by the 1964 Civil Rights Act and the 2009 Hate Crimes Prevention Act, laws that advanced social justice dramatically. All of this informs a complex, nuanced role for CRS conciliators. As you read this book, you will find that the third-party conflict resolution role is much broader than what we conventionally think of for court-based mediation and other types of dispute resolution, which focus on procedural rather than substantive justice.

This reflects a similar dynamic that exists for international conflict resolution, that is, peace and human rights. It should be no surprise that so many of the actors in this book went on to international diplomacy, including James Laue, Andrew Young, Wallace Warfield, and Richard Salem.

Change comes through confrontation and conflict. Just as I was finishing this book, I walked through the Menlo College Bowman Library and saw a poster for Black History Month. It contained a quote by Martin Luther King that reads, “True peace is not merely the absence

of tension; it is the presence of justice.” This speaks to the goal of CRS’s work in that it has always been an amalgamation of those two invaluable cornerstones of American society. Effective CRS conciliation work has been about both the short term and the long term, bringing parties together, enabling them to solve critical problems on their own, reflecting that American democratic ethos, and advancing toward more truly just outcomes while prioritizing nonviolence.

Clarence Jones, in the foreword to this book, captures the best of CRS strategy to reach that goal of achieving both justice and peace, saying the Community Relations Service may have been the federal statutory embodiment of the “nonviolent pursuit of social justice, embodying Dr. King’s philosophical commitment to nonviolence based on the legacy of Mohandas K. Gandhi.” Even the term CRS workers go by, “conciliator,” captures the quest each one of them has taken to advance the cause laid out by the 1964 Civil Rights Act and the 2009 Shepard and Byrd Hate Crimes Prevention Act. The Latin root *conciliare* means to unite, and in a world where people are torn apart, the need for uniting peace and justice continues.

A NOTE ON SOURCES

To maintain consistency with the original book by Bertram Levine, I consulted many of the same sources as the original author. For example, I went through all the CRS annual reports. While I focused on annual reports for the years Levine did not cover, beginning with 1990, I also consulted all the preceding ones. The Civil Rights Mediation Oral History Project by former CRSer Richard Salem and University of Denver’s Heidi and Guy Burgess was likewise particularly helpful, as they conducted in-depth interviews with CRS conciliators who worked after 1989. I extensively utilized these recollections of events, such as those articulated by Reinaldo Rivera concerning the 9/11 tragedy. Like Levine, I conducted a number of interviews, primarily with CRS conciliators, to gain insight on how the work was done.

While Levine noted using the internet, many more sources were available online by the time I began this second edition. Like the first author, I started with the *New York Times* and *Washington Post* to provide details, background, and context for CRS work discussed in this volume. I also drew not only on articles and books but also on videos that have been produced about these conflicts. Because this edition,

like the first, is intended for a general rather than a purely academic audience, I follow my predecessor's restrained approach to endnotes. In addition, I searched for photographs, which the first edition did not have. I felt it was important to show photos of the conciliators who labored in these conflicts in anonymity and little, if any, fanfare.

Grande Lum

NOTES

1. Community Relations Service, *America's Peacemaker Community Relations Service Annual Report Fiscal Year 2012* (Washington, D.C.: Department of Justice, 2012), v, <https://perma.cc/A8LA-KYUB>.
2. Mayer, *Beyond Neutrality*, 102.
3. For firsthand accounts of CRS work in Los Angeles after the police beating of Rodney King, see "Stephen Thom," Civil Rights Mediation.org, February 6, 2002, <https://perma.cc/PSN2-ZUZH>, and "Silke Hansen," Civil Rights Mediation.org, August 3, 1999, <https://perma.cc/BV5E-2J92>.
4. For firsthand CRS accounts of Native American repatriation work, see "Stephen Thom" and Klugman, Thom, and Myers, "Mediation and Native American Repatriation of Human Remains."
5. Salem, "Mediating Political and Social Conflicts."
6. The Trump Administration has called for the elimination of CRS. For more, see Monroe, "An Attack on America's Peacemakers."
7. "In a Politically Polarized Era, Sharp Divides in Both Partisan Coalitions," Pew Research Center, U.S. Politics and Policy, December 17, 2019, <https://perma.cc/WUN9-BT3X>.
8. Menkel-Meadow, "Why We Can't 'Just All Get Along.'"
9. "2017 Hate Crime Statistics," U.S. Department of Justice, Federal Bureau of Investigation, <https://perma.cc/K5QK-F7H3>.
10. "Majority of Hate Crimes Victimization Go Unreported to Police," U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, June 29, 2017, <https://perma.cc/SRX3-4JLT>.
11. Minorities already outnumber whites in many urban school systems and in a number of cities. The shift is projected to occur for the nation as a whole by the middle of the twenty-first century.
12. Community Relations Service, U.S. Department of Justice, Bulletin, "Hate Crime: The Violence of Intolerance," 1998, <https://perma.cc/8L4L-QE3K>.
13. L. A. Coser, *The Functions of Social Conflict* (London: Routledge and Kegan Paul, 1956).
14. Wallace Warfield and Mara Schoeny, "Is Maintaining Peace Always Right?" in Pfund, ed., *From Conflict Resolution to Social Justice*, 117.

INTRODUCTION

THIS BOOK IS about twenty-five years of racial conflict in America (1964–89),¹ and what was done by federal conciliators to help resolve it. It recounts America’s civil rights struggle as seen through the eyes of the federal agency whose observers were almost always at ground zero working with antagonists to find solutions and to avoid or lessen violence.

The book looks at the celebrated breakthroughs that made change possible and the countless follow-throughs that converted possibility to reality. It tells of what happened when “the movement” played out—after bitter and triumphant demonstrations, after great court decisions and the passage of new laws, but somehow things didn’t seem to get much better. Through the lens of conflict analysis it looks at the hedge-row warfare that followed the movement’s victories—where every change toward a fairer balance of equity had to be defined, demanded, and fought for—issue by issue, institution by institution, city by city. It is about the struggles to consolidate the victories.

The data are drawn largely from the eyewitness experience of the handful of men and women whose job was to be there, at the center of the storm, to help forestall or resolve racial and ethnic disputes. Based in the Community Relations Service (CRS) of the Department of Justice, this multiracial cadre of conciliation and mediation specialists worked behind the scenes in more than twenty thousand confrontations² involving racial and ethnic minorities. These have ranged from the disputes that attracted worldwide attention to the everyday affronts, assaults, and upheavals that marked the nation’s adjustment to wider power sharing within an increasingly diverse population.

Created by Congress in the Civil Rights Act of 1964 to deal with civil rights disputes, the Community Relations Service dispatched its trouble-shooters to help at the march from Selma to Montgomery; at the urban riots of the sixties, seventies, and eighties; at the siege of

Wounded Knee; at the school desegregation battles in the North and the South; and at the Gulf Coast fishing wars between Southeast Asians and Anglos. It helped to lessen the atmosphere of racial violence in every major American city and in many thousands of smaller communities.

CRS was not quite a year old on the night of June 4, 1965, when President Johnson spoke to the nation by radio from Howard University. He concluded by pronouncing a new civil rights goal.

But freedom is not enough. You do not wipe away the scars of centuries by saying: now you are free to go where you want, do as you desire, and choose the leaders you please . . . it is not enough just to open the gates of opportunity. All our citizens must have the ability to walk through those gates. . . . This is the next and more profound stage of the battle for civil rights. We seek not just freedom but opportunity—not just legal equity but human ability—not just equality as a right and a theory, but equality as a fact and as a result.

The definition of the American condition as set forth by the president that night, and the new civil rights goal he specified, was to forecast the role of the Community Relations Service for the next quarter of a century and more. The battle for equality as a right and a theory had largely been won. The battle for equality as a fact and as a result lay ahead. It would have to be fought in all walks of life, especially on the local scene—in cities, counties, neighborhoods, and individual institutions. CRS would be there to witness the conflict and to help ease its pains.

NOTES

1. Now expanded to fifty-five years, 1964–2019. (note by Lum)
2. Now more than forty thousand. (note by Lum)

FIFTEEN

Back to the Future

Law Enforcement and Race Takes Center Stage in Sanford, Florida

CHAPTER 6, “POLICE-MINORITY Relations,” covers CRS work prior to 1990, addressing conflicts between law enforcement and minority communities. Since that time, conflicts between African American communities and law enforcement have remained center stage. From 1991, when a videotape surfaced of Los Angeles Police Department officers beating Rodney King during his arrest, to 2015, when Freddie Gray died in Baltimore Police custody, the death or injury of unarmed African American men at the hands of law enforcement has repeatedly presented itself as emblematic of the racial inequalities that persist today.

This chapter looks closely at CRS’s work following one particular tragedy: the death of teenager Trayvon Martin in 2012. This incident, in which the seventeen-year-old Martin was killed by neighborhood watch volunteer George Zimmerman in Sanford, Florida, broke through the American consciousness as it became the most reported story in the country and led to the creation of the Black Lives Matter movement. CRS played a crucial but mostly unknown role in Sanford during this time.

This discussion examines the role of the Community Relations Service in a new and significant chapter in America’s struggle for equality and justice, as well as the misinformation campaign that targeted CRS and attempted to undermine its work.

RACIAL HISTORY IN SANFORD, FLORIDA

To understand the Trayvon Martin case and its aftermath, it is important to consider the city’s racial history. Henry Shelton Sanford, a wealthy businessman whom President Abraham Lincoln appointed minister to Belgium, bought the land that is now Sanford to build a new “Gate City of South Florida” in the late 1870s.¹ African American families came to the area in the aftermath of the Civil War as it grew into a regional business hub. These families purchased lots directly from Sanford.

From the start, white residents in the area shot, killed, and tried to drive away these Black families. Lynching was commonplace in the South post–Civil War, and well into the first half of the twentieth century Florida had the highest per-capita lynching rate of any state.² According to Sanford, he provided these families with housing and protection against those who would do them harm.³

However, the city of Sanford later forcibly annexed nearby Goldsborough, a town that had been built and was run by African American community leaders. The annexation led to a number of lost jobs for Black residents of Goldsborough, including the mayor, marshals, and jailers.⁴ White mob threats persisted in 1946, when Jackie Robinson, who had just been signed to a Major League Baseball contract, came to Sanford for training camp. The baseball star left Sanford twice in response to threats of violence.⁵

Racial tensions continued into the twenty-first century. Prior to the Trayvon Martin tragedy, mistrust between Sanford's African American residents and its police department festered as a result of two incidents. In 2005, a white police officer was rehired by the Sanford city manager despite having been fired by the police chief for punching an African American man who was already handcuffed and on the ground.⁶ In 2010, a Sanford police officer's son sucker-punched a homeless African American man. The boy's father sent another officer to the scene, who overruled the two patrol officers who wanted to arrest the boy. Video footage of the boy's battery of the homeless man went viral, and the subsequent outrage led to Sanford police chief's early retirement.⁷

STAND YOUR GROUND LAWS

Another important context in Trayvon's death is Florida's Stand Your Ground legislation. The concept that individuals have particular rights within their homes dates back to Roman law. In the seventeenth century, English common law created the principle that a person's home is that person's castle, that is, the area over which they have sovereign power. In establishing its own legal system, America looked to England and imported the common-law system. Over time, homeowners came to have the legal right to use deadly force in their homes, regardless of whether they could have safely retreated without use of deadly force. Homeowners did not have to prove they were in danger to fire a gun, for example.

Florida historically has had permissive policies when it comes to owning and openly carrying a gun. In 2005, Florida became the first state to permit individuals to use deadly force when they felt they were faced with imminent danger of serious bodily harm in any place and at any time.⁸ This permission extended the legal right to use deadly force in response to a perceived imminent threat beyond one's domicile to essentially everywhere else. Gun rights advocates lobbied for this law in Florida and numerous other states. At the time of its passage, law enforcement officials shared their concern that this expansion would lead to increased shootings and deaths, as claims of self-defense increased. Their concerns proved prescient as these incidents, dubbed "justifiable homicides," nearly doubled between 2000 and 2010.⁹

THE RETREAT AT TWIN LAKES

Trayvon Martin's father was engaged to a woman who lived in the Retreat at Twin Lakes, a Sanford gated community. It was built in 2004 during the state's building boom as Florida developers were attracted to the quiet, small community; reputable school district; outlet malls; and proximity to Disney World amusement parks. The gated townhouse community had 263 units, with touches to give it a middle-class appeal like granite countertops, walk-in closets, and master bedrooms. The original cost of these townhomes was approximately \$250,000 apiece.¹⁰

In 2008, the global mortgage crisis destroyed property values. By 2012, the price of a townhome at Twin Lakes had fallen below \$100,000, 40 of the homes were without residents, and more than 50 percent of the occupants were renters. The racial demographics also changed as more Black and Hispanic renters moved into the community. A former neighborhood watch captain noted that serious issues in the gated community began during the economic downturn; he claimed that foreclosures led purchasers to rent the townhomes to "low-lives and gangsters."¹¹ In the twelve months prior to the Trayvon Martin tragedy, there had been a number of burglaries, thefts, and break-ins reported in the community.¹²

Sanford police helped the gated community start its neighborhood watch program. Such programs are intended to empower neighbors to actively monitor their neighborhood and convene to get to know each other better. A twenty-eight-year-old renter, George Zimmerman, who self-identified as Hispanic and had a white father and a Peruvian

mother, volunteered to be a neighborhood watch captain. Records show that Zimmerman contacted local Sanford police nearly fifty times in the year prior to Trayvon's death to report numerous issues.¹³

TRAYVON MARTIN

Trayvon Martin was an African American seventeen-year-old from Miami Gardens, Florida. He had no criminal record (although he had been suspended from high school for cutting class).¹⁴ His father, Tracy, decided to bring him to Sanford to spend a few days at his fiancée's house. On February 26, 2012, Trayvon walked to the nearby 7-Eleven convenience store, where he bought a bag of Skittles candy and an Arizona Watermelon Fruit Juice Cocktail drink. As Martin walked home in the rain, the hood of his sweatshirt covering his head, Zimmerman, who was on a personal errand, observed the teenager and contacted the police.

Zimmerman had a gun, for which he had a license. According to Martin's friend who was on the phone with him when Zimmerman called the police, Martin became concerned that a stranger was following him. Zimmerman told the police operator that Martin was running. The operator warned Zimmerman not to pursue the boy. After the call ended, an encounter ensued between Zimmerman and Martin. Tragically, Zimmerman pulled the trigger at point blank range, and Martin died as a result, about seventy yards from the house at which he was staying.

IMMEDIATE AFTERMATH

Sanford police officers arrived soon after the shooting. Zimmerman, after being treated by paramedics for injuries to his face and back, was brought to the police precinct for questioning.¹⁵ He was released after five hours. The officers wanted to arrest Zimmerman initially but were told to wait by the local prosecutor.¹⁶ Later, Sanford police chief Bill Lee stated that there was a lack of evidence to counter Zimmerman's assertion of self-defense. Because of Florida's Stand Your Ground law, the police were prohibited from making an arrest.

The grieving father, Tracy Martin, was outraged that the person who killed his son was not arrested or charged with any crime. On February 28, he was connected with prominent Florida civil rights attorney

Benjamin Crump. Martin retained Crump's firm's services and they quickly began publicizing the case through the media.

Norton Bonaparte, the city manager of Sanford, was concerned about relations throughout the city given the area's history of discrimination against African Americans, recent events that exacerbated law enforcement–community relations, and the added fuel of the nation viewing the event constantly via internet, television, and other media. Bonaparte, who had received mediation training, spoke several times with Andrew Thomas, a Sanford employee with a deep background in conflict resolution. For more than twenty-five years, Thomas had led the Rochester, New York, Center for Dispute Settlement. At the time, his job at Sanford was as a community development block grants coordinator. He had initially come to Sanford as a consultant to assess the state of the relationship between Sanford law enforcement and its African American community.¹⁷

SANFORD REACHES OUT TO CRS

Both Bonaparte and Thomas were concerned about national media and protesters coming to Sanford, which would put great pressure on the employees and citizens of the small city. Thomas encouraged officials to talk to other communities who had experienced similar issues. A week after the shooting, Bonaparte had a growing sense of impending community unrest. Given that many African American residents did not view local Sanford employees positively, Bonaparte and Thomas agreed that contacting CRS would be helpful.

Prior to coming to Sanford, Bonaparte had been the city manager of Topeka, Kansas, and had worked with CRS there. Bonaparte asked Thomas, who had worked with CRS in a number of situations in Rochester, to find a CRS conciliator.¹⁸ Thomas later commented to a reporter, "The situation was escalating. We needed somebody from the outside that could command respect, pull the community together and generate dialogue."¹⁹

Thomas left a message at the CRS Southeast Regional Office in Atlanta, Georgia. Regional Director Thomas Battles returned the call later that day and connected Andrew Thomas with CRS conciliator Mildred Duprey de Robles, a longtime mediator with a military background who worked out of the Miami CRS office. Robles immediately

began meeting with Sanford police, activists, community members, and pastors to better assess the situation.

Sanford mayor Jeff Triplett admitted to being initially skeptical of CRS, but he knew he needed help. He explained, “These guys [CRS conciliators] have been there, done it, they’re very astute. We on the city side, we fix roads. We make sure your lights turn off and on. We make sure your toilets flush. We cut ribbons for new businesses. So you’ve got to rely on those that know [how to engage with movements and protesters].” With Triplett’s support, Battles made introductions between Sanford officials and CRS personnel in addition to reaching out to civil rights leaders Al Sharpton and Jesse Jackson and their respective organizations.²⁰

CALLS FOR ZIMMERMAN’S ARREST

Crump, Tracy Martin’s lawyer, publicly called for release of Zimmerman’s calls to police dispatchers that fateful night, and Mayor Triplett ordered their release on March 6. The tapes were then played in local and national media. The Trayvon Martin story would become the most reported story in the United States in 2012, surpassing even that year’s presidential election. Over 2.2 million people signed the Change.org petition calling for Zimmerman’s arrest, which was the largest collection of signatures ever on that website. To honor Martin’s life, professional sports superstars like basketball player LeBron James wore “hoodies”—hooded sweatshirts like Trayvon’s. Sharpton and Jackson called for full investigations. Thousands of people protested throughout the country.

On March 10, City Manager Bonaparte called Mayor Triplett, who was away in Tampa watching his young son’s football game, to warn him that the story was ricocheting through worldwide media.²¹ On March 14, approximately four hundred people came to the Allen Chapel African Methodist Episcopal (AME) Church in Sanford demanding Zimmerman’s arrest. A number of local civil rights leaders and a few prominent out-of-town advocates were involved, including Baltimore activist and pastor Jamal Bryant. Robles and Thomas were also present, with the goal of observing the scene.

The group made what seemed to be an impromptu march to the Sanford police building. A police officer came up to Thomas and asked if he was doing alright, and Thomas responded, “I was until you came

up to me,” indicating that the exchange had exposed him as a city employee. Soon afterward, protesters began “raining Skittles candy” on Thomas and others.²²

The calls for Zimmerman’s arrest were soon joined by calls for the firing of Sanford police chief Bill Lee for his refusal to arrest Zimmerman. Battles provided assistance in convening a meeting with Chief Lee, the National Association for the Advancement of Colored People (NAACP) Seminole County chapter president Turner Clayton, Mayor Triplett, and City Manager Bonaparte. After the meeting, Lee announced he would remove himself from office temporarily.

Sanford police turned the case over to the Florida state attorney, Norm Wolfinger, so that state officials could make the difficult decision of whether or not to arrest Zimmerman. After Wolfinger recused himself due to outcries of moving too slowly, Florida governor Rick Scott then appointed Angela Corey as state attorney in charge of the investigation in place of Wolfinger.

On March 20, Battles convened a town-hall meeting at which he first met Pastor Valerie Houston of the Allen Chapel AME Church. The Allen Chapel would become a significant center for the local protest movement, and Reverend Houston emerged as a key leader in both pursuing justice for Trayvon Martin and peace-building and coordinating efforts toward concrete change for the Sanford community.²³ CRS conciliators went to numerous protests, meetings, and marches with Allen Chapel congregants to help keep them safe and strategize a constructive and nonviolent path forward. As the saga continued and the demand for Zimmerman’s arrest grew, protest groups planned a large rally.

PROTESTING SAFELY

What distinguished Sanford from many other cities that have experienced mass protests is that Sanford officials consciously and proactively welcomed the busloads of arriving protesters. Conciliators Battles and Robles connected numerous civil rights groups to Sanford in advance of the gathering and facilitated the process of obtaining permits to hold a public rally. Additionally, knowing that protesters who planned to attend a Sanford City Council meeting would overwhelm the small meeting space, Thomas and the city of Sanford rented a jumbotron

screen so that people outside could see what was happening. The city also rented golf carts to transport older protesters and others who were physically challenged from the parking lots to the park outside the city council meeting.

For this event and for many other rallies and protests in Sanford, a CRS team member was assigned to train protest groups in self-marshaling, which helps the group stay safe while it protests. Self-marshaling involves designating and training individuals to be chaperones for the group and to be responsible for keeping the group together, remaining alert to individuals who might be using the event to cause violence or trouble, and learning steps to take in case of medical and other emergencies. The goal of such training is to keep everyone safe and to prevent protests from escalating into dangerous situations, and to ensure that free speech remains protected.

Mayor Triplett was initially wary of the CRS conciliators' advice. At a rally in a downtown Sanford park, Battles suggested to Triplett that he address the demonstrators. Triplett would thus be sharing the stage with Jesse Jackson and Al Sharpton. Initially, Triplett was booed off the stage. However, Florida congresswoman Corinne Brown called him back to the stage and thanked him for welcoming the Justice Department Civil Rights Division investigation. This time, there was applause for Triplett. "She totally took that crowd in a different direction. I called her the next day and couldn't thank her enough," he said.²⁴ Afterward, the mayor noted that Brown's acknowledgment of his cooperation with investigations "really subsided the animosities out there." The congresswoman's statement was "absolutely a key moment" in supporting Sanford in initiating the healing process.²⁵

Acting CRS director Becky Monroe came to Sanford during this period and observed a high level of tension at the rallies. Further complicating the scene were new arrivals from extremist organizations including both white and Black nationalist groups. Monroe recalled that Sanford police officers were particularly on edge when the New Black Panthers arrived. One officer anxiously talked to Conciliator Robles, expressing that he didn't know what that group was trying to accomplish. Robles calmly said, "We should just ask them," and proceeded to do so. They quickly learned the group was trying to determine where to protest, so the CRS representatives provided them with the information they were seeking.²⁶

FEDERAL INTEREST

On March 23, after the Justice Department opened an investigation into the case, President Barack Obama opined on the case for the first time. He stated, “When I think about this boy, I think about my own kids, and I think every parent in America should be able to understand why it is absolutely imperative that we investigate every aspect of this. . . . If I had a son, he would look like Trayvon.”²⁷ The president’s public statement became a flashpoint and an inflection point, as many viewed it as a president who was African American speaking directly to the racial aspect of the case. Some viewed this perspective in a positive light, while others—including many in the Republican Party and conservative media—criticized his comments as meddling unnecessarily in a local matter.

Numerous members of Congress requested to hear from Martin’s parents, but Republican congressional members did not agree to an official subcommittee session. Instead, on March 26, Trayvon Martin’s parents, Sybrina Fulton and Tracy Martin, came to Washington, D.C., to speak at a congressional forum. CRS Acting Director Monroe was seated next to them and also testified regarding CRS’s role. Numerous Democratic congressional members criticized both Sanford police and the Stand Your Ground law.²⁸ However, no legislative action was taken.

THE DREAM DEFENDERS

Organizers from outside Sanford likewise became involved with the case. Phillip Agnew, Ahmad Abuznaid, and Gabriel Pendas were three friends who had met while college students in Florida and who shared both a passion for politics and a high level of anger over Martin’s death. Talking to one another, they decided to initiate an organized response. Abuznaid explained, “We thought we’d like to start a movement reminiscent of the civil rights movement of the past, but in our generation.”²⁹ The three young men crafted a Facebook invitation for a conference call. The name “Dream Defenders” came from a young woman on the call, who observed, “You all are defending the dream. You should call yourselves the dream defenders.” From that call came the plan for a forty-mile march from Daytona Beach to Sanford. The march would honor Trayvon Martin and protest the Stand Your Ground law and racial profiling.³⁰

Battles and Robles worked with Florida police to ensure the Defenders' safe passage. Battles recommended to Andrew Thomas that he first come to Daytona to meet the Defenders, not in his role as a Sanford city employee but as a private individual. Thomas followed this advice. On the other end of the march, as the Defenders arrived, Bonaparte took a welcoming stance: "The city of Sanford hopes the actions of the students will be as peaceful and orderly as the previous rallies and marches have been. We want to be accommodating to all our visitors [provided] they act in a manner that is respectful to the people of the city."³¹

When the approximately sixty Dream Defenders arrived in Sanford after three days of marching, they positioned themselves at the doors leading to the main entrance to the Sanford Police Department, blocking the building for five hours.³² Thomas remembered meeting the Dream Defenders outside. He remarked, "They were surprised to see me again and as an employee of Sanford."³³

With the help of the CRS conciliators, both Sanford city officials and the Dream Defenders agreed to meet inside the building. There had been a city commission meeting scheduled for that day, and rather than going forward with the preset agenda or postponing the meeting, city officials used the opportunity to work with the activist group. CRS facilitated a conversation around issues including racial profiling, the Stand Your Ground law, and other concerns related to racial minorities and law enforcement. Several Dream Defenders agreed to continue meeting with Sanford officials.

In the regular meetings that ensued, the group discussed the high number of murders in Sanford of young Black men; the African American community's distrust of the police department; the county's noncompliance with a 1970 consent decree to desegregate its public schools; and the housing, unemployment, and infrastructure problems facing Sanford's African American community.³⁴ Together, the Dream Defenders and city representatives drafted a plan to address these problems.

The "Nine-Point Plan" that followed illustrates several principles of effective engagement between community members and city government:

1. "Request the Department of Justice–Division of Special Litigation and Civil Rights Patterns and Practice Program to conduct an investigation of the Sanford Police Department's overall pattern and practice for civil rights violations."

This point was a primary demand of many community members, particularly given their distrust of local and state officials. Acceptance of this demand is an example of city officials being proactive rather than defensive in dealing with a tragedy.

2. “Explore with the City Commission the creation of an Office of Community Relations and appointment of a Community/Human Relations Commission.”

Andrew Thomas explored and then created a Community Relations Unit as part of the city manager’s office in 2015.

3. “Explore with the City Commission the creation of a Director of Community/Human Relations staff position to be responsible for follow through, coordination and implementation of the next step action plans.”

In 2015, the city created a staff position to head the Community Relations Unit.

4. “Explore with the Commission the creation of a ‘Police-Community Relations Blue Ribbon Panel’ to assess and suggest strategies to strengthen police-community relations. This panel should represent a diverse broad cross section of the community.”

The panel was created in 2015 and co-chaired by Reverend Valerie Houston and retired Judge O. H. Eaton. Thomas worked with Sanford interim chief Richard Myers to launch the panel of twenty-five members. Top recommendations were increased Sanford police funding, raising police salaries, more focus on crime on the street, and enhanced community police. Battles made a presentation as part of the assessment process.

5. “Explore with City Commission the Establishment of an Inter-Racial Interfaith Alliance, to concentrate on moving forward and strengthening race relationships in the community.”

Battles convened the “Sanford Pastors Connecting” group, discussed in the following section, which played a substantive role in race relations and a mediative role with city officials, community, and police.

6. “Explore with the City Commission the establishment of an Anti-Violence Campaign: Create a Task Force that’s representative of a broad diverse cross section of law enforcement, criminal justice and human services agencies to propose projects and/or strategies to increase the community’s awareness of the impact of violence on community stabilization. The Task Force will suggest best practices for the reduction of violence in Sanford Communities.”

Sanford officials worked with central Florida government officials and workers and ran numerous collaborative events to focus on crimes committed against people of color, decreasing youth and young adult violence and crime, increasing use of conflict resolution strategies, and other crime prevention issues.

7. “Reactivate Sanford Neighborhood Action Partnership (SNAP).”

This step was placed on hold. City Manager Bonaparte instead utilized homeowners’ associations to monitor neighborhood concerns.

8. “Request the continued support and assistance of the Department of Justice Community Relations Services.”

Conciliators Battles and Robles remained involved with the city and played a key role in designing and implementing the nine-point plan as a whole.

9. “Increase Youth Training and Employment Opportunities: Look for partners to collaborate with the City of Sanford to increase employment opportunities for the youth.”

Sanford found a partner to reestablish its youth employment training program.³⁵

FAITH AND PEACEKEEPING

Forty-four days after Trayvon Martin’s death, Acting State Attorney General Angela Corey charged George Zimmerman with second-degree murder. A significant concern for CRS and other peacekeepers was how the trial could further divide the Sanford community and potentially lead to rioting and violence, depending on the verdict.

Battles saw the city's well-established faith traditions as a foundation for peace. If the city's ministers were well informed about the trial, he reasoned, they could help keep the community together no matter the verdict. He hoped that ministers would work with their congregations to prevent unfounded rumors and correct factual misrepresentations as well as urge Sanford unity.³⁶

Although Sanford had strong Christian congregations, and some pastors and congregational members had cordial relationships with their counterparts in other organizations, a network across congregations was lacking. In particular, the city did not have strong ties established between African American churches and those that were predominantly white.

This lack of interethnic faith community ties was evident when tensions grew after Harry Rucker, an African American pastor, began leading local rallies and protests. Rucker was well known locally for his militarism, having publicly stated in the 1990s, "The worst thing that happened to us when they changed our schools [through desegregation], there went our leaders, there went our teachers. We never asked for integration. We asked for equality."³⁷ Accordingly, Rucker did not appear interested in collaborating with white congregations. Nonetheless, a white pastor, Jeff Krall, attempted to convene a prayer ceremony in the city. He was dissuaded by Trayvon Martin's family, who had spoken with several local African American preachers and agreed not to support Krall's plan due to the lack of diversity in his fellowship.³⁸

Thomas Battles spoke separately with Rucker and Krall to see if they would be willing to share a meal at the local Cracker Barrel restaurant. Two weeks after that initial conversation, more than a dozen local ministers came to the same restaurant, forming a group that became Sanford Pastors Connecting.³⁹ This group would play a strong role in both advocacy and peacemaking throughout the months leading to and following the Zimmerman trial. Battles and his team also began holding workshops for local ministers and organized a ministers' trip to the court. Importantly, CRS was able to reserve four courtroom seats in the trial of George Zimmerman for clergy. This direct observation enabled faith leaders to keep their congregants informed as the trial progressed and dispel false rumors.

The alliance would eventually include more than forty African American, white, and Hispanic ministers and pastors. Krall and Houston

served as co-chairs. Sanford city and law enforcement public information officers trained the ministers for media interviews. The pastors held a prayer meeting for Sanford police. Several offshoot groups formed to increase reconciliation and positive law enforcement–community relations, including a team of white pastors who attended African American worship services each week, and pairs of ministers from different racial backgrounds who met over meals to build relationships.⁴⁰

Krall observed of the interfaith alliance, “After 30 years of ministry in Sanford and after 24 years of leading the Sanford Ministers Fellowship, I have never seen such a positive atmosphere in Sanford. It seems almost every week we hear of another group wanting to build bridges and establish long term relationships between the races and the churches in our ‘friendly’ city.”⁴¹

MISINFORMATION CAMPAIGN TARGETS CRS

In the days between closing arguments and the announcement of the verdict, CRS was more visible in the public domain than it had arguably ever been before.

With Trayvon Martin’s killing capturing the attention of the country, the politicization of the event, and the rise of new cable channels and the internet, CRS found itself in the crosshairs of conservative media. The earliest evidence of this new interest on the part of conservative commentators came on April 17, 2012, when two conservative sites questioned or accused CRS of bias. Both *White House Dossier* and the *Conservative Treehouse* published the following passage: “It appears that in carrying out their duties, [CRS representatives] have provided significant assistance to those protesting the killing of Martin, who [is] black, by George Zimmerman, who is half white and half Hispanic.”⁴²

On April 24, Judicial Watch, a conservative watchdog organization, made a Freedom of Information Act request concerning documents related to CRS’s work in Sanford.⁴³ It received the material from the Justice Department on May 30, 2012, and March 8, 2013. On July 10, 2013, two days before the closing arguments, Judicial Watch released the documents, providing selective evidence for its president, Tom Fitton, to conclude, “These documents detail the extraordinary intervention by the Justice Department in the pressure campaign leading to the prosecution of George Zimmerman. My guess is that most

Americans would rightly object to taxpayers paying government employees to help organize racially-charged demonstrations.”⁴⁴

Over the ensuing days, numerous posts appeared on conservative websites and the story was picked up by larger and more prominent conservative media outlets and personalities, including radio talk-show host Rush Limbaugh and Fox television hosts Sean Hannity, Lou Dobbs, and Bill O’Reilly. The Fox Network as a whole gave the story significant coverage as closing arguments were made and during the lull of jury deliberations.⁴⁵ Mainstream and liberal media outlets then responded, challenging these portrayals as inaccurate.⁴⁶

As CRS director at the time, I knew our staff took great care in maintaining an impartial approach to mediation. Our conciliation specialists were extremely focused on their behavior and actions with all involved parties. We tried hard to keep morale up and stay focused on the important work we were doing. I did my best to convey how critical it was to not let the negative and untrue noise impair us, and that the best thing we could all do was continue the mediation and conciliation efforts that we all knew mattered even more now, as the peacekeeping effort was under attack.

We shared our information with management at the Department of Justice, which worked to correct the misrepresentations being aired publicly. Most troubling was a site that misled the reader to think that audio being played was the voice of a CRS conciliator, when it was in fact the voice of a Dream Defender protester.⁴⁷

This incident was the first time CRS had to deal with this type of public attack, a result of a combination of technology and the hyper-partisanship of this new era. For an agency that holds fairness, balance, and neutrality as central principles of action and behavior, it was an important reminder of the need to continue to practice these values in the face of such blatant falsehoods.

For the most part, Justice Department spokespersons stayed silent regarding media attacks and referred reporters to the CRS website. I agreed this was the best strategy. If reporters spoke to law enforcement and government officials, they would hear reinforcement of the role described on our website: that we provided mediation, dialogue facilitation, training, and technical assistance for the purpose of helping resolve community differences.

On the night of the verdict, there were many fears in the Sanford community—especially of a “not guilty” verdict. At CRS, we had set up our “peace room”—our version of a “war room”—in my office. I had Chief of Staff Daphne Felten-Green and Deputy Director Gilbert Moore with me. We were in communication with the CRS team on the ground, led by Thomas Battles and Mildred Robles. For months, the CRS team had been working with community leaders and had helped protesters raise their voices without major incident. Still, we were all unclear as to exactly what would happen if Zimmerman were found not guilty.

When that not-guilty verdict was announced, it did lead to protests locally and nationally. However, the fact that there was no rioting and no looting was a testament to the hard work of Sanford officials, employees, and community members. Protesters made their voices heard but did so without violence. CRS clearly had a role in achieving this peace.

DREAM DEFENDERS CONTINUE FIGHTING FOR CHANGE

Following the verdict, the Dream Defenders continued their work fighting against racial profiling and Florida’s Stand Your Ground law. In July 2013, the group took over the Florida statehouse. They demanded that the state legislature hold a special session to overturn the law, ban racial profiling, and end the school-to-prison pipeline. Students from throughout the country joined them. Buses came from several East Coast cities including Washington, New York, and Philadelphia. Individuals came from as far away as California. The singer and activist Harry Belafonte joined the group. Florida house speaker Wil Weatherford committed to hold fall hearings on “Trayvon’s Law,” legislation proposed by the Dream Defenders and the NAACP to address racial profiling, repeal the Stand Your Ground law, and ensure data collection on homicides involving racial minorities.⁴⁸

Battles and Robles played a mediator role, shuttling back and forth between the Dream Defenders and Florida governor Rick Scott’s chief of staff. As CRS director, I was on the phone with both sides helping to determine what solutions might be possible while remaining mindful of the Dream Defenders’ passion for change as well as the governor’s interest in resolving the situation. We were able to help arrange a face-to-face meeting between the Defenders and Governor Scott in which the protesters shared both their anger with the Stand Your Grand law and the value to society of changing it.

After more than a month's standoff, the Dream Defenders decided to end their occupation of the statehouse on August 11. They then marched to the governor's mansion, declaring their demonstration "an eviction notice" for Scott. "We're coming for his job . . . the young people of Florida are coming for his job," Dream Defender Eric Maye promised. In a CNN interview, Maye stated, "We feel we've done all we could. We asked for the special session. We're not getting it and now we're going to the individual districts to lobby lawmakers and to register voters. We're going to take it to the streets."⁴⁹ As the Defenders departed the statehouse, famed civil rights leader Julian Bond affirmed, "You're ending a protest because you've started a movement."⁵⁰

Despite the public outrage that followed Zimmerman's criminal acquittal, on February 24, 2015, the Justice Department announced that, following their own investigation, they would not be pursuing federal civil rights charges against Zimmerman. Attorney General Eric Holder stated,

The death of Trayvon Martin was a devastating tragedy. It shook an entire community, drew the attention of millions across the nation, and sparked a painful but necessary dialogue throughout the country. Though a comprehensive investigation found that the high standard for a federal hate crime prosecution cannot be met under the circumstances here, this young man's premature death necessitates that we continue the dialogue and be unafraid of confronting the issues and tensions his passing brought to the surface. We, as a nation, must take concrete steps to ensure that such incidents do not occur in the future.⁵¹

This decision was not a surprise to most observers, given the high bar for such prosecution. Still, Justice Department officials took care in meeting with Trayvon Martin's parents and informing them of the outcome. CRS regional director Thomas Battles, who had earned the trust of Martin's parents, was in the meeting as well.

A region's history of discrimination against African Americans, the pursuit of the American dream, the foreclosure crisis, changing gun laws, the new technology of omnipresent smartphones with high-definition cameras, the viral nature of the internet's social media, and racial profiling all came together in Sanford and played their individual

roles in the tragic death of Trayvon Martin. It was a potent mixture that rocked the nation and reverberated around the world.

Sanford was the starting point of a new civil rights movement centered on the mistreatment of African Americans by law enforcement. Angered by Zimmerman's verdict, three friends—Alicia Garza, Patrisse Khan-Cullors, and Opal Tometi—created the social media hashtag #blacklivesmatter. The three African American women coined what would become the name of a movement. A number of other high-profile incidents followed soon thereafter, and the Black Lives Matter movement would play a significant role in responding to those events and awakening the country's consciousness. In 2014, eighteen-year-old Michael Brown was shot to death by a police officer in Ferguson, Missouri, which led to unrest and a militaristic police response that gripped the nation. In Brooklyn the same year, Eric Garner died in an improper chokehold by a police officer after repeatedly exclaiming, "I can't breathe." In 2015, Freddie Gray died in a police vehicle and Baltimore experienced days of protests, unrest, and looting.

In contrast to the responses to these other incidents, in Sanford—despite more than eighty rallies and thousands of protesters—not a single rock was thrown nor a single arrest of a protester was made. Mayor Jeff Triplett, City Manager Norton Bonaparte, Reverends Valerie Houston and Jeff Krall, city employee Andrew Thomas, Interim Police Chief Richard Myers, and many others were committed to recognizing past and present problems, working closely with protesters such as those from the National Action Network and the Dream Defenders to ensure their voices were heard, and inviting and collaborating with CRS conciliators.

Al Sharpton remarked of the civil rights work in Sanford, "The beauty of that moment was the non-violence, was Blacks and whites together, was generations together. It showed the protest movement at its best."⁵²

FACING FERGUSON, MISSOURI, AND THE MICHAEL BROWN TRAGEDY

Attorney General Eric Holder faced what many considered the most challenging time of his tenure in the Obama administration when rioting worsened after Michael Brown was killed by a Ferguson policeman on August 9, 2014.⁵³ In the ensuing days, looting, rioting, and police confrontations continued. Photos and streamed media of military-style

vehicles and officers pointing long rifles at protesters spread throughout the world. Should the attorney general come to Ferguson? The risk was considerable. If the violence worsened, the attorney general and the president would be blamed. Bringing additional complexity to the situation was the fact that both the president and the attorney general were the first African Americans to hold their respective positions.

Ultimately, Holder decided that he needed to step into the fray to help bring peace and justice to the situation. On August 19, he released a letter to Ferguson residents calling for an end to the violence. He wrote, "The Justice Department will defend the right of protesters to peacefully demonstrate and for the media to cover a story that must be told. But violence cannot be condoned. I urge the citizens of Ferguson who have been peacefully exercising their First Amendment rights to join with law enforcement in condemning the actions of looters, vandals and others seeking to inflame tensions and sow discord."⁵⁴

CRS was the first federal agency on the scene. Within hours of the shooting, local St. Louis area leaders who had worked with CRS in the past contacted CRS conciliators Rita Valenciano and Darryck Dean. I then strategized with Deputy Director Gilbert Moore and Regional Director Pascual Marquez and immediately approved dispatching Valenciano and Dean to Ferguson. On Sunday, the two conciliators drove from Kansas City to Ferguson, only to see memorials, protests, and a candlelight vigil turn from peaceful to dangerous. Some influential actors, including Missouri state representative Sharon Pace, blamed this turn on police for allowing a police dog to urinate on a memorial and for later destroying the memorial with their vehicles.⁵⁵ Stores were looted, private vehicles were totaled, and at least three businesses were set on fire. When the CRS conciliators arrived, law enforcement refused them access to the scene.

President Obama announced the decision to send the attorney general to Ferguson on Monday, August 18. At the same time, the president shared with the country, "We've also had experts from the DOJ's Community Relations Service, working in Ferguson since days after the shooting to foster conversation among local stakeholders and reduce tensions among the community."⁵⁶ The attorney general planned to meet with Ferguson residents in several settings: a town-hall meeting, a small faith-leader gathering, a conversation with local community college students, and a lunch with a group of citizens. Because CRS

was the only agency that had connections with these Ferguson constituencies, it was up to the CRS team to identify and vet which individuals to invite to the various meetings and to scout possible locations—all within forty-eight hours. I personally flew in to help the team prepare, to join the attorney general, and to facilitate the town-hall meeting.

The entire CRS team worked incredibly hard to pull off the effort. Valenciano and Dean had been on the ground in Ferguson continuously since August 10 and led much of the work. As I moderated the Wednesday conversation between Holder and the Ferguson residents, what reverberated was the personal nature of the attorney general's words. He said, "I am the attorney general of the United States. But I am also a black man. I can remember being stopped on the New Jersey turnpike on two occasions and accused of speeding."⁵⁷ Holder spoke eloquently of how important law enforcement was to reducing tension, about his brother's career as a law enforcement officer, and of how police officers risked their lives daily.

I personally will never forget how anxious I was that day with my hopes for an end to the looting and destruction. Nor will I forget how quiet and peaceful Ferguson neighborhoods were that night. The visit accomplished the immediate goal of bringing peace to a neighborhood that had seen ongoing violence for eleven straight days. It also influenced later chapters to the story, including a Department of Justice consent decree in which Ferguson agreed to remedy the unconstitutional conduct of its police department. This mandate was based on a Department of Justice Civil Rights Division report that found patterns or practices of unlawful conduct, including conducting stops without reasonable cause and arrests without reasonable suspicion, engaging in racial discrimination, and violating individual due process and equal protection rights.⁵⁸

On an attorney general's last day, there is a tradition in which Department of Justice employees line up in the hallways and stairways to offer farewells. The attorney general then says a personal goodbye to each person and continues down the line, speaking to each and every employee. Holder's departure in 2015 was the first and only time I took part in this ceremony. He was clearly appreciative as he came up to me, gave me a big hug, and stated, "Thanks for all you and CRS did at Ferguson. We made a difference there and we must continue that work."

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AMERICA'S PEACEMAKERS

America's Peacemakers

The Community Relations Service and Civil Rights

*A new edition of *Resolving Racial Conflict**

Bertram Levine and Grande Lum




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First Edition (Bertram Levine)

To Muriel

Who decorated my life

New Edition (Grande Lum)

In Gratitude to Bertram Levine's children: Neil, David, and Susan Rae

In a time of unnecessary trouble and disorder, the members of CRS had the capacity and courage to cool the tensions of a Nation. You helped to bring order where there would have been chaos. You helped bring peace where violence would have ruled the day.

On behalf of a grateful Nation, on behalf of a grateful people, on behalf of those who gave all they had in this fight, I stand here to say thank you for all that you did to help to get us to where we are today.

As a Nation, we are deeply indebted to the Community Relations Service at the Department of Justice for helping to create a more perfect Union. I say to each and every one of you who continue to work at CRS, never give up. Never give in. Keep the faith. Keep your eyes on the prize. We are going to build a beloved nation.

—Congressman John Lewis at
CRS's Forty-Fifth Anniversary, 2009

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FOREWORD

NONVIOLENCE, CONFLICT RESOLUTION, AND SOCIAL JUSTICE

THE LANDMARK CIVIL Rights of Act of 1964 is most known for its historic legislative enshrinement of civil rights, something African Americans struggled for centuries to achieve. Lesser known than the more publicly celebrated sections of the act is Title X, creating the Community Relations Service (CRS).

Bertram Levine and Grande Lum have written a compelling book describing more than five decades of service. The authors' work is a "must read" for anyone who seeks a better understanding of the historic magnitude of what the act sought to redress and achieve. It provides insight into the value of nonviolent negotiation of what could otherwise, in the absence of such negotiation, become instances of violence and setbacks to the intent of the act. In summary, the book is about over fifty years of racial conflict in America, and what was done by federal conciliators to help resolve it.

As the former political adviser, personal lawyer, and draft speechwriter for Dr. Martin Luther King Jr., I am honored that former CRS director Grande Lum asked me to write a foreword to what is a superb new edition of this book about the operation of CRS created under the Civil Rights Act of 1964. I feel especially so given the deep polarization in this country in 2020 and the need for conflict resolution experts to aid in the cause of social justice. Since Levine's book covered CRS's history up until 1989, it is particularly important to shed light on CRS's amazing work since then, which includes:

- throughout the country post-9/11, preventing backlash violence against innocent people targeted by xenophobic racists;
- in Miami, a valiant attempt to create a peaceful handover of Elián González from his Florida relatives to his Cuban father;
- in Overt, Mississippi, mediating after local residents harassed occupants at Camp Sister Spirit, a lesbian retreat center;

- throughout the South, helping to protect African American churches from arson following President Bill Clinton’s signing of the 1996 Church Arson Prevention Act;
- in Sanford, Florida, easing tensions after the tragic 2012 killing of Trayvon Martin, where the state’s “Stand Your Ground” law enabled violence with a “Get Out of Jail Free” card;
- and in Oak Creek, Wisconsin, in 2012, enhancing communication after a white supremacist entered a Sikh gurdwara and murdered six congregants.

Grande’s focus on CRS’s work from 1990 forward adds to how we think about how American society has evolved as a whole in terms of civil rights. What is striking is that as other minority groups—whether Native American, Hispanic, Muslim, LGBTQ, or Asian American—increased their civil rights advocacy, they also began utilizing CRS, especially when the situation involved governmental actors. The Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act opened up CRS’s ability to work in situations beyond race for the first time, mirroring the changes in the country as a whole.

Neither the author of the first edition, Bertram Levine, nor anyone working on civil rights immediately after the assassination of President John F. Kennedy on November 22, 1963, could have known that this event would result in Martin Luther King developing what may have been the most important strategic decision during his leadership of the civil rights movement: that there would be no major material improvement on the issue of race in the United States unless it occurred under the political leadership of a white, southern political leader. A description of the genesis of this political thesis by Dr. King is described in greater detail in my own forthcoming memoirs.

Just what role does nonviolent conflict resolution play when conflict resolution and civil rights programs enacted under the Civil Rights Act end up at cross-purposes? This is one of the challenging issues Levine and Lum bring to our attention. One of the most profound and prescient observations from Levine is that from its earliest days, it was apparent to CRS’s leaders that the roots of racial animosity lay deep beneath the surface of American society.

This seems to be right on the money with the issues that our country’s political leaders are confronting today. For example, in competing

for the Democratic Party's nomination to prevent President Donald Trump's reelection, former vice president Joe Biden has faced challenges to his civil rights credentials because when he was a senator, he worked with segregationists from the South to enact various pieces of legislation, including civil rights, during his more than thirty-five years in the Senate. This is exactly what President Lyndon Johnson had to do to enable the successful passage of the Civil Rights Act of 1964.

President Johnson, in the creation of CRS, was politically savvy. He appointed white business, civil, and political leaders, who themselves at one time or another had supported racial segregation. Johnson recognized that effective politics often requires working with people who once held racist views.

This book makes clear that both President Johnson and former Governor LeRoy Collins of Florida saw CRS as an indispensable "fountainhead that would reach out to opinion molders and community leaders across the nation" following the enactment of the 1964 Civil Rights Act, "to create a climate in which civil rights and racial amity would flourish."

Johnson is appropriately heralded for his historic leadership in the enactment of the Civil Rights Act of 1964 and Voting Rights Act of 1965. Bertram Levine's and Grande Lum's book about the work of CRS makes it clear that substantial nationwide compliance with these landmark civil rights achievements would not have been possible without the largely unknown work of CRS.

The authors have written a compelling narrative of the agency's history. It is a "must read" for anyone who seeks to better understand how we as a nation largely peacefully complied with the greatest civil rights revolution in our country since the Civil War. Thus, as mentioned earlier, it is a special moment for me to have been asked to write this foreword.

As Grande Lum writes, "The work of CRS is ultimately to help the country sustain harmony in all its diversity." President Johnson was so politically tuned in to the soul and body issues of the average white person from the South that he uniquely created CRS "to help the medicine go down." The Civil Rights Act of 1964 was strong medicine.

Neither President Johnson nor Dr. King in their wildest imaginations could have predicted that CRS would become the federal

statutory framework for nonviolent resolutions of disputes arising in communities following its enactment. Its existence became tantamount to a prescription for nonviolent pursuit of social justice, embodying Dr. King's philosophical commitment to nonviolence based on the legacy of Mohandas K. Gandhi, who used nonviolent resistance so effectively to free India from British colonialism.

Dr. King, in an article that appeared in the magazine the *Christian Century* on February 6, 1957, stated, "The basic question which confronts the world's oppressed is: How is the struggle against the forces of injustice to be waged? There are two possible answers. One is resort to the all too prevalent method of physical violence and corroding hatred. . . . The alternative to violence is nonviolent resistance. . . . [It] does not seek to defeat or humiliate the opponent, but to win his friendship and understanding." Nonviolent resistance seeks to "awaken a sense of moral shame in the opponent. The end is redemption and reconciliation."

In a new chapter written by Grande Lum for the second edition, he reminds us that the advent of "smartphone videos of police officers' actions against citizens changed the landscape by providing immediate, visceral, visual documentation that kept the narrative going." What is particularly troubling as I write this is the resurgence of white nationalism and xenophobia in this country. I am appreciative that Grande went back in time and wrote about CRS's early 1970s work in Skokie, Illinois, when a small American Nazi group threatened to come to Skokie, with its numerous Jewish and Holocaust survivor residents. The work that CRS's Dick Salem and Werner Petterson did to help prevent violence is nothing short of incredible.

As we face the social media and fake news-driven extremism of the twenty-first century, social justice requires culturally skilled dispute resolution experts like those at CRS more and more. The work that Grande and his staff did in Sanford after Trayvon Martin, Baltimore after Freddie Gray, and Ferguson after Michael Brown is crucial if we want to both make our minority communities safer and build trust again between minority communities and law enforcement.

In sum, this book about the history of CRS is an essential historical reference to obtaining an accurate understanding of just how prescient President Johnson was in his requirement that CRS be a constituent part of the 1964 Civil Rights Act.

We all owe a debt of gratitude to the authors and to the staff, both past and present, of the Community Relations Service.

Thank you.

Dr. Clarence B. Jones
Scholar in Residence
Martin Luther King Jr. Institute
Stanford University

PREFACE TO THE NEW EDITION

We can't expect to solve our problems if all we do is tear each other down. You can disagree with a certain policy without demonizing the person who espouses it.

President Barack Obama, May 1, 2010

JUST WEEKS BEFORE President Barack Obama articulated this sentiment at his May 1, 2010, University of Michigan commencement speech, I made the decision to join his administration. I was especially proud to do so because, throughout his career, Obama had often advocated a passionate and balanced approach to conflict- and problem-solving. I had spent my career in conflict resolution, mediating numerous types of issues with a wide range of parties, and I had been a clinical professor and ran a center on negotiation and dispute resolution at the University of California Hastings College of the Law. Two years later, I would be leading the one federal agency that was legislatively mandated to resolve disputes and reduce tension, and doing so as the United States entered its most challenging period of social discord since the 1960s civil rights era. This later period started with the killing of Trayvon Martin, an unarmed African American high school student visiting his father, by neighborhood watch captain George Zimmerman in Sanford, Florida. The unrest spiked with further tragic deaths of unarmed African American citizens, primarily by the hands of police officers in Ferguson, Missouri; New York City; and Baltimore, Maryland.

When the possibility of joining the Community Relations Service (CRS) presented itself to me, I found the one and only book that provided a complete narrative of its first twenty-five years of existence. I tracked down a copy, and as I read the book, even though I had been familiar with CRS's work, I was awestruck by the agency's unique and critical service to the country. Much of its history I did not know. The

book, *Resolving Racial Conflict: The Community Relations Service and Civil Rights, 1964–1989*, floored me on that first read. I learned for the first time how CRS was the brainchild of President Lyndon Baines Johnson and how future Supreme Court justice Arthur Goldberg formulated the agency in order to mediate community civil rights issues. Through compelling writing about an urgent time of our country's history, the book's author, the late Bertram Levine, a longtime CRS staff member, detailed how Johnson then stewarded CRS into being through the 1964 Civil Rights Act, arguably the most important American legislation of the twentieth century. CRS mediators played a critical role after Bloody Sunday in keeping successive marches from Selma to Montgomery safe, in creating biracial parent coalitions during the Boston Public Schools desegregation, in bringing the American Indian Movement takeover of Wounded Knee to an end, and in mediating a dispute between Vietnamese and white fishermen in Galveston, Texas, where the Ku Klux Klan was actively engaged.

After President Obama nominated me as the ninth director of CRS and the Senate confirmed me by unanimous consent on June 29, 2012, the book took on new importance. It became the touchstone that I would turn to regularly to understand how the agency responded in similar past situations. My start as CRS director on August 1, 2012, was low-key, as I was in the process of moving my family from the San Francisco Bay area to Washington, D.C. I met with a single human resources employee at the San Francisco U.S. Attorney's Office, who swore me in so I could officially start working. I then walked over to the federal building where the CRS San Francisco Field Office was located, and the single conciliator there, Carol Russo, welcomed me to the agency.

My real introduction to the world of CRS came three days later. On Sunday, August 5, I was about to board a flight to Dallas, Texas, to meet my entire staff for the first time. As I stood at the gate, the CNN broadcaster on the airport television monitor reported that there had been a mass shooting in a Sikh gurdwara in Oak Creek, Wisconsin. After landing in Dallas, I rode to my hotel with CRS staff members who were all on their cell phones to Sikh leaders throughout the country and to Department of Justice colleagues to understand the situation, share information, and strategize next steps. Tragically, the shooter, a white supremacist, had killed six people and wounded four others. Within

hours, we were in contact with the Federal Bureau of Investigation; the Bureau of Alcohol, Tobacco, Firearms, and Explosives; and the White House Office of Faith-Based and Neighborhood Partnerships, enhancing communication between law enforcement and community members by providing critical information for key law enforcement personnel.¹

That Wednesday, August 8, CRS conciliators—along with Jim Santelle, then the U.S. attorney for the Eastern District of Wisconsin—ran a community session to discuss anxieties over the shooting, better understand hate crime definitions, coordinate law enforcement response, and problem-solve funeral arrangements. There were rumors of a second shooter that needed to be dispelled and desires to have the Oak Creek gurdwara revert to a place of worship rather than a closed crime scene. We were also able to help shooting victims who did not have relatives close by receive out-of-town visitors to support them. CRS coordinated and facilitated a larger community meeting the following day at Oak Creek High School with more than 250 people. I personally briefed the staff of First Lady Michelle Obama in preparation for her visit to the Oak Creek gurdwara on August 23. Thus began a whirlwind three and a half years in which CRS played both a first responder role as well as a preventive one, with me at its helm.

After the initial post-tragedy work, CRS continued to work with Sikh community leaders and law enforcement to reduce fears and ultimately enhance safety for the Sikh community. This work included the revision and national launch in September 2012 of resources to prevent hate crimes against Sikhs, notably a cultural awareness training program for first responders to inform and educate communities still experiencing tension. In 2013, CRS contributed to the inclusion of the Sikh religion in the FBI's Uniform Crime Reporting (UCR) form in order to measure bias-based incidents targeting Sikh community individuals. Those killed and injured in Oak Creek could not be counted as victims of anti-Sikh violence because the option was not available on the form. CRS and the Civil Rights Division of the Department of Justice convened religious leaders, civil rights advocates, and Department of Justice representatives to address shortcomings of the UCR form and determine changes that could improve it. The inclusion of Sikhs and additional groups on the UCR form was approved by FBI Director Robert Mueller and went into effect on January 1, 2015.

Throughout my time at CRS, I found myself flipping through the pages of the first edition of this book to see how early CRS conciliators worked with Martin Luther King and negotiator Andrew Young (later Atlanta mayor, congressman, and UN ambassador) of the Southern Christian Leadership Conference; Alabama state trooper Colonel Al Lingo in Selma; or Russell Means and the FBI at Pine Ridge, South Dakota. I also used the book for inspiration and grounding in discussing CRS's illustrious history. For example, when I spoke to Department of Education employees, I shared the courage of CRS conciliator Silke Hansen during her work in the Boston Public Schools to facilitate court-ordered desegregation.

Levine's book provided the historical context to the contemporary work, which came to the forefront in 2014 when CRS celebrated its fiftieth anniversary. Attorney General Eric Holder presided as the entire staff and alumni showed up for the commemoration. It was a moment where past and present met to reflect on a half-century of peacekeeping accomplishments. In the Great Hall at the Robert F. Kennedy Main Justice Department Building we were honored to have Andrew Young interviewed by me as well as former CRSers Ronald Gault, Rose Ochi, Stephen Thom, Grace Flores-Hughes, and Joan Trumpauer Mulholland sharing their memories.

When I left CRS in February 2016 after directing the agency during the George Zimmerman trial and the Ferguson and Baltimore tragedies, I felt gratified to have completed some of the most important work of my life. After I left, I became the first director of the Divided Community Project at the Ohio State University Moritz College of Law, whose mission it was to complement CRS work by focusing on prevention and helping communities transform conflict into cooperation. As I unpacked my boxes, I reopened the Levine book. Bertram Levine's motivation for writing the book jumped out at me: "The Community Relations Service of the Justice Department had provided the nation with a unique and important service during a critical—and dangerous—period of history, and virtually nobody knew anything about it. Here was a book that cried out to be written." It struck me in that moment that the decades of CRS work since 1989 also needed to be captured for future generations.

During my time at CRS, I met with Bertram Levine's sons, Neil and David. They both were excited and supportive of the idea of a second

edition of the book. I spoke with the editors at the University of Missouri Press, and they agreed that a new edition made sense given both the expanded work CRS was doing to address community conflicts beyond race and the worldwide attention to the protests in Sanford, Ferguson, Baltimore, and numerous other cities.

Having worked during these most recent crises, I was disturbed by the parallels with what had transpired in the civil rights era of the 1960s and 1970s and saddened to see Levine's sense of "monumental progress" in police-minority relations not borne out. Modern-day tools Twitter, Facebook, and social media as a whole made Sanford and Ferguson into worldwide phenomena. Smartphone videos of police officers' actions against citizens changed the landscape by providing immediate, visceral, visual documentation that kept the narrative going. While newspaper photos and network television news transformed conflicts in the 1960s, information from witnesses and family members was now being shared directly on new, faster, farther-reaching platforms.

The context of CRS had also evolved due to its decision to expand its mission beyond issues of race, color, and national origin. This shift came about as a result of the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act, which was signed into law by President Obama on October 28, 2009. For the first time in its then-forty-five-year history, CRS worked on issues involving gender, gender identity, sexual orientation, religion, and disability. CRS was again breaking new ground in using conflict resolution to address pressing civil rights matters. For example, I was proud to initiate CRS's production of the first federal video training on transgender issues.

To appreciate the unique contribution CRS makes, it is important to understand that the fields of social justice and conflict resolution intersect sparingly. This separation is largely due to inherent tension between advocacy and neutrality. It is a complex dynamic to simultaneously strive to uphold civil rights while serving as a conciliator or mediator trusted by both sides of a conflict. Only recently have researchers and academicians begun to analyze the work of those who navigate this intersection. Allowing for greater examination of the groundbreaking work of CRS requires creating a record, which is what I seek to do here.

I sought to honor the original book by walking the same path that Bertram Levine took toward composition. I read through all of the CRS annual reports. I perused the interviews of CRS conciliators by

Richard Salem and Heidi and Guy Burgess, especially those concerning their work after 1989. Many of the choices for a second edition were clear-cut. I prioritized CRS's work in Mississippi after neighbors harassed a lesbian community; throughout the country on hate and violence against Muslims, Sikhs, and others post-9/11; in Miami, Florida, after two fishermen saved Elián González; and in Sanford, Florida, after George Zimmerman shot Trayvon Martin. I also honor the confidentiality provision of the 1964 Civil Rights Act by only sharing information in the public record or provided to me with no confidentiality expectation.

The importance of capturing the record of CRS's involvement since 1989 particularly hit home when I read Bernard Mayer's excellent 2004 book *Beyond Neutrality*. In that volume he stated, "Years later, when the Elian Gonzalez case was in the news, I wondered why there was no serious attempt to mediate that situation."² As this new edition makes clear, there were in fact serious, extended mediation efforts led by CRS to find a peaceful resolution to Elián's custody crisis. If CRS's work was unknown even to renowned dispute resolution experts, there was an obvious need to fill that gap with this publication.

The harder choice was what to leave out regarding all the tremendous work that CRS did from 1990 to the time of writing this book. CRS conciliators Stephen Thom, Silke Hansen, and others spent significant time in Los Angeles after the police brutality against Rodney King.³ Thom and Julian Klugman did groundbreaking work in California mediating disputes on Native American repatriation of remains and artifacts.⁴ Also, CRS was closely involved with communities after Hurricane Katrina hit Louisiana and the Gulf Coast. A large team of CRS conciliators, including Silke Hansen, Azekah Jennings, Pascual Marquez, Rosa Melendez, Carmelita Pope-Freeman, and Synthia Taylor, were dispatched by Director Grace Flores-Hughes and spent weeks away from home, working with tragedy-stricken communities, mediating numerous disputes, and facilitating help and support. Conciliators worked diligently in Jena, Louisiana, after six young African American students were initially charged with attempted murder of a white student. After I departed CRS, my successor, Acting Director Paul Monteiro, and a conciliation team did crucial work in the Dakota Access Pipeline protest in maintaining safety and helping marginalized voices be heard. I wish there was room to explore all of this work in depth, and I hope this

book encourages others to document and analyze more CRS efforts in the future.

I made only one substantial pre-1990 addition to this book. When I started at CRS, I reached out to legendary CRS mediator Richard Salem, and he mentioned his work with a neo-Nazi group in Skokie, Illinois. It rang a bell, as it was a well-known constitutional case I had read in law school, which effectively set the precedent that the First Amendment right of freedom of speech is for all, even Nazis. I then read a journal article by Salem that went into detail on how CRS's work fundamentally changed the events in Skokie.⁵ Given the 2017 Charlottesville tragedy in which white nationalist protests resulted in the death of a young woman, Heather Heyer, and the continuing national struggle with race and memory, I thought it would be immensely beneficial to add a chapter on how CRS helped avoid bloodshed in Skokie.

In some of Levine's original chapters, I provide a few additional paragraphs and endnotes to provide insight from the last thirty plus years of change in the country and CRS experience. Per my respect for the first edition, I have kept them to a minimum. Nonetheless, it was important to update chapter 6, "Police-Minority Relations," given how this issue has surged in the American consciousness in the decades following where the first edition leaves off, on an optimistic note for the future. The final chapter reflects more editing, primarily to acknowledge the addition of numerous CRSers since 1989 and to give a fuller overview of its history.

In that vein, I wanted to be as respectful as possible of the original text, particularly as Bertram Levine had passed away and I was unable to seek his counsel. In writing a new edition, I was confronted with how terms to describe different racial groups have evolved over time. For today's reader, terms like "Negro," "Asian," and "ghetto" can be jarring at best and offensive to many, and the new chapters use today's common terms like "African American" and "Asian American." I consulted with Neil and David about whether to leave the original text undisturbed, and David made the point that the changes in terminology "reflect trends that are meant to enhance equality and respect," which is certainly my goal as an author and that of CRS in its work. We also agreed that the book would be a more unified whole if we changed this terminology. Thus, I made the final decision to update the terms in the earlier text, though of course not in quotations or proper names of organizations.

My editor and I also discussed at length whether to leave the N-word in given the highly offensive impact the term has. The word was used four times in the first edition, and in each instance it is in quotations. Three of the instances were usages of the term by police officers and one was a usage in the Boston Public Schools integration controversy. We made the decision to leave them in to better reflect the context of the situations the communities and CRS faced at the time.

I also faced the same personal quandary as Bertram Levine in that, like the original author, I had worked at CRS. While I was not there nearly as long, I was involved in the period 2012–16 and led the agency during the Oak Creek tragedy, through the Sanford, Ferguson, and Baltimore work. This work is not an autobiography, so I do not delve into my involvement in great detail but mention it only where I believe it is helpful in sharing the narrative of events. I added five new chapters: chapter 11, “Nazis, Free Speech, and Hate: Preventing a Bloodbath in Skokie and Beyond”; chapter 12, “Arabs, Muslims, and Sikhs: Preventing and Responding to Unfounded Violence after 9/11”; chapter 13, “Not Only Race: Confronting Other Types of Hate”; chapter 14, “Crossing Borders: The Elián González Custody Dispute”; and chapter 15, “Back to the Future: Law Enforcement and Race Takes Center Stage in Sanford, Florida.” I updated and added sections to the final chapter of the first edition, “The Quest for Value” (now chapter 16), to reflect events and trends since the book was originally written, as well as additional analysis.

The work of CRS is ultimately to help the country sustain harmony in all its diversity. The American story has always involved diversity, which has been both a source of strength and a basis for discord. From the moment the Native Americans who first occupied the land encountered European settlers, there has been conflict and tension. Later, whole economies were founded on the work of enslaved people brought to the country from Africa. The social repercussions of this economic model have reverberated throughout American history. Secession and the Civil War were fought over slavery, while the denial of rights in the Jim Crow South and segregation continued for a hundred years afterward.

The country’s diversity—and need for civil rights protections—encompasses not only differences across race and ethnicity but also religion, gender, gender identity, and sexual orientation. Religion was a reason why many who came to the United States fled their home

countries. Many found support in America, while some found themselves at odds with others' beliefs or religious identity. Women have been fighting for equality since the country's founding, and the recent Me Too movement reveals how much further there is to go on inclusion. Issues involving sexual orientation and gender identity have come to the forefront of national consciousness. This continuing struggle toward equality for all has, in fact, come far since 1989, where Bertram Levine's original edition of this book left off. This new edition covers this more recent era to continue to document that journey and provide social justice and conflict resolution insight for an even more inclusive—and hopefully more harmonious—future ahead for all Americans.

A LOOK AHEAD

The first edition of this book was completed in 2004, fifteen years after the period it covered. In that edition Bertram Levine noted that patterns of racial conflict and the Community Relations Service's response were the same and yet different.

In 2004, Levine observed that police-minority friction was still the number-one source of conflict in which CRS became involved. While the frequency of such incidents appeared to have diminished, acts of police abusiveness still had the power to inflame an entire community. Many scenarios were unchanged: a young African American man was shot by police who thought they saw a gun; a Hispanic man died in police custody. To these examples have been added the practice of racial profiling by police, which to many appears to be an adaptation of the notorious, racially biased stop-and-frisk excesses that were condemned by the Kerner Commission more than three decades earlier.

In 2019, when I reread Levine's original final chapter, I was quite chastened by how the situation seems to have worsened dramatically in the last fifteen years. The tragic shooting of seventeen-year-old Trayvon Martin by a self-appointed neighborhood-watch captain sparked the Black Lives Matter movement. Martin's death was soon followed by those of Michael Brown in Ferguson, Missouri; Eric Garner in New York; Philando Castile in Minneapolis; Walter Scott in Charleston, South Carolina; Laquan McDonald in Chicago; Antonio Zambrano-Montes in Pasco, Washington, and a further stream of unarmed African American and Latino males shot to death by police officers, often caught on smartphone or police camera videos. The George Floyd tragedy in

the midst of the COVID-19 pandemic has unleashed a dramatic new round of protests in the United States calling for defunding of police and fundamental change. A new civil rights era driven by technology and social media has shined a brighter light on such incidents than has been seen in decades.

In 2004, Levine also noted that hate violence cases had been making up an increasing portion of the CRS caseload. This second edition devotes a chapter to the 9/11 tragedy. From that moment forward, CRS significantly increased its work with Muslim, Sikh, and other Arab communities targeted since 9/11. The second edition also contains a new chapter on the hate crimes jurisdiction work CRS has done since the 2009 Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act.

This new edition was finished in 2020. It is troubling to see that these last few years have seen a rise in anti-immigrant, anti-Semitic, and nativist rhetoric and violence both nationally and internationally. Presidential candidate Donald Trump spearheaded a “birther” campaign against President Obama, falsely promoting the idea that Obama was born in Kenya, and portrayed Mexicans seeking entry into the United States as “criminals and rapists.” Since Trump’s election, he has insisted that “very fine people” were among the white supremacists participating in demonstrations in Charlottesville, Virginia, that led to the death of a young liberal protester; referred to immigrants involved in gangs as “not people” but “animals”; and made barriers to the entry of people from Mexico, Central America, and Muslim-majority countries a cornerstone of his ambitions.⁶ The COVID-19 pandemic gave rise to scapegoating of Chinese and Chinese Americans and increased hate crimes against Asian Americans. President Trump insisted on calling the coronavirus disease a “Chinese virus.”

A Pew Research Center survey shows that regardless of who is president, the political divide in the country has steadily worsened in the twenty-five years since the poll was first given. That same trend applies to political differences, which are now seen as a bigger conflict than race or gender ones.⁷ Major legislation on critical issues like immigration, infrastructure, taxation, and trade have been nearly impossible to pass in the past two decades. While politics is not within its legislative mandate, politics is the crucible by which CRS was created and the landscape in which it has operated. CRS’s impartiality and confidentiality serve CRS well in that regard. Mediation, facilitation, and other conciliation

services have and continue to serve this country well when dealing with political gridlock and enmity.⁸

In this political climate, since 2016, hate crimes have occurred at greater frequency. The 2017 FBI Hate Crimes Report revealed a 17 percent increase in hate crimes that year, which was the third year in a row that hate crimes have risen. A 37 percent increase in anti-Semitic crimes also took place in 2017. Note that FBI data has often been criticized for underreporting, as only 12 percent of law enforcement agencies submitted reports regarding hate crimes in 2017.⁹ While the FBI reported 7,175 criminal hate crime incidents that year, the Bureau of Justice Statistics estimates upward of 250,000 hate crimes. The Southern Poverty Law Center reported in 2019 that the number of hate groups operating in the United States has reached an all-time high.¹⁰

What Levine observed in the first edition may be even truer today, given the stoking of nativist, anti-immigrant, and race-based fears. In the first edition, Levine observed that the impact of America's changing population had triggered a rising number of hate crimes and provided a foretaste of future stress as the nation adjusts to the transition from being predominantly white to being a country in which whites will be in the minority.¹¹ Demographic changes involve not only immigrants from Asia, Eastern Europe, Mexico, and other Latin American countries. The problem is compounded by a major population shift within the country, as "new Americans" follow jobs and relatives to areas of new settlement. Many of these formerly "untouched" communities are in outlying suburbs and in small cities outside major metropolitan areas. These population movements have generated a variety of clashes between newcomers and other ethnic groups, and between the newcomers and the Immigration and Naturalization Service. Anxiety about newcomers, particularly when it comes amid growing economic uncertainty, has reawakened nativist fears. Preventing and responding to hate crimes have become major CRS priorities.¹²

CONFLICT RESOLUTION AND SOCIAL JUSTICE

As I read and reread Levine's book, as I led the agency, and finally as I wrote the chapters for this new edition, the theme that came back to me over and over again was the perceived tension between conflict resolution and civil rights. The fundamental question is on the relationship between peace and justice. Skeptics of CRS working from a social justice

perspective would focus on how its conciliators tamp down protest and conflict, and those are the primary tools of marginalized groups. This is reflective of an understanding of social change as resulting from conflict-applied pressure, that is, a hydraulic model of social justice.¹³

Wallace Warfield, a theorist on the nexus between social justice and conflict resolution who worked at CRS for many years, wrote, “Any intervention that diverts or bleeds off pressure does so at the expense of social change and should not be encouraged. The critical measurement of conflict resolution processes then is whether they interrupt, increase or direct the pressure.”¹⁴ In this book, the reader can reflect on this measurement for every CRS case. For example, in Sanford, Florida, conciliators helped protestors like the National Action Network and Dream Defenders work with local and state government officials and law enforcement to enable voices to be heard while preventing injury and possibly worse.

Neutrality is at the heart of this question too. CRS conciliators, both historically and certainly in my experience as the agency’s director, have to be seen as impartial and unbiased in order to work in the highly polarized and politically charged environments CRS works in. Add to that the fact that CRS is within the Department of Justice, the only federal agency whose title is a moral value, so following rules and regulations is imperative. Yet the reality is also that CRS’s stated goals and jurisdictional mandate are provided by the 1964 Civil Rights Act and the 2009 Hate Crimes Prevention Act, laws that advanced social justice dramatically. All of this informs a complex, nuanced role for CRS conciliators. As you read this book, you will find that the third-party conflict resolution role is much broader than what we conventionally think of for court-based mediation and other types of dispute resolution, which focus on procedural rather than substantive justice.

This reflects a similar dynamic that exists for international conflict resolution, that is, peace and human rights. It should be no surprise that so many of the actors in this book went on to international diplomacy, including James Laue, Andrew Young, Wallace Warfield, and Richard Salem.

Change comes through confrontation and conflict. Just as I was finishing this book, I walked through the Menlo College Bowman Library and saw a poster for Black History Month. It contained a quote by Martin Luther King that reads, “True peace is not merely the absence

of tension; it is the presence of justice.” This speaks to the goal of CRS’s work in that it has always been an amalgamation of those two invaluable cornerstones of American society. Effective CRS conciliation work has been about both the short term and the long term, bringing parties together, enabling them to solve critical problems on their own, reflecting that American democratic ethos, and advancing toward more truly just outcomes while prioritizing nonviolence.

Clarence Jones, in the foreword to this book, captures the best of CRS strategy to reach that goal of achieving both justice and peace, saying the Community Relations Service may have been the federal statutory embodiment of the “nonviolent pursuit of social justice, embodying Dr. King’s philosophical commitment to nonviolence based on the legacy of Mohandas K. Gandhi.” Even the term CRS workers go by, “conciliator,” captures the quest each one of them has taken to advance the cause laid out by the 1964 Civil Rights Act and the 2009 Shepard and Byrd Hate Crimes Prevention Act. The Latin root *conciliare* means to unite, and in a world where people are torn apart, the need for uniting peace and justice continues.

A NOTE ON SOURCES

To maintain consistency with the original book by Bertram Levine, I consulted many of the same sources as the original author. For example, I went through all the CRS annual reports. While I focused on annual reports for the years Levine did not cover, beginning with 1990, I also consulted all the preceding ones. The Civil Rights Mediation Oral History Project by former CRSer Richard Salem and University of Denver’s Heidi and Guy Burgess was likewise particularly helpful, as they conducted in-depth interviews with CRS conciliators who worked after 1989. I extensively utilized these recollections of events, such as those articulated by Reinaldo Rivera concerning the 9/11 tragedy. Like Levine, I conducted a number of interviews, primarily with CRS conciliators, to gain insight on how the work was done.

While Levine noted using the internet, many more sources were available online by the time I began this second edition. Like the first author, I started with the *New York Times* and *Washington Post* to provide details, background, and context for CRS work discussed in this volume. I also drew not only on articles and books but also on videos that have been produced about these conflicts. Because this edition,

like the first, is intended for a general rather than a purely academic audience, I follow my predecessor's restrained approach to endnotes. In addition, I searched for photographs, which the first edition did not have. I felt it was important to show photos of the conciliators who labored in these conflicts in anonymity and little, if any, fanfare.

Grande Lum

NOTES

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2. Mayer, *Beyond Neutrality*, 102.
3. For firsthand accounts of CRS work in Los Angeles after the police beating of Rodney King, see "Stephen Thom," Civil Rights Mediation.org, February 6, 2002, <https://perma.cc/PSN2-ZUZH>, and "Silke Hansen," Civil Rights Mediation.org, August 3, 1999, <https://perma.cc/BV5E-2J92>.
4. For firsthand CRS accounts of Native American repatriation work, see "Stephen Thom" and Klugman, Thom, and Myers, "Mediation and Native American Repatriation of Human Remains."
5. Salem, "Mediating Political and Social Conflicts."
6. The Trump Administration has called for the elimination of CRS. For more, see Monroe, "An Attack on America's Peacemakers."
7. "In a Politically Polarized Era, Sharp Divides in Both Partisan Coalitions," Pew Research Center, U.S. Politics and Policy, December 17, 2019, <https://perma.cc/WUN9-BT3X>.
8. Menkel-Meadow, "Why We Can't 'Just All Get Along.'"
9. "2017 Hate Crime Statistics," U.S. Department of Justice, Federal Bureau of Investigation, <https://perma.cc/K5QK-F7H3>.
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11. Minorities already outnumber whites in many urban school systems and in a number of cities. The shift is projected to occur for the nation as a whole by the middle of the twenty-first century.
12. Community Relations Service, U.S. Department of Justice, Bulletin, "Hate Crime: The Violence of Intolerance," 1998, <https://perma.cc/8L4L-QE3K>.
13. L. A. Coser, *The Functions of Social Conflict* (London: Routledge and Kegan Paul, 1956).
14. Wallace Warfield and Mara Schoeny, "Is Maintaining Peace Always Right?" in Pfund, ed., *From Conflict Resolution to Social Justice*, 117.

INTRODUCTION

THIS BOOK IS about twenty-five years of racial conflict in America (1964–89),¹ and what was done by federal conciliators to help resolve it. It recounts America’s civil rights struggle as seen through the eyes of the federal agency whose observers were almost always at ground zero working with antagonists to find solutions and to avoid or lessen violence.

The book looks at the celebrated breakthroughs that made change possible and the countless follow-throughs that converted possibility to reality. It tells of what happened when “the movement” played out—after bitter and triumphant demonstrations, after great court decisions and the passage of new laws, but somehow things didn’t seem to get much better. Through the lens of conflict analysis it looks at the hedge-row warfare that followed the movement’s victories—where every change toward a fairer balance of equity had to be defined, demanded, and fought for—issue by issue, institution by institution, city by city. It is about the struggles to consolidate the victories.

The data are drawn largely from the eyewitness experience of the handful of men and women whose job was to be there, at the center of the storm, to help forestall or resolve racial and ethnic disputes. Based in the Community Relations Service (CRS) of the Department of Justice, this multiracial cadre of conciliation and mediation specialists worked behind the scenes in more than twenty thousand confrontations² involving racial and ethnic minorities. These have ranged from the disputes that attracted worldwide attention to the everyday affronts, assaults, and upheavals that marked the nation’s adjustment to wider power sharing within an increasingly diverse population.

Created by Congress in the Civil Rights Act of 1964 to deal with civil rights disputes, the Community Relations Service dispatched its trouble-shooters to help at the march from Selma to Montgomery; at the urban riots of the sixties, seventies, and eighties; at the siege of

Wounded Knee; at the school desegregation battles in the North and the South; and at the Gulf Coast fishing wars between Southeast Asians and Anglos. It helped to lessen the atmosphere of racial violence in every major American city and in many thousands of smaller communities.

CRS was not quite a year old on the night of June 4, 1965, when President Johnson spoke to the nation by radio from Howard University. He concluded by pronouncing a new civil rights goal.

But freedom is not enough. You do not wipe away the scars of centuries by saying: now you are free to go where you want, do as you desire, and choose the leaders you please . . . it is not enough just to open the gates of opportunity. All our citizens must have the ability to walk through those gates. . . . This is the next and more profound stage of the battle for civil rights. We seek not just freedom but opportunity—not just legal equity but human ability—not just equality as a right and a theory, but equality as a fact and as a result.

The definition of the American condition as set forth by the president that night, and the new civil rights goal he specified, was to forecast the role of the Community Relations Service for the next quarter of a century and more. The battle for equality as a right and a theory had largely been won. The battle for equality as a fact and as a result lay ahead. It would have to be fought in all walks of life, especially on the local scene—in cities, counties, neighborhoods, and individual institutions. CRS would be there to witness the conflict and to help ease its pains.

NOTES

1. Now expanded to fifty-five years, 1964–2019. (note by Lum)
2. Now more than forty thousand. (note by Lum)

FIFTEEN

Back to the Future

Law Enforcement and Race Takes Center Stage in Sanford, Florida

CHAPTER 6, “POLICE-MINORITY Relations,” covers CRS work prior to 1990, addressing conflicts between law enforcement and minority communities. Since that time, conflicts between African American communities and law enforcement have remained center stage. From 1991, when a videotape surfaced of Los Angeles Police Department officers beating Rodney King during his arrest, to 2015, when Freddie Gray died in Baltimore Police custody, the death or injury of unarmed African American men at the hands of law enforcement has repeatedly presented itself as emblematic of the racial inequalities that persist today.

This chapter looks closely at CRS’s work following one particular tragedy: the death of teenager Trayvon Martin in 2012. This incident, in which the seventeen-year-old Martin was killed by neighborhood watch volunteer George Zimmerman in Sanford, Florida, broke through the American consciousness as it became the most reported story in the country and led to the creation of the Black Lives Matter movement. CRS played a crucial but mostly unknown role in Sanford during this time.

This discussion examines the role of the Community Relations Service in a new and significant chapter in America’s struggle for equality and justice, as well as the misinformation campaign that targeted CRS and attempted to undermine its work.

RACIAL HISTORY IN SANFORD, FLORIDA

To understand the Trayvon Martin case and its aftermath, it is important to consider the city’s racial history. Henry Shelton Sanford, a wealthy businessman whom President Abraham Lincoln appointed minister to Belgium, bought the land that is now Sanford to build a new “Gate City of South Florida” in the late 1870s.¹ African American families came to the area in the aftermath of the Civil War as it grew into a regional business hub. These families purchased lots directly from Sanford.

From the start, white residents in the area shot, killed, and tried to drive away these Black families. Lynching was commonplace in the South post–Civil War, and well into the first half of the twentieth century Florida had the highest per-capita lynching rate of any state.² According to Sanford, he provided these families with housing and protection against those who would do them harm.³

However, the city of Sanford later forcibly annexed nearby Goldsborough, a town that had been built and was run by African American community leaders. The annexation led to a number of lost jobs for Black residents of Goldsborough, including the mayor, marshals, and jailers.⁴ White mob threats persisted in 1946, when Jackie Robinson, who had just been signed to a Major League Baseball contract, came to Sanford for training camp. The baseball star left Sanford twice in response to threats of violence.⁵

Racial tensions continued into the twenty-first century. Prior to the Trayvon Martin tragedy, mistrust between Sanford's African American residents and its police department festered as a result of two incidents. In 2005, a white police officer was rehired by the Sanford city manager despite having been fired by the police chief for punching an African American man who was already handcuffed and on the ground.⁶ In 2010, a Sanford police officer's son sucker-punched a homeless African American man. The boy's father sent another officer to the scene, who overruled the two patrol officers who wanted to arrest the boy. Video footage of the boy's battery of the homeless man went viral, and the subsequent outrage led to Sanford police chief's early retirement.⁷

STAND YOUR GROUND LAWS

Another important context in Trayvon's death is Florida's Stand Your Ground legislation. The concept that individuals have particular rights within their homes dates back to Roman law. In the seventeenth century, English common law created the principle that a person's home is that person's castle, that is, the area over which they have sovereign power. In establishing its own legal system, America looked to England and imported the common-law system. Over time, homeowners came to have the legal right to use deadly force in their homes, regardless of whether they could have safely retreated without use of deadly force. Homeowners did not have to prove they were in danger to fire a gun, for example.

Florida historically has had permissive policies when it comes to owning and openly carrying a gun. In 2005, Florida became the first state to permit individuals to use deadly force when they felt they were faced with imminent danger of serious bodily harm in any place and at any time.⁸ This permission extended the legal right to use deadly force in response to a perceived imminent threat beyond one's domicile to essentially everywhere else. Gun rights advocates lobbied for this law in Florida and numerous other states. At the time of its passage, law enforcement officials shared their concern that this expansion would lead to increased shootings and deaths, as claims of self-defense increased. Their concerns proved prescient as these incidents, dubbed "justifiable homicides," nearly doubled between 2000 and 2010.⁹

THE RETREAT AT TWIN LAKES

Trayvon Martin's father was engaged to a woman who lived in the Retreat at Twin Lakes, a Sanford gated community. It was built in 2004 during the state's building boom as Florida developers were attracted to the quiet, small community; reputable school district; outlet malls; and proximity to Disney World amusement parks. The gated townhouse community had 263 units, with touches to give it a middle-class appeal like granite countertops, walk-in closets, and master bedrooms. The original cost of these townhomes was approximately \$250,000 apiece.¹⁰

In 2008, the global mortgage crisis destroyed property values. By 2012, the price of a townhome at Twin Lakes had fallen below \$100,000, 40 of the homes were without residents, and more than 50 percent of the occupants were renters. The racial demographics also changed as more Black and Hispanic renters moved into the community. A former neighborhood watch captain noted that serious issues in the gated community began during the economic downturn; he claimed that foreclosures led purchasers to rent the townhomes to "low-lives and gangsters."¹¹ In the twelve months prior to the Trayvon Martin tragedy, there had been a number of burglaries, thefts, and break-ins reported in the community.¹²

Sanford police helped the gated community start its neighborhood watch program. Such programs are intended to empower neighbors to actively monitor their neighborhood and convene to get to know each other better. A twenty-eight-year-old renter, George Zimmerman, who self-identified as Hispanic and had a white father and a Peruvian

mother, volunteered to be a neighborhood watch captain. Records show that Zimmerman contacted local Sanford police nearly fifty times in the year prior to Trayvon's death to report numerous issues.¹³

TRAYVON MARTIN

Trayvon Martin was an African American seventeen-year-old from Miami Gardens, Florida. He had no criminal record (although he had been suspended from high school for cutting class).¹⁴ His father, Tracy, decided to bring him to Sanford to spend a few days at his fiancée's house. On February 26, 2012, Trayvon walked to the nearby 7-Eleven convenience store, where he bought a bag of Skittles candy and an Arizona Watermelon Fruit Juice Cocktail drink. As Martin walked home in the rain, the hood of his sweatshirt covering his head, Zimmerman, who was on a personal errand, observed the teenager and contacted the police.

Zimmerman had a gun, for which he had a license. According to Martin's friend who was on the phone with him when Zimmerman called the police, Martin became concerned that a stranger was following him. Zimmerman told the police operator that Martin was running. The operator warned Zimmerman not to pursue the boy. After the call ended, an encounter ensued between Zimmerman and Martin. Tragically, Zimmerman pulled the trigger at point blank range, and Martin died as a result, about seventy yards from the house at which he was staying.

IMMEDIATE AFTERMATH

Sanford police officers arrived soon after the shooting. Zimmerman, after being treated by paramedics for injuries to his face and back, was brought to the police precinct for questioning.¹⁵ He was released after five hours. The officers wanted to arrest Zimmerman initially but were told to wait by the local prosecutor.¹⁶ Later, Sanford police chief Bill Lee stated that there was a lack of evidence to counter Zimmerman's assertion of self-defense. Because of Florida's Stand Your Ground law, the police were prohibited from making an arrest.

The grieving father, Tracy Martin, was outraged that the person who killed his son was not arrested or charged with any crime. On February 28, he was connected with prominent Florida civil rights attorney

Benjamin Crump. Martin retained Crump's firm's services and they quickly began publicizing the case through the media.

Norton Bonaparte, the city manager of Sanford, was concerned about relations throughout the city given the area's history of discrimination against African Americans, recent events that exacerbated law enforcement–community relations, and the added fuel of the nation viewing the event constantly via internet, television, and other media. Bonaparte, who had received mediation training, spoke several times with Andrew Thomas, a Sanford employee with a deep background in conflict resolution. For more than twenty-five years, Thomas had led the Rochester, New York, Center for Dispute Settlement. At the time, his job at Sanford was as a community development block grants coordinator. He had initially come to Sanford as a consultant to assess the state of the relationship between Sanford law enforcement and its African American community.¹⁷

SANFORD REACHES OUT TO CRS

Both Bonaparte and Thomas were concerned about national media and protesters coming to Sanford, which would put great pressure on the employees and citizens of the small city. Thomas encouraged officials to talk to other communities who had experienced similar issues. A week after the shooting, Bonaparte had a growing sense of impending community unrest. Given that many African American residents did not view local Sanford employees positively, Bonaparte and Thomas agreed that contacting CRS would be helpful.

Prior to coming to Sanford, Bonaparte had been the city manager of Topeka, Kansas, and had worked with CRS there. Bonaparte asked Thomas, who had worked with CRS in a number of situations in Rochester, to find a CRS conciliator.¹⁸ Thomas later commented to a reporter, "The situation was escalating. We needed somebody from the outside that could command respect, pull the community together and generate dialogue."¹⁹

Thomas left a message at the CRS Southeast Regional Office in Atlanta, Georgia. Regional Director Thomas Battles returned the call later that day and connected Andrew Thomas with CRS conciliator Mildred Duprey de Robles, a longtime mediator with a military background who worked out of the Miami CRS office. Robles immediately

began meeting with Sanford police, activists, community members, and pastors to better assess the situation.

Sanford mayor Jeff Triplett admitted to being initially skeptical of CRS, but he knew he needed help. He explained, “These guys [CRS conciliators] have been there, done it, they’re very astute. We on the city side, we fix roads. We make sure your lights turn off and on. We make sure your toilets flush. We cut ribbons for new businesses. So you’ve got to rely on those that know [how to engage with movements and protesters].” With Triplett’s support, Battles made introductions between Sanford officials and CRS personnel in addition to reaching out to civil rights leaders Al Sharpton and Jesse Jackson and their respective organizations.²⁰

CALLS FOR ZIMMERMAN’S ARREST

Crump, Tracy Martin’s lawyer, publicly called for release of Zimmerman’s calls to police dispatchers that fateful night, and Mayor Triplett ordered their release on March 6. The tapes were then played in local and national media. The Trayvon Martin story would become the most reported story in the United States in 2012, surpassing even that year’s presidential election. Over 2.2 million people signed the Change.org petition calling for Zimmerman’s arrest, which was the largest collection of signatures ever on that website. To honor Martin’s life, professional sports superstars like basketball player LeBron James wore “hoodies”—hooded sweatshirts like Trayvon’s. Sharpton and Jackson called for full investigations. Thousands of people protested throughout the country.

On March 10, City Manager Bonaparte called Mayor Triplett, who was away in Tampa watching his young son’s football game, to warn him that the story was ricocheting through worldwide media.²¹ On March 14, approximately four hundred people came to the Allen Chapel African Methodist Episcopal (AME) Church in Sanford demanding Zimmerman’s arrest. A number of local civil rights leaders and a few prominent out-of-town advocates were involved, including Baltimore activist and pastor Jamal Bryant. Robles and Thomas were also present, with the goal of observing the scene.

The group made what seemed to be an impromptu march to the Sanford police building. A police officer came up to Thomas and asked if he was doing alright, and Thomas responded, “I was until you came

up to me,” indicating that the exchange had exposed him as a city employee. Soon afterward, protesters began “raining Skittles candy” on Thomas and others.²²

The calls for Zimmerman’s arrest were soon joined by calls for the firing of Sanford police chief Bill Lee for his refusal to arrest Zimmerman. Battles provided assistance in convening a meeting with Chief Lee, the National Association for the Advancement of Colored People (NAACP) Seminole County chapter president Turner Clayton, Mayor Triplett, and City Manager Bonaparte. After the meeting, Lee announced he would remove himself from office temporarily.

Sanford police turned the case over to the Florida state attorney, Norm Wolfinger, so that state officials could make the difficult decision of whether or not to arrest Zimmerman. After Wolfinger recused himself due to outcries of moving too slowly, Florida governor Rick Scott then appointed Angela Corey as state attorney in charge of the investigation in place of Wolfinger.

On March 20, Battles convened a town-hall meeting at which he first met Pastor Valerie Houston of the Allen Chapel AME Church. The Allen Chapel would become a significant center for the local protest movement, and Reverend Houston emerged as a key leader in both pursuing justice for Trayvon Martin and peace-building and coordinating efforts toward concrete change for the Sanford community.²³ CRS conciliators went to numerous protests, meetings, and marches with Allen Chapel congregants to help keep them safe and strategize a constructive and nonviolent path forward. As the saga continued and the demand for Zimmerman’s arrest grew, protest groups planned a large rally.

PROTESTING SAFELY

What distinguished Sanford from many other cities that have experienced mass protests is that Sanford officials consciously and proactively welcomed the busloads of arriving protesters. Conciliators Battles and Robles connected numerous civil rights groups to Sanford in advance of the gathering and facilitated the process of obtaining permits to hold a public rally. Additionally, knowing that protesters who planned to attend a Sanford City Council meeting would overwhelm the small meeting space, Thomas and the city of Sanford rented a jumbotron

screen so that people outside could see what was happening. The city also rented golf carts to transport older protesters and others who were physically challenged from the parking lots to the park outside the city council meeting.

For this event and for many other rallies and protests in Sanford, a CRS team member was assigned to train protest groups in self-marshaling, which helps the group stay safe while it protests. Self-marshaling involves designating and training individuals to be chaperones for the group and to be responsible for keeping the group together, remaining alert to individuals who might be using the event to cause violence or trouble, and learning steps to take in case of medical and other emergencies. The goal of such training is to keep everyone safe and to prevent protests from escalating into dangerous situations, and to ensure that free speech remains protected.

Mayor Triplett was initially wary of the CRS conciliators' advice. At a rally in a downtown Sanford park, Battles suggested to Triplett that he address the demonstrators. Triplett would thus be sharing the stage with Jesse Jackson and Al Sharpton. Initially, Triplett was booed off the stage. However, Florida congresswoman Corinne Brown called him back to the stage and thanked him for welcoming the Justice Department Civil Rights Division investigation. This time, there was applause for Triplett. "She totally took that crowd in a different direction. I called her the next day and couldn't thank her enough," he said.²⁴ Afterward, the mayor noted that Brown's acknowledgment of his cooperation with investigations "really subsided the animosities out there." The congresswoman's statement was "absolutely a key moment" in supporting Sanford in initiating the healing process.²⁵

Acting CRS director Becky Monroe came to Sanford during this period and observed a high level of tension at the rallies. Further complicating the scene were new arrivals from extremist organizations including both white and Black nationalist groups. Monroe recalled that Sanford police officers were particularly on edge when the New Black Panthers arrived. One officer anxiously talked to Conciliator Robles, expressing that he didn't know what that group was trying to accomplish. Robles calmly said, "We should just ask them," and proceeded to do so. They quickly learned the group was trying to determine where to protest, so the CRS representatives provided them with the information they were seeking.²⁶

FEDERAL INTEREST

On March 23, after the Justice Department opened an investigation into the case, President Barack Obama opined on the case for the first time. He stated, “When I think about this boy, I think about my own kids, and I think every parent in America should be able to understand why it is absolutely imperative that we investigate every aspect of this. . . . If I had a son, he would look like Trayvon.”²⁷ The president’s public statement became a flashpoint and an inflection point, as many viewed it as a president who was African American speaking directly to the racial aspect of the case. Some viewed this perspective in a positive light, while others—including many in the Republican Party and conservative media—criticized his comments as meddling unnecessarily in a local matter.

Numerous members of Congress requested to hear from Martin’s parents, but Republican congressional members did not agree to an official subcommittee session. Instead, on March 26, Trayvon Martin’s parents, Sybrina Fulton and Tracy Martin, came to Washington, D.C., to speak at a congressional forum. CRS Acting Director Monroe was seated next to them and also testified regarding CRS’s role. Numerous Democratic congressional members criticized both Sanford police and the Stand Your Ground law.²⁸ However, no legislative action was taken.

THE DREAM DEFENDERS

Organizers from outside Sanford likewise became involved with the case. Phillip Agnew, Ahmad Abuznaid, and Gabriel Pendas were three friends who had met while college students in Florida and who shared both a passion for politics and a high level of anger over Martin’s death. Talking to one another, they decided to initiate an organized response. Abuznaid explained, “We thought we’d like to start a movement reminiscent of the civil rights movement of the past, but in our generation.”²⁹ The three young men crafted a Facebook invitation for a conference call. The name “Dream Defenders” came from a young woman on the call, who observed, “You all are defending the dream. You should call yourselves the dream defenders.” From that call came the plan for a forty-mile march from Daytona Beach to Sanford. The march would honor Trayvon Martin and protest the Stand Your Ground law and racial profiling.³⁰

Battles and Robles worked with Florida police to ensure the Defenders' safe passage. Battles recommended to Andrew Thomas that he first come to Daytona to meet the Defenders, not in his role as a Sanford city employee but as a private individual. Thomas followed this advice. On the other end of the march, as the Defenders arrived, Bonaparte took a welcoming stance: "The city of Sanford hopes the actions of the students will be as peaceful and orderly as the previous rallies and marches have been. We want to be accommodating to all our visitors [provided] they act in a manner that is respectful to the people of the city."³¹

When the approximately sixty Dream Defenders arrived in Sanford after three days of marching, they positioned themselves at the doors leading to the main entrance to the Sanford Police Department, blocking the building for five hours.³² Thomas remembered meeting the Dream Defenders outside. He remarked, "They were surprised to see me again and as an employee of Sanford."³³

With the help of the CRS conciliators, both Sanford city officials and the Dream Defenders agreed to meet inside the building. There had been a city commission meeting scheduled for that day, and rather than going forward with the preset agenda or postponing the meeting, city officials used the opportunity to work with the activist group. CRS facilitated a conversation around issues including racial profiling, the Stand Your Ground law, and other concerns related to racial minorities and law enforcement. Several Dream Defenders agreed to continue meeting with Sanford officials.

In the regular meetings that ensued, the group discussed the high number of murders in Sanford of young Black men; the African American community's distrust of the police department; the county's noncompliance with a 1970 consent decree to desegregate its public schools; and the housing, unemployment, and infrastructure problems facing Sanford's African American community.³⁴ Together, the Dream Defenders and city representatives drafted a plan to address these problems.

The "Nine-Point Plan" that followed illustrates several principles of effective engagement between community members and city government:

1. "Request the Department of Justice–Division of Special Litigation and Civil Rights Patterns and Practice Program to conduct an investigation of the Sanford Police Department's overall pattern and practice for civil rights violations."

This point was a primary demand of many community members, particularly given their distrust of local and state officials. Acceptance of this demand is an example of city officials being proactive rather than defensive in dealing with a tragedy.

2. “Explore with the City Commission the creation of an Office of Community Relations and appointment of a Community/Human Relations Commission.”

Andrew Thomas explored and then created a Community Relations Unit as part of the city manager’s office in 2015.

3. “Explore with the City Commission the creation of a Director of Community/Human Relations staff position to be responsible for follow through, coordination and implementation of the next step action plans.”

In 2015, the city created a staff position to head the Community Relations Unit.

4. “Explore with the Commission the creation of a ‘Police-Community Relations Blue Ribbon Panel’ to assess and suggest strategies to strengthen police-community relations. This panel should represent a diverse broad cross section of the community.”

The panel was created in 2015 and co-chaired by Reverend Valerie Houston and retired Judge O. H. Eaton. Thomas worked with Sanford interim chief Richard Myers to launch the panel of twenty-five members. Top recommendations were increased Sanford police funding, raising police salaries, more focus on crime on the street, and enhanced community police. Battles made a presentation as part of the assessment process.

5. “Explore with City Commission the Establishment of an Inter-Racial Interfaith Alliance, to concentrate on moving forward and strengthening race relationships in the community.”

Battles convened the “Sanford Pastors Connecting” group, discussed in the following section, which played a substantive role in race relations and a mediative role with city officials, community, and police.

6. “Explore with the City Commission the establishment of an Anti-Violence Campaign: Create a Task Force that’s representative of a broad diverse cross section of law enforcement, criminal justice and human services agencies to propose projects and/or strategies to increase the community’s awareness of the impact of violence on community stabilization. The Task Force will suggest best practices for the reduction of violence in Sanford Communities.”

Sanford officials worked with central Florida government officials and workers and ran numerous collaborative events to focus on crimes committed against people of color, decreasing youth and young adult violence and crime, increasing use of conflict resolution strategies, and other crime prevention issues.

7. “Reactivate Sanford Neighborhood Action Partnership (SNAP).”

This step was placed on hold. City Manager Bonaparte instead utilized homeowners’ associations to monitor neighborhood concerns.

8. “Request the continued support and assistance of the Department of Justice Community Relations Services.”

Conciliators Battles and Robles remained involved with the city and played a key role in designing and implementing the nine-point plan as a whole.

9. “Increase Youth Training and Employment Opportunities: Look for partners to collaborate with the City of Sanford to increase employment opportunities for the youth.”

Sanford found a partner to reestablish its youth employment training program.³⁵

FAITH AND PEACEKEEPING

Forty-four days after Trayvon Martin’s death, Acting State Attorney General Angela Corey charged George Zimmerman with second-degree murder. A significant concern for CRS and other peacekeepers was how the trial could further divide the Sanford community and potentially lead to rioting and violence, depending on the verdict.

Battles saw the city's well-established faith traditions as a foundation for peace. If the city's ministers were well informed about the trial, he reasoned, they could help keep the community together no matter the verdict. He hoped that ministers would work with their congregations to prevent unfounded rumors and correct factual misrepresentations as well as urge Sanford unity.³⁶

Although Sanford had strong Christian congregations, and some pastors and congregational members had cordial relationships with their counterparts in other organizations, a network across congregations was lacking. In particular, the city did not have strong ties established between African American churches and those that were predominantly white.

This lack of interethnic faith community ties was evident when tensions grew after Harry Rucker, an African American pastor, began leading local rallies and protests. Rucker was well known locally for his militarism, having publicly stated in the 1990s, "The worst thing that happened to us when they changed our schools [through desegregation], there went our leaders, there went our teachers. We never asked for integration. We asked for equality."³⁷ Accordingly, Rucker did not appear interested in collaborating with white congregations. Nonetheless, a white pastor, Jeff Krall, attempted to convene a prayer ceremony in the city. He was dissuaded by Trayvon Martin's family, who had spoken with several local African American preachers and agreed not to support Krall's plan due to the lack of diversity in his fellowship.³⁸

Thomas Battles spoke separately with Rucker and Krall to see if they would be willing to share a meal at the local Cracker Barrel restaurant. Two weeks after that initial conversation, more than a dozen local ministers came to the same restaurant, forming a group that became Sanford Pastors Connecting.³⁹ This group would play a strong role in both advocacy and peacemaking throughout the months leading to and following the Zimmerman trial. Battles and his team also began holding workshops for local ministers and organized a ministers' trip to the court. Importantly, CRS was able to reserve four courtroom seats in the trial of George Zimmerman for clergy. This direct observation enabled faith leaders to keep their congregants informed as the trial progressed and dispel false rumors.

The alliance would eventually include more than forty African American, white, and Hispanic ministers and pastors. Krall and Houston

served as co-chairs. Sanford city and law enforcement public information officers trained the ministers for media interviews. The pastors held a prayer meeting for Sanford police. Several offshoot groups formed to increase reconciliation and positive law enforcement–community relations, including a team of white pastors who attended African American worship services each week, and pairs of ministers from different racial backgrounds who met over meals to build relationships.⁴⁰

Krall observed of the interfaith alliance, “After 30 years of ministry in Sanford and after 24 years of leading the Sanford Ministers Fellowship, I have never seen such a positive atmosphere in Sanford. It seems almost every week we hear of another group wanting to build bridges and establish long term relationships between the races and the churches in our ‘friendly’ city.”⁴¹

MISINFORMATION CAMPAIGN TARGETS CRS

In the days between closing arguments and the announcement of the verdict, CRS was more visible in the public domain than it had arguably ever been before.

With Trayvon Martin’s killing capturing the attention of the country, the politicization of the event, and the rise of new cable channels and the internet, CRS found itself in the crosshairs of conservative media. The earliest evidence of this new interest on the part of conservative commentators came on April 17, 2012, when two conservative sites questioned or accused CRS of bias. Both *White House Dossier* and the *Conservative Treehouse* published the following passage: “It appears that in carrying out their duties, [CRS representatives] have provided significant assistance to those protesting the killing of Martin, who [is] black, by George Zimmerman, who is half white and half Hispanic.”⁴²

On April 24, Judicial Watch, a conservative watchdog organization, made a Freedom of Information Act request concerning documents related to CRS’s work in Sanford.⁴³ It received the material from the Justice Department on May 30, 2012, and March 8, 2013. On July 10, 2013, two days before the closing arguments, Judicial Watch released the documents, providing selective evidence for its president, Tom Fitton, to conclude, “These documents detail the extraordinary intervention by the Justice Department in the pressure campaign leading to the prosecution of George Zimmerman. My guess is that most

Americans would rightly object to taxpayers paying government employees to help organize racially-charged demonstrations.”⁴⁴

Over the ensuing days, numerous posts appeared on conservative websites and the story was picked up by larger and more prominent conservative media outlets and personalities, including radio talk-show host Rush Limbaugh and Fox television hosts Sean Hannity, Lou Dobbs, and Bill O’Reilly. The Fox Network as a whole gave the story significant coverage as closing arguments were made and during the lull of jury deliberations.⁴⁵ Mainstream and liberal media outlets then responded, challenging these portrayals as inaccurate.⁴⁶

As CRS director at the time, I knew our staff took great care in maintaining an impartial approach to mediation. Our conciliation specialists were extremely focused on their behavior and actions with all involved parties. We tried hard to keep morale up and stay focused on the important work we were doing. I did my best to convey how critical it was to not let the negative and untrue noise impair us, and that the best thing we could all do was continue the mediation and conciliation efforts that we all knew mattered even more now, as the peacekeeping effort was under attack.

We shared our information with management at the Department of Justice, which worked to correct the misrepresentations being aired publicly. Most troubling was a site that misled the reader to think that audio being played was the voice of a CRS conciliator, when it was in fact the voice of a Dream Defender protester.⁴⁷

This incident was the first time CRS had to deal with this type of public attack, a result of a combination of technology and the hyper-partisanship of this new era. For an agency that holds fairness, balance, and neutrality as central principles of action and behavior, it was an important reminder of the need to continue to practice these values in the face of such blatant falsehoods.

For the most part, Justice Department spokespersons stayed silent regarding media attacks and referred reporters to the CRS website. I agreed this was the best strategy. If reporters spoke to law enforcement and government officials, they would hear reinforcement of the role described on our website: that we provided mediation, dialogue facilitation, training, and technical assistance for the purpose of helping resolve community differences.

On the night of the verdict, there were many fears in the Sanford community—especially of a “not guilty” verdict. At CRS, we had set up our “peace room”—our version of a “war room”—in my office. I had Chief of Staff Daphne Felten-Green and Deputy Director Gilbert Moore with me. We were in communication with the CRS team on the ground, led by Thomas Battles and Mildred Robles. For months, the CRS team had been working with community leaders and had helped protesters raise their voices without major incident. Still, we were all unclear as to exactly what would happen if Zimmerman were found not guilty.

When that not-guilty verdict was announced, it did lead to protests locally and nationally. However, the fact that there was no rioting and no looting was a testament to the hard work of Sanford officials, employees, and community members. Protesters made their voices heard but did so without violence. CRS clearly had a role in achieving this peace.

DREAM DEFENDERS CONTINUE FIGHTING FOR CHANGE

Following the verdict, the Dream Defenders continued their work fighting against racial profiling and Florida’s Stand Your Ground law. In July 2013, the group took over the Florida statehouse. They demanded that the state legislature hold a special session to overturn the law, ban racial profiling, and end the school-to-prison pipeline. Students from throughout the country joined them. Buses came from several East Coast cities including Washington, New York, and Philadelphia. Individuals came from as far away as California. The singer and activist Harry Belafonte joined the group. Florida house speaker Wil Weatherford committed to hold fall hearings on “Trayvon’s Law,” legislation proposed by the Dream Defenders and the NAACP to address racial profiling, repeal the Stand Your Ground law, and ensure data collection on homicides involving racial minorities.⁴⁸

Battles and Robles played a mediator role, shuttling back and forth between the Dream Defenders and Florida governor Rick Scott’s chief of staff. As CRS director, I was on the phone with both sides helping to determine what solutions might be possible while remaining mindful of the Dream Defenders’ passion for change as well as the governor’s interest in resolving the situation. We were able to help arrange a face-to-face meeting between the Defenders and Governor Scott in which the protesters shared both their anger with the Stand Your Grand law and the value to society of changing it.

After more than a month's standoff, the Dream Defenders decided to end their occupation of the statehouse on August 11. They then marched to the governor's mansion, declaring their demonstration "an eviction notice" for Scott. "We're coming for his job . . . the young people of Florida are coming for his job," Dream Defender Eric Maye promised. In a CNN interview, Maye stated, "We feel we've done all we could. We asked for the special session. We're not getting it and now we're going to the individual districts to lobby lawmakers and to register voters. We're going to take it to the streets."⁴⁹ As the Defenders departed the statehouse, famed civil rights leader Julian Bond affirmed, "You're ending a protest because you've started a movement."⁵⁰

Despite the public outrage that followed Zimmerman's criminal acquittal, on February 24, 2015, the Justice Department announced that, following their own investigation, they would not be pursuing federal civil rights charges against Zimmerman. Attorney General Eric Holder stated,

The death of Trayvon Martin was a devastating tragedy. It shook an entire community, drew the attention of millions across the nation, and sparked a painful but necessary dialogue throughout the country. Though a comprehensive investigation found that the high standard for a federal hate crime prosecution cannot be met under the circumstances here, this young man's premature death necessitates that we continue the dialogue and be unafraid of confronting the issues and tensions his passing brought to the surface. We, as a nation, must take concrete steps to ensure that such incidents do not occur in the future.⁵¹

This decision was not a surprise to most observers, given the high bar for such prosecution. Still, Justice Department officials took care in meeting with Trayvon Martin's parents and informing them of the outcome. CRS regional director Thomas Battles, who had earned the trust of Martin's parents, was in the meeting as well.

A region's history of discrimination against African Americans, the pursuit of the American dream, the foreclosure crisis, changing gun laws, the new technology of omnipresent smartphones with high-definition cameras, the viral nature of the internet's social media, and racial profiling all came together in Sanford and played their individual

roles in the tragic death of Trayvon Martin. It was a potent mixture that rocked the nation and reverberated around the world.

Sanford was the starting point of a new civil rights movement centered on the mistreatment of African Americans by law enforcement. Angered by Zimmerman's verdict, three friends—Alicia Garza, Patrisse Khan-Cullors, and Opal Tometi—created the social media hashtag #blacklivesmatter. The three African American women coined what would become the name of a movement. A number of other high-profile incidents followed soon thereafter, and the Black Lives Matter movement would play a significant role in responding to those events and awakening the country's consciousness. In 2014, eighteen-year-old Michael Brown was shot to death by a police officer in Ferguson, Missouri, which led to unrest and a militaristic police response that gripped the nation. In Brooklyn the same year, Eric Garner died in an improper chokehold by a police officer after repeatedly exclaiming, "I can't breathe." In 2015, Freddie Gray died in a police vehicle and Baltimore experienced days of protests, unrest, and looting.

In contrast to the responses to these other incidents, in Sanford—despite more than eighty rallies and thousands of protesters—not a single rock was thrown nor a single arrest of a protester was made. Mayor Jeff Triplett, City Manager Norton Bonaparte, Reverends Valerie Houston and Jeff Krall, city employee Andrew Thomas, Interim Police Chief Richard Myers, and many others were committed to recognizing past and present problems, working closely with protesters such as those from the National Action Network and the Dream Defenders to ensure their voices were heard, and inviting and collaborating with CRS conciliators.

Al Sharpton remarked of the civil rights work in Sanford, "The beauty of that moment was the non-violence, was Blacks and whites together, was generations together. It showed the protest movement at its best."⁵²

FACING FERGUSON, MISSOURI, AND THE MICHAEL BROWN TRAGEDY

Attorney General Eric Holder faced what many considered the most challenging time of his tenure in the Obama administration when rioting worsened after Michael Brown was killed by a Ferguson policeman on August 9, 2014.⁵³ In the ensuing days, looting, rioting, and police confrontations continued. Photos and streamed media of military-style

vehicles and officers pointing long rifles at protesters spread throughout the world. Should the attorney general come to Ferguson? The risk was considerable. If the violence worsened, the attorney general and the president would be blamed. Bringing additional complexity to the situation was the fact that both the president and the attorney general were the first African Americans to hold their respective positions.

Ultimately, Holder decided that he needed to step into the fray to help bring peace and justice to the situation. On August 19, he released a letter to Ferguson residents calling for an end to the violence. He wrote, "The Justice Department will defend the right of protesters to peacefully demonstrate and for the media to cover a story that must be told. But violence cannot be condoned. I urge the citizens of Ferguson who have been peacefully exercising their First Amendment rights to join with law enforcement in condemning the actions of looters, vandals and others seeking to inflame tensions and sow discord."⁵⁴

CRS was the first federal agency on the scene. Within hours of the shooting, local St. Louis area leaders who had worked with CRS in the past contacted CRS conciliators Rita Valenciano and Darryck Dean. I then strategized with Deputy Director Gilbert Moore and Regional Director Pascual Marquez and immediately approved dispatching Valenciano and Dean to Ferguson. On Sunday, the two conciliators drove from Kansas City to Ferguson, only to see memorials, protests, and a candlelight vigil turn from peaceful to dangerous. Some influential actors, including Missouri state representative Sharon Pace, blamed this turn on police for allowing a police dog to urinate on a memorial and for later destroying the memorial with their vehicles.⁵⁵ Stores were looted, private vehicles were totaled, and at least three businesses were set on fire. When the CRS conciliators arrived, law enforcement refused them access to the scene.

President Obama announced the decision to send the attorney general to Ferguson on Monday, August 18. At the same time, the president shared with the country, "We've also had experts from the DOJ's Community Relations Service, working in Ferguson since days after the shooting to foster conversation among local stakeholders and reduce tensions among the community."⁵⁶ The attorney general planned to meet with Ferguson residents in several settings: a town-hall meeting, a small faith-leader gathering, a conversation with local community college students, and a lunch with a group of citizens. Because CRS

was the only agency that had connections with these Ferguson constituencies, it was up to the CRS team to identify and vet which individuals to invite to the various meetings and to scout possible locations—all within forty-eight hours. I personally flew in to help the team prepare, to join the attorney general, and to facilitate the town-hall meeting.

The entire CRS team worked incredibly hard to pull off the effort. Valenciano and Dean had been on the ground in Ferguson continuously since August 10 and led much of the work. As I moderated the Wednesday conversation between Holder and the Ferguson residents, what reverberated was the personal nature of the attorney general's words. He said, "I am the attorney general of the United States. But I am also a black man. I can remember being stopped on the New Jersey turnpike on two occasions and accused of speeding."⁵⁷ Holder spoke eloquently of how important law enforcement was to reducing tension, about his brother's career as a law enforcement officer, and of how police officers risked their lives daily.

I personally will never forget how anxious I was that day with my hopes for an end to the looting and destruction. Nor will I forget how quiet and peaceful Ferguson neighborhoods were that night. The visit accomplished the immediate goal of bringing peace to a neighborhood that had seen ongoing violence for eleven straight days. It also influenced later chapters to the story, including a Department of Justice consent decree in which Ferguson agreed to remedy the unconstitutional conduct of its police department. This mandate was based on a Department of Justice Civil Rights Division report that found patterns or practices of unlawful conduct, including conducting stops without reasonable cause and arrests without reasonable suspicion, engaging in racial discrimination, and violating individual due process and equal protection rights.⁵⁸

On an attorney general's last day, there is a tradition in which Department of Justice employees line up in the hallways and stairways to offer farewells. The attorney general then says a personal goodbye to each person and continues down the line, speaking to each and every employee. Holder's departure in 2015 was the first and only time I took part in this ceremony. He was clearly appreciative as he came up to me, gave me a big hug, and stated, "Thanks for all you and CRS did at Ferguson. We made a difference there and we must continue that work."

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