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November 12, 2018

Mayor and City Council Members
P.O. Box 3136
Greensboro, NC 27402-3136

Re: Marcus Deon Smith

Dear Mayor Vaughan and City Council Members,

I represent the family of Marcus Deon Smith. On the night of September 8, 2018, Marcus Deon Smith, died in the custody of the Greensboro Police Department. On October 8, 2018, I watched the body worn camera footage captured by officers at the scene.

Officers encountered Marcus on North Church Street near the folk festival that was going on downtown. Marcus was pacing back in forth in the street and in and out of slow moving traffic. He appeared exasperated and was waving his arms in the air. He would walk out into the street and then walk back again to the officers standing on the sidewalk and say things like, "please help me! I need help!" Marcus was clearly having a mental health crisis.

Officers continued to arrive until there were over 10 officers on the scene. They called an ambulance to come take Marcus to a hospital. The officers were relaxed and not in a defensive posture. While waiting for the ambulance to arrive, the officers put Marcus in the back of a police car. Marcus complied at first, but as soon as he was in the back of the car, he wanted out. He was not under arrest.

In an attempt to get out of the car, he slammed his hand against the window and then he leaned back and kicked it. Worried Marcus might break the glass, the officers opened the door and he quickly got out and resumed the same erratic but nonthreatening behavior he exhibited before he was put in the police car. Officers grabbed Marcus and forced him down to the ground, face down. Once on the ground, Marcus began to try to get back up. He didn't want to be held down. He began to flail his legs. Not trying to kick officers, but just kicking the air. Then something inexplicable, deeply disturbing and tragic happened.

While multiple officers held him down, one officer cuffed Marcus' hands behind his back. Another officer then grabbed Marcus' ankles and pushed up on his feet forcing Marcus to bend his knees. The officer pushed his feet all the way to the point that Marcus' feet were touching his handcuffed hands at the small of his back. Then they hogtied him. Using a strap of some kind they bound his hands to his feet behind his back. He was still face down. The officers tightened the strap so tight that Marcus' shoulders and his knees were suspended above the ground. Marcus' breathing quickly became strained and under a minute later he stopped breathing

altogether. The officers were talking to each other over his body while he stopped breathing. A few moments after Marcus stopped breathing, one of the officers looked down and saw that Marcus' eyes were closed and ascertained that Marcus was unresponsive. Knowing that the hogtie was the problem, one of the officers exclaimed, "untie him now!" But it was too late. EMS tried to resuscitate him in the ambulance, and it looked to me like he had already passed or else he passed a short time later.

A concerted effort to cover up the cause of Marcus' death began immediately. Here is the City's press release following Marcus Smith's death, the lies begin in the title, which is almost completely devoid of truth: "*Subject that Collapsed in Police Custody Later Dies at Hospital*" which was followed with the following fictional account:

GREENSBORO, NC (Sept. 8, 2018) - At 12:45AM Greensboro Police located a disoriented suicidal subject running in and out of traffic in the 100 block of North Church Street. Officers worked with the subject for several minutes in an effort to give him assistance. EMS arrived at the scene at 12:50 AM. While officers were attempting to transport him for mental evaluation, the subject became combative and collapsed. Both EMS and on scene officers began rendering aid. The subject was transported by EMS to a local hospital for additional treatment. The subject passed away at approximately 1:50AM.

Marcus Deon Smith did not collapse. He was taken to the ground by police and hogtied. He died as a result.

The family of Marcus Deon Smith wants the Greensboro City Council to watch the police body worn camera footage and to take appropriate action to ensure this doesn't happen to anyone else. Please contact me to schedule a time that I can meet with each of you to discuss what's on the footage and steps to be taken.

Sincerely,

A handwritten signature in black ink, appearing to read 'Graham Holt', with a long, sweeping horizontal line extending to the right.

Graham Holt