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February 20, 2011

Ms. Christine B. Simpson  
Town of Cary Attorney  
Via E-Mail

Re: Complaint of Rev. Lee Everett

Dear Ms. Simpson,

Please thank Chief Pat Bazemore for extending some time to the Everetts and myself on the 17<sup>th</sup>. As I mentioned, this is the official complaint the Everetts have asked me to file in their behalf regarding his treatment by the Cary Police Department a week earlier. You and the Chief heard the Everetts express the insults and injuries they suffered at the hands of some of your officers. Here is a summary of their allegations:

1. About 2:45 p.m. Rev. Lee Everett left the Harris Teeter store directly behind the Wachovia Bank. He is a 52-year old African American man, five and half feet tall, wearing his Harris-Teeter smock with his name on it as the H-T Produce Manager. Rev. Everett's father had died recently, and he came to the bank to close his father's bank account there.
2. About 2:50 he entered the bank and noticed there were no customers. He asked to see a manager, and was directed to Mr. Cameron's cubicle, off to the side of the teller's counter. There were two white young women working behind the counter.
3. He began discussing with Mr. Cameron about how to close the account, when he saw a thin African American man, about six feet four inches tall, and about 19 years old jump over the counter and grab one of the two young tellers behind it. This would be about 2:55 p.m.
4. Rev. Everett and Mr. Cameron were watching the young man carefully. The teller he had grabbed seemed quite young, even younger than the man who had grabbed her. Mr. Cameron said something to Rev. Everitt, suggesting that she was a new hire—only a few weeks on the job.
5. The tall young man had something that looked like a knitted hat wrapped around his right fist. He acted like he had a gun in it, but Rev. Everett was only a few feet away from the young man, and could see nothing like a gun barrel sticking out.
6. Rev. Everett started praying.

7. The tall young man looked at him and then told the second teller to call the police and tell them that there was a man holding a hostage in the bank. She complied. This call was at 2:58 p.m. Rev. Everett and Mr. Cameron watched her as she told the 911 operator something like, "We're getting robbed; The guy told me to call the police. She described the "guy" as "Black," wearing a "purple shirt" and "red pants," and with "dreads." She said she "can't see" whether he had a gun, "it's in a hat." She said the young man was "standing right next" to the other teller, and "he's whispering in her ear." He had not demanded anything, and she said there were "five people in the bank."
8. The 911 operator apparently wanted to keep talking, but the second teller hung up the phone when a couple of people started to come in the front door. Rev. Everett saw them and motioned to them to not enter. The woman and man left hurriedly.
9. Shortly after this, several police cars arrived outside.
10. A police officer apparently escorted the woman who Rev. Everitt had motioned to not come all the way in, to a police car about 50 yards away from the bank, since she had seen the people and the situation inside of the bank.
11. From about 3:05 to 3:30 or so, the tall young man continued to hold his left hand around the shoulders of the first teller, with his right fist inside of a red knitted hat, acting as if he had a gun. Rev. Everett watched the situation carefully while he was praying.
12. The tall young man seemed calm and did not yell at anyone. He was not upset when Rev. Everett prayed out loud for all the people in the bank.
13. The second teller ran errands for the tall young man.
14. Around 3:30, the tall young man told the second teller to tell Mr. Cameron and Rev. Everett they could leave. Mr. Cameron said he would not leave the two tellers, both new to the job, in there alone. Rev. Everett decided to leave and asked the second teller to "come with me." She declined, saying the young man had not told her she could leave.
15. Rev. Everett told Mr. Cameron, "I'll see you later man," and walked toward the front door of the bank.
16. He put his hands up as he walked out the front door of the bank saying "I'm a hostage."
17. Several officers jumped on him immediately. He was roughly thrown on the ground, with obscenities being yelled at him. "M. . .F" was said several times, and "Shut the F up" when he tried to speak. While he was on his belly on the ground, an officer put a knee sharply into the small of his back, another put a knee on his buttocks, and a third drove his face into the ground with a knee driven into the back of his neck.

18. An officer pulled Rev. Everett's left arm around behind his back and up over his head, ripping his shoulder muscles. The pain was unbearable. Rev. Everett cried, and sobbed, "God you're going to break it. You're going to break it."
19. Officer pointed handguns at Rev. Everett's.
20. Another applied handcuffs to his wrists, pulled behind his back, with his shoulder tear being aggravated again. The cuffs were so tight, bruises were visible for more than a week.
21. While he was crying from the pain, and officers were yelling at him to "Shut the F. up" one officer grabbed Rev. Everett by the back of his shirt and dragged him across a field and over a construction fence. He was sure he was going to be shot. During this trip obscenities were being yelled at him. "M. . .F" was yelled repeatedly at him by at least one officer.
22. While they were roughing him up, Rev. Everett told them the young man inside the bank did not have a gun. The officer said, "Shut up. Shut the F. up."
23. When the officers reached a police car where the woman was she told the officers "I told you that's not him."
24. For the first time since he had been thrown to the ground by the officers, Rev. Everett dared to think he would not be killed that afternoon. As he reviewed the actions of the police officers since he emerged from the bank, he was sure he would have been killed if the young woman, the second teller who he had urged to leave with him, had accepted his invitation.
25. At least four officers were involved in beating Rev. Everett and spraining his shoulder. He was slammed onto the car, emptied all his pockets. He almost collapsed of fright when he got out of the car.
26. A Sergeant Ricardo tried to apologize for the other officers. He said he was sorry, and said something like "I know you're a good guy and you're going to do the right thing."
27. At Rev. Everett's request, Sgt. Ricardo or someone else called an ambulance to take him to the Apex Wake Med Hospital. He is being treated for the pulled shoulder, Harris-Teeter has given him extended leave, and he has been seen by a psychologist. It is unclear when his physical and emotional trauma will heal, if ever. His wife, who left her job to come get him, was so traumatized she could not return to work for awhile. She is also a minister.
28. Rev. Everett was treated differently and with unnecessary roughness and violence than the white hostages who were released or remained in the bank when the situation was finally ended shortly after 6 p.m.

We respectfully request all the incident reports filed by officers on the scene, and any videos made of the scene by the Cary Police. We will be requesting copies of all videos collected by the SBI in their initial investigation for the Wake D.A. of probable crimes committed that afternoon in connection with the homicide of the tall young man. The conduct of the Cary officers toward Rev. Everett that afternoon deserves, we believe, an outside investigation also, given all the circumstances of the afternoon's events.

Thank you for your immediate reply to these requests, and your efforts to make sure an investigation of my client's complaint is handled objectively, independently and fairly. If you need more information, please don't hesitate to call or e-mail me.

Sincerely,

/signed electronically/

Alan McSurely

c: Rev. Otha Lee Everett