

Dear Chair Standaert , Vice Chair Taylor-Jacobs, Members of the Human Relations Commission and City Staff Liason Davis:

I am writing in regard to reactions to the Durham City Council policy statement regarding police training.

Context

* You received a letter from officers of Voice for Israel and officers of the Durham Chapel Jewish Federation I believe in August.

* You received a handout and/or letter from the D2P Coalition, including JVP Triangle, NC on September 4, 2018 rebutting many of the allegations made in the letter cited above. Several Coalition and JVP members spoke regarding this material at the September 4 HRC meeting.

In writing you now, I too wish to rebut many of the points made in the Voice for Israel letter [which will be referred to henceforth as simply “the letter”]. My rebuttal supplements the JVP rebuttal.

I begin by making some general comments. Then I address the letter line by line.

General Comments

The “facts”

In the letter the authors conclude by talking about conditions under which the policy statement might be rescinded. I agree that If the letter fails to be factual, then it should be rescinded. But I see no misrepresentation of facts in the statement and although the letter takes issue with the wording of the first paragraph of the statement, it provides no evidence that the statement is not factual.

Claim that Israel is singled out

What the letter does do is to focus on a claim that “... the City Council singled out Israel for condemnation and banned law enforcement exchanges with the only flourishing democracy in the Middle East and one of our country’s closest allies.” And later the letter makes, what to me, is a defamatory accusation: “The City Council’s actions are hateful, discriminatory and against the values of our country and our city, targeting the one Jewish state in the world.”

The fact is that although Israel is mentioned in the preamble paragraph of the council statement, it is there mainly for historic context and, as the mayor has clarified, in my contact with him, that any future decisions regarding Durham police training, Israel will in no way be considered any differently than any other country where military-style training is an issue.

An excerpt from my LTE to the Herald Sun published August 8 [Full letter in Appendix 1]:

My question [to the mayor]: “If you and the city council sit down in the future to consider international exchanges for Durham officers, and you consider which countries might be candidates for training, will Israel be considered in any way differently than any other country in which Durham officers might receive military-style training?” Mayor Schewel called me and read my question back and said that the answer is “No.”

So there is no basis for rescission based on the “facts”, nor on the claim that Israel is being singled out.

Jewish Voice for Peace (JVP)

A significant portion of the letter deals with criticism of JVP. It is mentioned 10 times. The letter is free to criticize JVP, criticism that I happen not to agree with, but the criticism has no direct bearing on the final policy statement. Although JVP petitioned the council regarding police training, it did not “orchestrate” the official statement, which Mayor Schewel pointed out at the council meeting. The mayor and the council drafted a statement arrived at after hours of discussion among themselves.

Addressing the Letter Line by Line

***** VOICE FOR ISRAEL LETTER BEGINS HERE – MY COMMENTS IN RED *****

The Letter to the HRC from Voice for Israel and the Durham Chapel Hill Jewish Federation

Durham Human Relations Commission Golden Belt Office Center 807 E. Main Street, Building 2
Durham, NC 27701

Dear Chairperson Standaert, Vice Chairperson Taylor-Jacobs, and Honorable Members of the Human Relations Commission:

We write on behalf of two community organizations, Voice for Israel and the Durham Chapel Hill Jewish Federation. While we recognize our diverse community views, we speak for many community members who are ashamed of and appalled by the recent actions of the Durham City Council. On April 16, 2018, the City Council unanimously endorsed a statement imposing a total ban on police exchanges with only one country in the world: the Jewish nation of Israel. [rebutted above in General Comments] There was no evidence to support the City Council’s actions, only propaganda lies promoted by a group that has well-documented animus toward the Jewish state [From JVP mission statement: “a diverse and democratic community of activists inspired by Jewish tradition to work together for peace, social justice, and human rights [to] support the aspirations of Israelis and Palestinians for security and self-determination.” Claims of lies are not substantiated and are defamatory.]

The City Council’s actions against the Jewish community in Durham and its surrounding area have created unnecessary tensions and a deep divide in our community, indefensibly giving anti-Semites a platform [The council meeting was a wide-open forum. Criticism of the Israeli government does not equate to anti-Semitism] and sending the message that anti-Semitism will be tolerated, and perhaps even encouraged, in our community. [Unsubstantiated accusation and defamatory] We need your help in addressing these problems, to restore respectful relations among the people of Durham, and promote mutual understanding and regard for all citizens.

The Many Problems with the City Council’s Actions

- The City Council failed to do any research or fact-gathering about Israel’s law enforcement practices before it issued its statement banning all police exchanges with the Jewish state. Instead, the City Council relied on propaganda falsehoods promoted by a group that calls itself

Jewish Voice for Peace (JVP). [Council members and the mayor listened to the community over several months.]

- Despite its name, JVP does not represent Jewish voices for peace. JVP aims to steer public support away from Israel. It is a major proponent of the anti-Israel boycott, divestment and sanctions (BDS) movement. BDS is an active facilitator to create a discriminatory environment [an environment in which there is disagreement does not equate to an environment that is discriminatory] against American Jews who support Israel. This dynamic was directly utilized with respect to the Durham City Council resolution
- JVP also partners with other groups that deny Israel's right to exist. [See Appendix 2 for list of JVP partners. I do not believe any of them deny Israel's right to exist. They do condemn the Israeli government for visiting injustices upon the Palestinians, as does Mayor Schewel as expressed in his wrap up statement at the end of the discussion regarding the resolution.] As the Anti-Defamation League (ADL) reported, "JVP uses its Jewish identity to shield the anti-Israel movement from allegations of anti-Semitism and to provide the movement with a veneer of legitimacy." [And right-wing pro-Israel organizations often use baseless accusations of anti-Semitism to try to silence criticism of the Israeli government. If the attempts to silence are given into, then the human rights abuses at issue are perpetuated.]
- There is no ongoing or even anticipated relationship between the City of Durham Police Department and the State of Israel. Yet the City Council took an entirely gratuitous position; without any facts to support it, the City Council singled out Israel [no, already rebutted in General Comments] for condemnation and banned law enforcement exchanges with the only flourishing democracy in the Middle East and one of our country's closest allies.
- The City Council's statement was informed by a prior petition sponsored by JVP. Without any factual foundation, the petition promoted the lie that police exchange programs with Israel contribute to police brutality here in the United States. [This was addressed in Tom Stern's letter to the editor. See Appendix 3.]
- JVP's actions are not only anti-Israel; they also promote and enable anti-Semitism. As part of its campaign falsely accusing Israel of police brutality toward minorities, JVP falsely accused several Jewish organizations – including the ADL and the American Jewish Committee – of facilitating the brutality. As writer Jonathan S. Tobin noted, "In doing so, [JVP] engaged in what can only be described as an anti-Semitic blood libel, seeking to blame Jews for police shootings of African-Americans." [Also addressed in Tom Stern's letter to the editor. See Appendix 3.]
- The City Council was wrongly selective about what it included in the statement it issued, leaving out important information that did not support an agenda hostile to Israel. The City Council's statement quoted from a memorandum from the Durham Police Chief in which she stated that "there has been no effort while I have served as Chief of Police to initiate or participate in any exchange to Israel, nor do I have any intention to do so." Not included was the Police Chief's statements in the very same memorandum which reflected her own positive training experience in Israel. [The mayor, who drafted the statement was fully aware of the full content of the letter (and addresses that fact at 12:05 at

<https://www.youtube.com/watch?v=f5mWJ2K9-7I&feature=youtu.be>.) The inclusion of the positive remarks would not have had any bearing on the policy statement.]

- The City Council’s actions violate the spirit of North Carolina’s anti-BDS law (N.C. Gen. Stat. §§ 147-86.80 – 147.86.83), which prohibits the state from doing business with companies that boycott Israel. Governor Roy Cooper was among the 50 governors across the United States to publicly condemn the BDS movement, affirming that “[t]he goals of the BDS movement are antithetical to our values and the values of our respective states.”

[I don't believe the council's action meets Webster's definition of "boycott": to engage in a concerted refusal to have dealings with (a person, a store, an organization, etc.) usually to express disapproval or to force acceptance of certain conditions." The council's statement has to do with not wanting to use the training services of the Israeli security forces, not to express anything nor to force anything. I may wish not to go to New Zealand because it would take too long and cost too much. That does not mean that I am boycotting New Zealand.

Also the NC law has to do with companies, not governments.]

- The City Council’s actions are hateful, discriminatory and against the values of our country and our city, targeting the one Jewish state in the world. According to civil rights attorneys to whom Voice for Israel has spoken, the actions may implicate (a) Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, which prohibits discrimination based on religion and national origin, among other protected categories; and (b) North Carolina’s civil rights laws which make it clear that it is our state’s public policy “to protect and safeguard the right of all persons to seek, obtain and hold employment without discrimination” based on race, religion, color, national origin, age, sex, or disability. N.C. Gen. Stat. §143-422.2.

[Israel is not being singled out no (already rebutted in General Comments). Even if the Israeli government's security forces were referenced, that is an agency, not persons.]

- The City Council’s statement has created a painful and unnecessary divide in our community, causing many Jews and Israel supporters to feel targeted and unwelcome in the City of Durham. [The community in question has a right to express its disagreement with the statement. They opted for a point of view that sees a divide. The council did what it thought was in the best interest of the City of Durham.]

- The City Council shamefully gave a podium to Israel-bashers and antiSemites. [Again a wide-open, democratic, public square forum. Again a defamatory claim.] At the City Council meeting on April 16th, one speaker actually referred to Jews as the “synagogue of Satan . . . always lingering in the background . . . “They [the Jews] propose to be of the righteous but they are the synagogue of Satan.” Plainly feeling free to express his Jew-hatred even more blatantly, the speaker went on to say, “I am obligated to point out the inordinate control that some Jews have over the political system in this city.” While the City Council is not responsible for the anti-Semitism that this speaker spewed, the City Council’s willingness to target and ban a police exchange with the one Jewish state in the world sent the message to this and other anti-Semites that their anti-Semitism is acceptable and would be tolerated. [This last sentence says “...the City Council ... sent the message to this and other anti-Semites that their anti-Semitism is

acceptable and would be tolerated.” This is outrageous and defamatory. After the man who made the anti-Semitic remarks spoke, Mayor Schewel chastened him in the harshest terms saying: “ ... I am one of those Jews. I can’t describe that as anything but anti-Semitism. I don’t appreciate it. Don’t bring it here again!” This is hardly acceptance or tolerance. I think the mayor is due an apology. See <https://www.youtube.com/watch?v=Fkmw6g72O34&feature=youtu.be> at 1:21:48]

- Indeed, some people heard that message loud and clear, and acted on it. Within only two weeks of the City Council’s statement, the City of Durham already experienced several incidents of racism and anti-Semitism. On May 1, the Herald Sun reported that white nationalist stickers and anti-Semitic posters were discovered in downtown Durham. One poster depicted a silhouetted man pointing a gun at a bearded man with a long nose, wearing a yarmulke, with tentacles wrapping around the earth, with the message: “Right of revolution. Your ancestors threw off foreign oppression, time for you as well.” Another poster said, “Greedy Jews” and “End Zionist Oppression.” Both posters are plain evidence that anti-Semitism and antilraelism are intertwined. They demonstrate that criticism of Israel and Zionism – the expression of the Jewish people’s right to live in their religious and ancestral homeland – can be manifestations of Jew-hatred. These posters are not only hateful; they are also threatening, breeding fear among Jews in Durham. One resident told the Sun: “I was deeply disturbed and, to be honest, frightened. . . [T]hese vile anti-Semitic threats, including the image of a gun pointing to a Jew, really rattled me . . . Seeing incitements to shoot Jews in my hometown is not something I ever imagined.” This situation, which the City Council’s actions facilitated [Again, outrageous and defamatory unsubstantiated claims] should be as intolerable to you as it is to us.

- The City Council’s business should be focused on the needs of the City of Durham, not on the conflict in the Middle East or anywhere else. JVP’s hateful agenda is not ours. [The statement was the focus of the council’s business, but Israel is mentioned in a historical context. The storm that has been created has been created by those who wish to silence any mention of Israel. If they want to bring Israel into the conversation, so be it.]

Suggested Solutions for the Commission to Implement We respectfully urge the Human Relations Commission to exercise its authority to address these problems, restore respectful relations among the people of Durham, and promote mutual understanding and regard for all citizens, by taking the following steps:

- Provide a public forum so that all the foregoing complaints about the City Council’s statement can be heard, fully and fairly; [Having a forum where the truth can be brought to light would be welcome. As Schewel says at 3:48 at <https://www.youtube.com/watch?v=f5mWJ2K9-7l&feature=youtu.be>, “Truth matters, especially in the era of Trump.”]
- Obtain the necessary factual data to determine whether the City Council’s statement is supported by the facts and whether it genuinely meets the needs of the City of Durham;
- If the foregoing actions show – as we believe it will – that the City Council’s statement was unfair, unwarranted and discriminatory, and created unnecessary tensions and divides within the Durham community, then issue a recommendation that the City Council’s statement should be rescinded; and

- Strongly caution the City Council that, in the future, it must make determinations based on independent, unbiased research and evidence rooted in facts, not hateful propaganda. [A forum where a spotlight can be put on the actions of the Israeli security forces would be welcome.]

We respectfully request that you consider our concerns and suggested solutions at your next meeting and we look forward to hearing from you.

Respectfully, Michael Ross, Chair of the Voice for Israel Robert Gutman,

Vice Chair of the Voice for Israel Larry Rocamora,

President of the Durham Chapel Hill Jewish Federation Jill Madsen,

Chief Executive Officer of the Durham Chapel Hill Jewish Federation

***** VOICE FOR ISRAEL LETTER ENDS HERE *****

Conclusion

In the General Comments section, I explained why in my opinion the HRC should not make a recommendation to rescind the City Council policy statement: the statement is factual and does not single out Israel in future decision making. In Addressing the letter Line by Line section, I believe I exposed the letter as being deeply flawed and, in parts, defamatory.

Thank you for your consideration of what I have presented and I greatly appreciate your important role in serving the community.

Sincerely,

Sam Bryan

119 Nottingham Drive
Chapel Hill, NC 27517
(919)942-4033.

Appendix 1 Sam Bryan's Letter to the Editor of the Herald Sun August 8, 2018

Is Israel being singled out?

Did the policy statement on International Police Exchanges, issued by the Durham City Council on April 16, single out Israel, or was that its intent? Mr. Rocamora, in his Letter to the Editor ("Revise or repeal?", July 1), contends it does - "This singles out Israel from the rest of the world." He supports this contention by relating a discussion he had in a meeting with Mayor Schewel in which he says: "When I recently met with Mayor Steve Schewel, he confirmed that my understanding is correct. I asked him if the intent was to prevent police exchanges with only Israel and to prevent military-style training with all foreign countries. While I was hoping the answer would be no, Mayor Schewel said 'yes.'"

I was puzzled when I read this since, although the statement mentions Israel in a preamble paragraph providing historical context, the body of the official statement refers to "any country." The text does not single out Israel. But could the "intent", that Mr. Rocamora expresses concern about, be to do so? That

question is best answered by Mayor Schewel. He was the key discussant at the council meeting and it is my understanding that he drafted the statement. I e-mailed the Mayor with a question that is phrased differently from Mr. Rocamora's question, but that gets precisely at the important question of what does the statement mean in practice, i.e. what is the future intent? **My question: "If you and the city council sit down in the future to consider international exchanges for Durham officers, and you consider which countries might be candidates for training, will Israel be considered in any way differently than any other country in which Durham officers might receive military-style training?"** Mayor Schewel called me and read my question back and said that the answer is "No."

This issue has attracted widespread and protracted discussion. I hope the Mayor's answer to my question will help put the discussions on a factual footing. No, Israel is not being singled out by the statement, nor by the intent of the Council.

To be sure, during the Council session much was said regarding Israeli issues by the 50 or so citizens who spoke and by Council members and the Mayor. Those discussions will, and should, continue. There will be differences of opinion. May mutual respect and objectivity prevail.

Appendix 2 "JVP Partners"

Demilitarize! Durham2Palestine coalition organizations:

AIME (Abrahamic Initiative on the Middle East)
Black Youth Project 100 - Durham Chapter
Durham for All
Inside Outside Alliance
Jewish Voice for Peace - Triangle Chapter
Muslim American Public Affairs Council
Muslims for Social Justice
SpiritHouse
Students for Justice in Palestine - Duke University
Students for Justice in Palestine - UNC-Chapel Hill

The campaign has also been endorsed by the following organizations:

Alerta Migratoria
Balance & Accuracy in Journalism
Black Workers for Justice
CityWell Church
Coalition for Peace with Justice
Coalition for Health Care of North Carolina
Durham People's Alliance
Justice Ministry Council of the Eno River Unitarian/Universalist Fellowship
Movement to End Racism and Islamophobia
NC Piedmont Democratic Socialists of America
NC Stop Torture Now
Salaam Shalom support group of Church of Reconciliation in Chapel Hill
Southerners on New Ground
Triangle Chapter Resource Generation
Triangle SURJ
Veterans for Peace
Watts Street Baptist Church Peace and Reconciliation Mission Group

Appendix 3 Tom Stern's LTE to the Herald Sun

Durham City Council statement on policing a courageous act -- Tom Stern

June 17, 2018 11:17 AM

Recently this paper ran an opinion piece signed by approximately a dozen active or retired rabbis criticizing the new Durham City Council policy opposing international exchanges with any country, including Israel, in which Durham police officers receive military-style training.

The council's action was extremely appropriate and timely. The policy states the council's concern about the militarization of police forces around the country and the impact that racial profiling and militarization causes for communities of color. The council correctly concluded that such exchanges do not support the kind of policing that we want here in Durham, and voiced its support for Chief Davis to lead Durham toward a policing that is founded on earning community trust until such time when we can embrace a Durham without policing.

The rabbis' critique is founded on three serious misconceptions.

First, it fails to appreciate why Israel's style of policing should be a matter of grave concern to cities like Durham. One need look no further than Israel's recent sniper killings of over 100 unarmed civilians, including a medic and a journalist, as the people of Gaza protested Israel's 10 year-old blockade and virtual imprisonment that has created a human rights crisis.

The New York Times, Doctors Without Borders and human rights organizations within and outside of Israel have issued scathing criticisms of Israel for these shocking killings when non-lethal force would have easily met all of Israel's alleged concerns. And virtually all major human rights organizations (again, including those within Israel) have cited the Israeli police and military forces for racial profiling, over-surveillance of the public, disproportionate responses to non-violent or non-threatening protests, arbitrary and sustained detentions without due process, and operating a de facto shoot-to-kill policy of suspected terrorists even when these alleged suspects do not pose an immediate threat. This is not a police and security force that should serve as a model for Durham.

Second, the rabbis have misunderstood why it is entirely appropriate to mention Israel specifically in the new Durham policy. Israel is the only country in the world that has ever provided counterterrorism training to Durham police officers — namely former Durham Police Chief Lopez and two of his commanders.

Furthermore, current Durham Chief Davis, while working with the Atlanta police force, established the APLI International Exchange program with Israel that

included anti-terrorism training. Israel is the only country in the world that solicits and engages local police leaders from across the United States to engage in their counter terrorism training programs (as evidenced by the 2017 ADL brochure presented to the council). And Israel is the only country in the world that, through its agents, advertises that the Durham Police Department has participated in exchanges with Israeli police and security forces as part of an effort to recruit more US police leaders to sign up for these trainings.

Finally, the rabbis' have misconstrued the contents of the petition that Council received on this issue. The Durham2Palestine Coalition (including Jewish Voice for Peace Triangle NC and 26 other local organizations that are coalition members or endorsers) presented the council with over 1,200 petition signatures, most of them local, on April 5, 2018.

The actual petition states ONLY the following: “We are members of Durham’s community committed to peace and justice from Durham to Palestine. We want to live in a Durham that ensures true collective safety for all, and so we demand that the City of Durham immediately halt any partnerships that the Durham Police Department has or might enter into with the Israeli Defense Forces and/or the Israel Police.”

A majority of the people who signed the petition, including most City Council members, did so on a paper version and saw only this one paragraph. As is common for a local community petition drive, the Coalition also had an online petition. This online version contains a brief "background" section which appears before the petition text itself. The Coalition did not present this background section to Council on April 5 since it has never been part of the petition. Yet the rabbis quote exclusively from this background language, wrongly deducing that it was part of the petition.

As a long-time resident of Durham and as a Jew, I think the Durham City Council deserves great praise for its new policy on police training. And those who rail against it need to better understand the facts underlying the council’s courageous action.

Thomas Stern is a member of Jewish Voice for Peace — Triangle NC Chapter.