

**JEA P. STREET
COUNCILMAN, TENTH DISTRICT**



COUNCIL

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September 28, 2015

The Honorable Loretta E. Lynch
United States Attorney General
Department of Justice
950 Pennsylvania Avenue
Washington, D.C. 20530-001

and

The Honorable Charles M. Oberly, III
U.S. Attorney, District of Delaware
1007 Orange Street Suite 700
Wilmington, DE 19899

Dear U.S. Attorney General Lynch and Mr. Oberly,

I am Councilman for the Tenth District of New Castle County Delaware representing approximately 40,000 people. My district includes approximately one half of the City of Wilmington and the Route 9 and Route 13 corridors outside the City of Wilmington.

On Wednesday September 23, 2015, Mr. Jeremy McDole was shot dead by four City of Wilmington Police Officers in my Council District in the 1800 block of Tulip Street in Wilmington. Mr. McDole was a 28 year old black male, paralyzed from the waist down and sitting in a wheel chair at the time of his death. The shooting was captured on video and has been made public on you tube and local news media. The video shows clearly that Mr. McDole was initially shot with a shotgun by a white male officer and after being shot by that officer, two other white male officers and a Hispanic officer approached the scene with hand guns drawn and you can hear multiple shots being fired as Mr. McDole was literally shot out of his wheel chair and later pronounced dead at the scene. In my view, the footage from the video is more horrific than the footage from other jurisdictions where police have used deadly force and the Department of Justice has found it necessary to intervene and investigate.

There is great shock, concern and grief among my constituents who are outraged about this matter. The level of tension in the African American community is potentially explosive. Last night, the President of the NAACP State Conference of Branches, Mr. Richard Smith, reported to me that he had to personally intervene in a tense situation between police officers and residents of the block where the victim resided. In his view, Wilmington police officers were using shotguns to intimidate, degrade and humiliate young African Americans who are genuinely concerned and fearful about what is going to happen.

It is for this reason that I am hereby requesting that the Department of Justice (the Department) and the Federal Bureau of Investigation intervene and investigate this matter and the use of deadly force by police officers in the City of Wilmington.

This situation cries out for a fair, impartial and unbiased investigation and determination by experienced experts in criminal justice that can readily be provided by the Department.


The regrettable harsh fact of the matter is that this is not the first time that Wilmington, Delaware Police Officers have used deadly force with a disabled African American male. On September 13, 2003, 25 year old Harry Smith, III was shot 31 times and killed by Wilmington Police Officers after he and his parents sought treatment for mental health services at a hospital emergency room. All of the officers involved in that shooting walked away unscathed. This was primarily as a result of City of Wilmington officials intervening and vigorously defending the police officers.

A threat to justice in Delaware is a threat to justice everywhere in our nation. It is my fervent hope that you will consider the unique circumstances in this matter and use all of the resources available to the Department to provide an impartial determination and at the same time reduce the likelihood of future occurrences.

Should you have any questions or require additional information from me, I will make myself available to you immediately.

I anxiously await your response.

Sincerely,



Jea P. Street, Councilman
New Castle County Council
10th District

Pc: Honorable Thomas Carper, United States Senator
Honorable Christopher Coons, United States Senator
Honorable John Carney, United States Senator
Honorable Jack Markell, Governor, State of Delaware
Honorable Matthew Denn, Attorney General State of Delaware
Honorable Dennis P. Williams, Mayor, City of Wilmington
All Honorable Members of Wilmington City Council
Honorable Thomas P. Gordon, County Executive, New Castle County
All Honorable Members of New Castle County Council
Mr. Richard Smith, President, Delaware NAACP State Conference of Branches