

## **BACKTRACKING BY GASTON COUNTY COMMISSIONERS NECESSITATES CONFEDERATE MONUMENT REMOVAL LAWSUIT TO STOP ONGOING STATE CONSTITUTIONAL VIOLATIONS**

*WHAT'S THE LAWSUIT:* A group of Gaston County individuals and organizations are filing suit in state court asking that the Confederate "Heroes" monument in front of the courthouse on Martin Luther King Way in Gastonia be removed (photo [here](#)). The plaintiffs and their attorneys believe that having the monument in a prominent public space violates rights protected by the North Carolina Constitution. Specifically, the monument exalts the cause of slavery, secession, and white supremacy. It causes particular pain to Black residents. And it wastes taxpayer dollars on security costs that will be unnecessary once the statue topped by an armed Confederate soldier is gone. The thirty-five (35) foot tall monument stands illegally because the state constitution outlaws government action that sows disunion, denies equal protection, exhibits racial discrimination, and squanders public money.

*WHY NOW:* After publicly promising to remove the monument, the Gaston County Board of Commissioners [reversed course](#) and, on August 25, 2020 voted to keep it standing indefinitely. Because of the Board's backtracking, County residents are forced to take legal action and are asking North Carolina's state courts to order the monument's removal.

*WHO IS INVOLVED:* The plaintiffs are three Gaston County organizations focused on promoting equality for their Black members and for African Americans in general: the Gaston County Branch of the NAACP (headed by Chris Thomason), the Gaston County Chapter of the National Association of Black Veterans (Foster Steen), and the Eta Mu Lambda Chapter of the Alpha Phi Alpha, Inc. fraternity (William A. Gardin Jr.). Joining the organizations is a multi-racial group of individual plaintiffs including Karen Bringle, Gracie Moore, and Jose Troche.

The plaintiffs' legal team consists of local Gastonia attorney and community leader Cheryl Comer, civil rights specialists Cheyenne Chambers and Abraham Rubert-Schewel, leading consumer protection lawyers Gagan Gupta and Stuart Paynter, and former North Carolina Deputy Attorney General Hampton Dellinger.

The defendants are Gaston County, the Gaston County Board of Commissioners, and the individual commissioners in their official capacity.

*WHAT'S NEXT:* Gaston County officials have to file a response to the twenty-five page (25) lawsuit within thirty (30) days. Alternatively, Commissioners could end the need for the lawsuit to go forward by, again, authorizing the monument's removal.

*STATEWIDE IMPLICATIONS:* The lawsuit filed in Gaston County focuses on the courthouse monument in Gastonia but a victory should have statewide implications. Across North Carolina, there are approximately [forty \(40\)](#) monuments standing at or near county courthouses. And according to the Southern Poverty Law Center, [over 150](#) symbols of the Confederacy are housed on public property. SCLC reporting also reveals that North Carolina trails only Georgia and Virginia among the Southern states in such public displays.

*CONTACTS FOR FURTHER QUESTIONS:* Questions about the lawsuit should be directed to the attorneys for the plaintiffs: Cheryl Comer, Cheyenne Chambers (704-338-1220), The Paynter Law Firm (919-245-3116), or Hampton Dellinger.