



**SUNRISE ROTARY**  
Full hearts fill Empty  
Bowls at fundraiser **P66**

**FORT MILES**  
Event sheds light on  
World War II **P70**

**FATHER MAX**  
Beloved pastor to leave  
Cape Region parish **P78**



**\$1**

# Cape Gazette

Delaware's Cape Region

FRIDAY, MAY 4 - MONDAY, MAY 7, 2018

CapeGazette.com

## Sussex Council denies Overbrook rezoning 3-2

### Vote stops largest commercial center in county history

By Ron MacArthur  
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Sussex County Council has again rejected a request to rezone a 114-acre parcel along Route 1 at Cave Neck Road. The request, to change the zoning from AR-1, agricultural-residential, to CR-1, commercial-residential, was filed by TD Rehoboth

LLC, a Timonium, Md. developer.

Developers had presented plans for the Overbrook Town Center, an 850,000-square-foot retail center, the largest ever proposed in the county.

Council voted 4-1 on April 12, 2016, to deny the application but was later ordered by Chancery Court to rehear the application and vote a second time.

Voting to deny the application were Councilmen I.G. Burton, George Cole and Council President Mike Vincent.

Voting in favor of the application were Councilmen Rob Arlett and Sam Wilson, who had voted against the application during the previous vote.

Making a motion for denial, Burton said the proposed rezoning was not in compli-

ance with the 2008 county comprehensive plan aimed at preserving farmland and promoting agricultural uses. "There is a great potential for negative impact on adjacent farms," he said.

The parcel sits between two farms, one of them in the state's farmland preservation program.

He said goals within the comprehensive plan include protecting critical natural areas through strategies such as guiding

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### EQUAL JUSTICE: A SPECIAL REPORT



CHRIS FLOOD PHOTO

**BRYAN STEVENSON**, who founded Equal Justice Initiative in 1989, recently celebrated the opening of the organization's Legacy Muse-

um and National Memorial for Peace and Justice in Montgomery, Alabama. Stevenson graduated from Cape Henlopen High School in 1977.

## Stevenson challenges past, shapes future

### Milton native's Equal Justice Initiative seeks to document injustice, fight mass incarceration

By Chris Flood  
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The morning following a concert when he introduced music legend Stevie Wonder to a thrilled crowd, Bryan Stevenson said that in 1989, when he

started the Equal Justice Initiative, he never imagined the work would bring him so far.

"They were like [Bryan], 'Stevie would like you to introduce him,'" said Stevenson, a Cape Henlopen High School graduate who grew up near Milton,

speaking in an EJI conference room about the moment right before Wonder was about to make a surprise performance. "I'm standing on stage thinking, am I really doing this? I got to talk with Stevie for about an hour before he performed. He's such a beautiful human being."

Held April 27 at Montgomery's Riverwalk Amphitheater, the Concert for

**Continued on page 27**



**SPECIAL EXHIBITION**  
Rehoboth Art League to mark  
Preservation Month **P83**

**MILTON**  
Nonprofit group seeks to  
purchase historic theatre **P19**

**MOUNTAIRE**  
Second law firm files action  
against poultry plant **P20**

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"The price of liberty  
is eternal vigilance."



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**BASEBALL**  
Cape tops CR  
in six innings  
**P102**



## EQUAL JUSTICE: A SPECIAL REPORT

*“We’ve been silent about our history for too long.”*

- BRYAN STEVENSON



CHRIS FLOOD PHOTO

## EJI founder Bryan Stevenson is challenging America’s racial past and shaping its future

### Stevenson

Continued from page 1

Peace and Justice culminated three days of celebration for the grand opening of the EJI’s Legacy Museum, the National Memorial for Peace and Justice and a two-day Peace and Justice Summit, which shed light on issues facing people of color in the United States.

During an April 28 interview in an EJI conference room, Stevenson said he’s not a coffee drinker; he had four cups of tea that morning to help keep him moving and to help save his voice.

“It’s been pretty exhausting. I’ll get a chance to rest soon,” he said with an I-don’t-ever-really-rest smile.

The Equal Justice Initiative is a nonprofit committed to ending mass incarceration and excessive punishment in the United States. For the better part of three decades, the organization has challenged racial and economic injustice, and fought to protect basic human rights for the most vulnerable people in America.

Located in a building in Montgomery where enslaved people

had been warehoused, the Legacy Museum guides visitors through the sights and sounds of the domestic slave trade, racial terrorism, the Jim Crow South and the world’s largest prison system.

The National Memorial for Peace and Justice sits on a 6-acre hill overlooking downtown Montgomery, and uses sculpture, art and design to tell the story of racial terror. At its center, the memorial square, stand 800 steel monuments, 6-foot tall, symbolizing thousands of lynchings in the United States. Each monument is engraved with the name of a person who was lynched and the county and state where it occurred. Stevenson said he hopes the museum and the memorial will spark a conversation. “We’ve been silent about our history for too long,” he said.

Delaware makes an appearance on the engraved memorials. EJI documents one lynching: George White, June 22, 1903, New Castle County. As a Milton native, Stevenson said Sussex County is in the South; the people of Sussex have experienced the same racial discrimination issues that continue in other parts of the South.

He said his first year of schooling was in a colored school in Milton.

“It’s a part of Sussex history that’s not addressed enough,” he said.

Stevenson said his family – an older brother, younger sister and parents – was essential to his upbringing, supporting each other through life’s early challenges.

“My siblings and I were really close,” he said. “Growing up in the sticks of Milton, family becomes your world.”

Over the years, that world has expanded. Stevenson can now include the likes of the Rev. Jesse Jackson, activist Ruby Sales, activist Sen. John Lewis and many

#### ■ Stevenson’s Delaware family out in full force [Page 29](#)

other founders of the civil rights movement as friends

and mentors. During the opening ceremony of the museum and memorial April 26, Stevenson described these people as civil rights royalty. It was clear by their reaction, that royalty was ushering Stevenson in as its next member. Stevenson said it is affirming to have received their generous support. “It’s an honor to continue fighting the work they started,” he said.

Stevenson said it’s hard to believe how the Equal Justice Initiative has grown. There are now 80 employees, and it’s working harder than ever to make sure unfair cultural institutions will not live on.

“It’s very exciting,” he said.

Looking forward, Stevenson said EJI will continue to fight for those who have been wrongfully

convicted and will continue to facilitate a frank conversation about the history of slavery, racial terror lynchings and mass incarceration in the United States.

In addition, he said the organization will look at how the disabled are treated in the justice system and will represent children who have been unfairly sentenced. The nation has a Disabilities Act that protects individual rights in many areas of life, he said, except it’s not enforced in the criminal justice system. EJI has grown increasingly concerned about the cruel and unusual punishment these people are facing, he said.

“We’re going to be looking to challenge those types of things,” Stevenson said.

Stevenson said he appreciates all the notoriety the museum and memorial have brought, but with a shrug of the shoulders, he said he doesn’t need the acclaim. People have been very critical and had harsh words over the years, he said.

“It’s about the work. It’s about doing better for the people who are incarcerated,” he said. “The reward is in seeing those changes”

### Slavery evolved

Equal Justice Initiative founder Bryan Stevenson, originally of Milton, argues that slavery didn’t end; it evolved into mass incarceration. The main exhibit room of the museum opens with a timeline of that evolution.

■ **Kidnapped:** 12 million people from Africa are kidnapped as part of the transatlantic slave trade.

■ **Terrorized:** 9 million black people terrorized by the threat of lynching violence.

■ **Segregation:** 10 million African-American citizens segregated.

■ **Incarcerated:** 8 million Americans under criminal control.



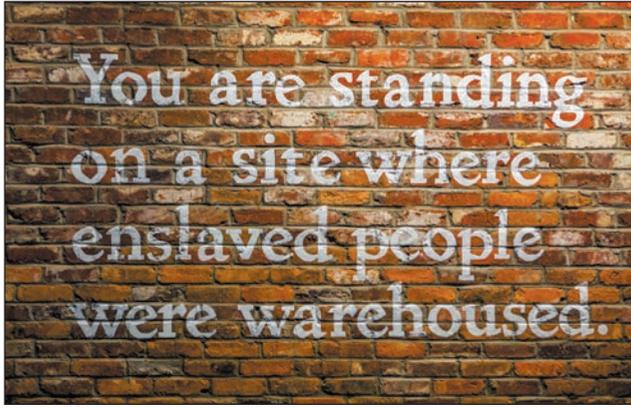
The Equal Justice Initiative’s logo on the hotel lobby floor during the Peace and Justice Summit.

**READ MORE »** See more coverage of Bryan Stevenson and the Equal Justice Initiative, including the opening of The Legacy Museum and National Memorial for Peace and Justice, on pages 28-30.

## EQUAL JUSTICE: A SPECIAL REPORT



**BRYAN STEVENSON** argues slavery didn't end, it evolved. This wall in the museum documents how.



The museum opens strong with a statement about how it's located in a building where enslaved people were once warehoused.



PHOTOS COURTESY OF HUMAN PICTURES/EQUAL JUSTICE INITIATIVE  
The Legacy Museum at night.

# EJI's Legacy Museum forces a conversation

Exhibits, statistics, news accounts document lynching, mass incarceration

By **Chris Flood**

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The exterior of the Equal Justice Initiative's Legacy Museum is simple – white paint, black lettering and few photos.

That's where the simplicity ends.

As visitors make their way down to the main exhibit hall, the first thing they see is a quote from Harriet Tubman saying, "Slavery is next to hell."

The next thing they see are four jail cells with ghostly images of men, women and children telling their stories of being locked up, sold and separated from their families.

## Questions to consider

As they leave the museum, visitors are guided past questions EJI would like them to consider. These are the questions.

- Written in 1865, the 13th Amendment to the Constitution reads: Neither slavery nor involuntary servitude, except as a punishment for crime whereof

the party shall have been duly convicted, shall exist within the U.S., or any place subject to their jurisdiction. EJI asks, should slavery be completely abolished in the U.S.?

- What does it mean when the Alabama constitution still prohibits racial integration in education and what should be done about it?

- Should the U.S. Supreme Court formally acknowledge its role in authorizing and sustaining the enslavement of black people and apologize for overtly racist rulings?

- If you live in a county where a racial terror lynching took place, will you join an effort to memorialize your community's history?

- Do churches and people of faith have a special obligation to address the history of racial inequity?

- How do we improve police and community relations and end unnecessary police violence?

- Should we find new ways to address student discipline in schools with high suspension and expulsion rates?

- Why would states prohibit interracial romance or marriage?

- Should state governments execute some incarcerated prisoners?

- Today, many schools remain racially separated with little diversity. Why is this and what does it mean?

- Should governments do more to rehabilitate, instead of punish, imprisoned people?

- Should any child be sentenced to die in prison?

- Should we do more to publicly acknowledge our history of racial injustice?

- Most prosecutorial offices don't have conviction integrity units to help investigate and correct wrongful convictions; should this change?

- How do we eliminate the presumption of guilt assigned to black children?

- What should we do about the growing number of elderly people who are incarcerated?

- Should very young children be prosecuted as adults?

- Most states have done nothing to acknowledge the history of slavery or recognize the legacy of slavery. Why? What should be done about this?

## Museum by the numbers

Visitors of the museum are inundated with facts and figures about lynchings and incarceration rates in America. This is a small sample of that information.

- **The incarceration rate** for women has increased 646 percent in the last 25 years.

- **There are 2,400 elected prosecutors** in the United States – 95 percent of them are white; 1 percent are women of color.

- **The United States** has 5 percent of the world's population, but 25 percent of the world's prisoners.

- **Spending on jails** was \$6 billion in 1980. In 2017, the amount is \$80 billion.

- **70 million Americans** have arrest records.

- **In 1972**, there were 300,000 people in prison. In 2017, that number was 2.3 million people.

- **Between 1910 and 1940**, nearly 6 million refugees fled north in response to racial terrorism.

- **Between 1877 and 1950**, there was a total of 4,000 racial terror lynchings in Alabama, Arkansas, Virginia, Georgia, Florida, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee and Texas.

- **One documented lynching** took place in Delaware – George White, New Castle County, Oct. 6, 1903.



In one of the museum's most dramatic displays, jars are full of soil from lynching sites. The museum's soil exhibit contains nearly 300 of these jars, each marked with a person's name, location of

lynching and date. For more information about the Equal Justice Initiative and Legacy Museum, go to [eji.org/legacy-museum](http://eji.org/legacy-museum).

# National Memorial for Peace and Justice a U.S. first

## Site documents racial terror lynchings

By Chris Flood  
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The best way to describe The National Memorial for Peace and Justice is to use the Equal Justice Initiative's own words. From EJI's website, "The National Memorial for Peace and Justice is the nation's first memorial dedicated to the legacy of enslaved black people, people terrorized by lynching, African Americans humiliated by racial segregation and Jim Crow, and people of color burdened with contemporary presumptions of guilt and police violence."

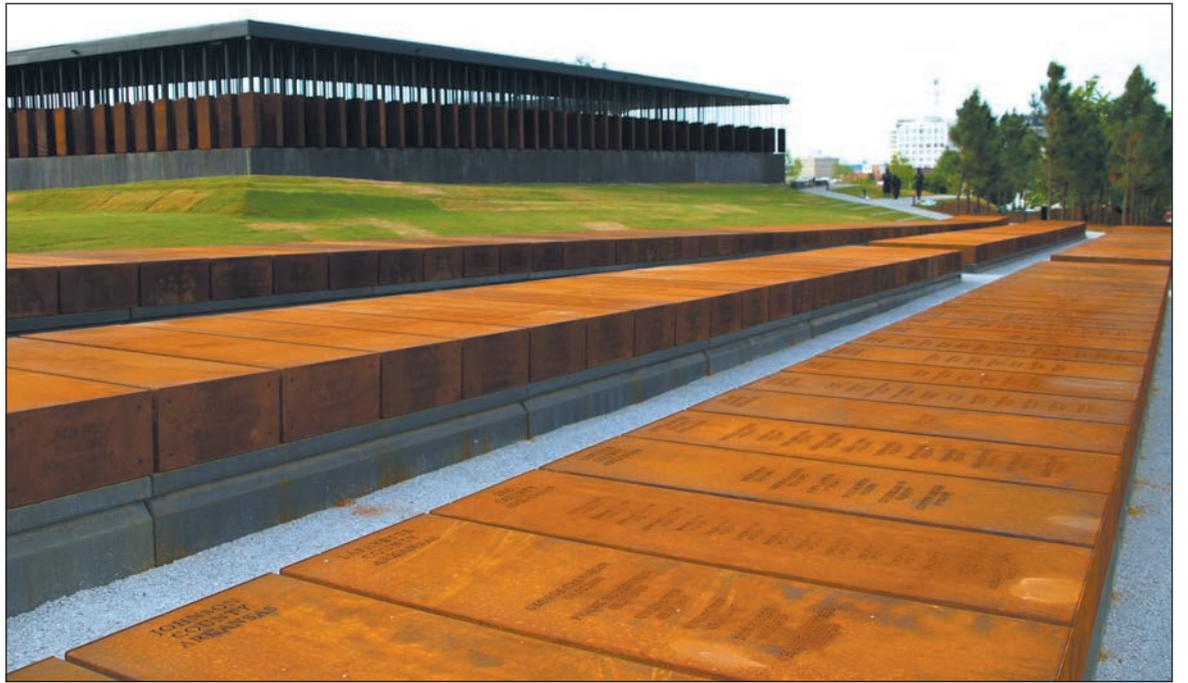
According to the website, the memorial was conceived with the hope of creating a sober, meaningful site where people can gather and reflect on America's history of racial inequality. Work on the memorial began

in 2010 when EJI staff started investigating thousands of racial terror lynchings in the American South, many of which had never been documented. According to EJI, 6 million black people fled the South as refugees and exiles as a result of what they have named racial terror lynchings.

The 6-acre memorial sits on a hill overlooking Montgomery. At the center of the memorial, at the top of the hill, is a square with 800 monuments, each 6 feet tall, symbolizing the thousands of racial terror lynching victims in the United States. Monuments include victim names, and the counties and states where the lynchings took place. At eye level to begin with, a walkway slowly descends, leaving the monuments towering above as visitors make their way around the square. In the park surrounding the memorial is a field of identical monuments, waiting to be claimed and installed in the counties they represent.

"Over time, the national memorial will serve as a report on which parts of the country have confronted the truth of this terror and which have not," EJI's website states.

EJI partnered with artists Kwame Akoto-Bamfo, Dane King and Hank Willis Thomas to create sculptures in the park. The memorial displays writing from novelist Toni Morrison, quotes from Dr. Martin Luther King Jr., and a reflection space in the name of Civil Rights journalist Ida B. Wells.

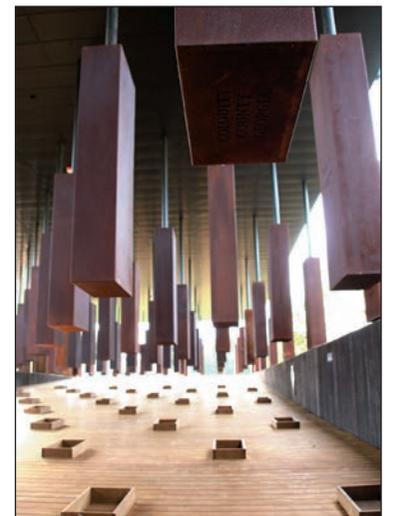


CHRIS FLOOD PHOTO

**ON A HILL OVERLOOKING** Montgomery, the National Memorial for Peace and Justice is the nation's first memorial dedicated to the history and legacy of lynching in America.



Made by artist Kwame Akoto-Bamfo, this scene is meant to show the heart-wrenching scenes associated with slavery and breaking up families.



As visitors make their way through the memorial, monuments get farther and farther off the ground.

More photos of the memorial:  
[capegazette.com](http://capegazette.com)



This human-sized box is part of the EJI Community Remembrance Project, which invites communities to visit lynching sites and gather soil. This soil represents collections from over two dozen racial terror lynchings.

## Stevenson's Delaware family out in full force

By Chris Flood  
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Bryan Stevenson estimated close to 10,000 people attended the memorial and museum opening events. Among them was a contingent of family and friends from Delaware that numbered near 50.

Dr. Howard Stevenson, Bryan's older brother by a little more than a year, is a professor at the Graduate School of Education at the University of Pennsylvania, also known locally as a member of the Cape Henlopen High School basketball team that won back-to-back state championships in the 1970s. He said his brother's work is changing the narrative on the story of racial terrorism in the United States.

"It's a fundamental fact that black and brown people have been systematically disenfranchised," said Howard, who described Bryan as his best friend growing up.

Howard said their parents



Bryan Stevenson's cousin Amy Shepherd, center, with her daughters Savannah, 15, and Julianna, 12. The three were part of nearly 40 people from Delaware who went to Montgomery to show their support.

provided two different examples of how to deal with racial inequalities growing up in Sussex County. Dad, he said, was more like Martin Luther King Jr. Mom, on the other hand, was more like Malcolm X, he said.

"Bryan fights the way my mother fought," said Howard.

Christy Taylor, the youngest of the three siblings by a little less than a year, still lives near Milton. She's on her way to getting her doctorate, and she said she plans to open a charter school in Delaware in honor of Bryan.

She said she was impressed with the respect that national and international celebrities have shown Bryan.

He's so modest, she said. "If it were me, I'd be wearing a T-shirt saying I was Bryan Stevenson," she said laughing. "That's why he was chosen to be a leader."

She said growing up, Bryan would be inside reading huge books, but then he'd also go out and play. He's so normal in many respects, she said.

She said the experience in Montgomery was emotional. She said she was trying to control her tears, but it was challenging.

"There's been this feeling of a warm blanket of my mother over him," she said. "There's



Nearly four dozen friends and family came from Delaware to support Bryan Stevenson, who grew up in Milton. Pictured (l-r) are friend Lori Crawford, friend Theresa Berry, sister Christy Taylor, friend Terri Crawford and friend Alonna Berry.

been a generational passing of the torch of love."

Amy Shepherd, Bryan's second cousin from Middletown and a school librarian, attended with her two daughters, Savannah and Julianna, and her sister Tammi Stephens.

As an educator, Shepherd said, she brought her daughters to Montgomery to learn about the country's past. It's historic, she said.

Julianna, 12, said she was inspired by what she saw and is

going to ask her principal to see if her school can teach the history of slavery and mass incarceration at a much deeper level.

"Let us talk more about slavery, so we don't repeat it," Julianna said.

Savannah, 15, said the experience changed her perspective. She now wants to get more involved with EJI moving forward.

"I want to make a difference," Savannah said.

## EQUAL JUSTICE: A SPECIAL REPORT

# Montgomery: Still the heart of Confederacy

Original capital of the Confederacy celebrates history of Civil War

By Chris Flood  
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The civil rights movement has strong roots in Montgomery, yet in many ways, the city is still the heart of what remains of the Confederate States of America.

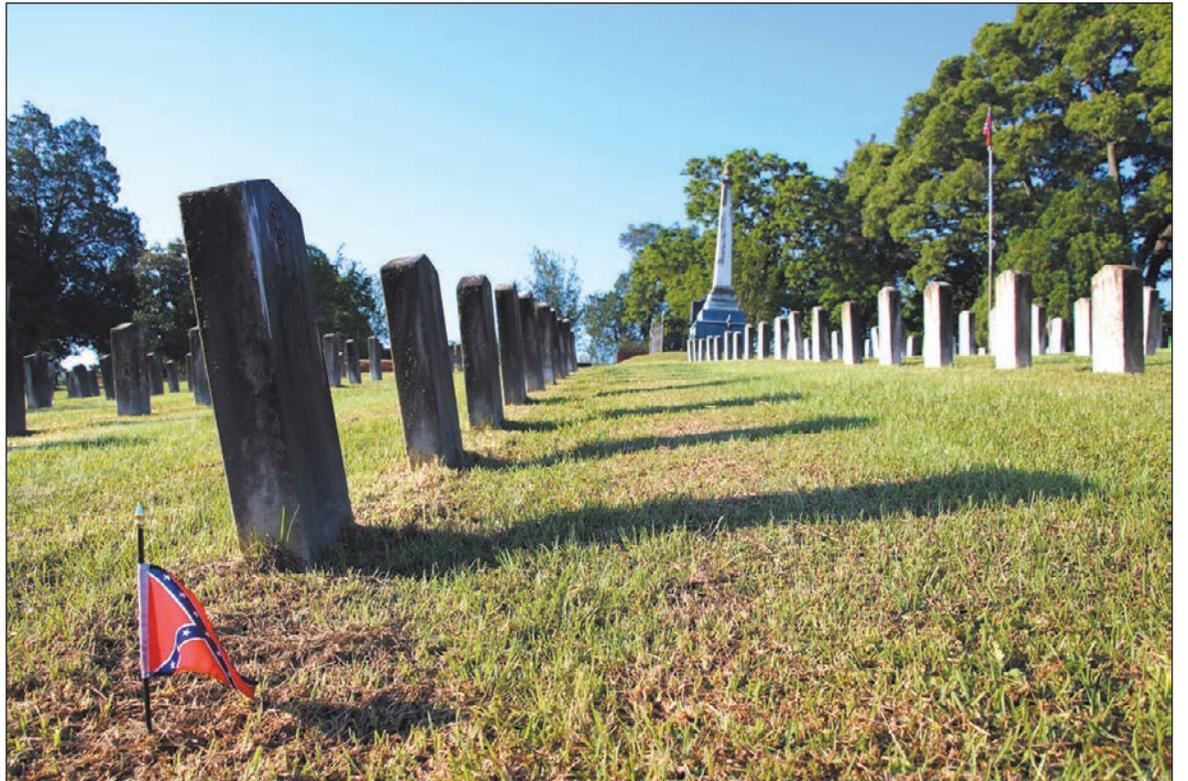
In downtown Montgomery, the state capitol has an 88-foot-tall marker, the Alabama Confederate Monument, honoring fallen Confederate soldiers.

On another side of the capitol, a statue of former Confederate President Jefferson Davis towers over the sidewalk below. Serving as reminders for citizens and visitors alike, signs, plaques, memorials and more statues – noting

historically significant events and places of the Confederacy – can be found all across the city.

It's not just historical markers serving as reminders.

Three days before the April 26 opening of the Legacy Museum and the National Memorial for Peace and Justice, Montgomery's government offices were closed in recognition of Confederate Memorial Day. The holiday is one of three official state holidays honoring the Confederacy in Alabama – Robert E. Lee's birthday is observed on the same day as Martin Luther King Jr.'s birthday in January, and Jefferson Davis' birthday is observed on the first Monday in June.



CHRIS FLOOD PHOTO

**A SMALL CONFEDERATE FLAG** stands next to hundreds of Confederate soldiers' gravestones in Montgomery's Oakwood Cemetery. The cemetery was founded in 1812.



The main office building for the Montgomery Biscuits, a Double-A affiliate of the Tampa Bay Rays, was a Confederate military prison in 1862. Some 700 Union soldiers called this building home from April to December. Nearly 200 died in captivity.



A statue of former Confederate President Jefferson Davis stands tall next to the steps leading into the Alabama State Capitol.



The Alabama Confederate Monument was dedicated Dec. 7, 1898. Former Confederate President Jefferson Davis laid the cornerstone in 1886.

## Home to the civil rights movement

By Chris Flood  
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Beginning with Rosa Parks' refusal to leave her bus seat in 1955, key moments in the American civil rights movement were centered in Montgomery, Ala.

From the Dexter Avenue King Memorial Baptist Church, where the Rev. Martin Luther King Jr. served as pastor for six years, to the Greyhound bus station where the Ku Klux Klan attacked Student Nonviolent Coordinating Committee Freedom Riders, markers and buildings pay tribute to events that sparked a nationwide movement.

### Equal Justice Initiative's initiatives

Founded in 1989, the Equal Justice Initiative continues the long line of civil rights organizations based in Montgomery, Ala. What follows shows how EJI is working to confront the history of racial inequality in America, to end mass incarceration and excessive punishment, and to challenge violent and inhumane prison conditions.

The information can be found in EJI's 2017 annual report.

**Children in prison:** In 2006, EJI filed a suit to end the practice of condemning children to die in prison as a result of life sentences with no parole. In 2010, the U.S. Supreme Court banned life-without-parole sentences for children convicted of non-homicide offenses. In 2012, the Supreme Court struck down mandatory life-without-parole sentences for all children.

**Death penalty defense:** EJI has provided direct legal assistance to scores of death row prisoners.

**Prison conditions:** EJI has successfully challenged violent and inhumane prison conditions in Alabama. Recently, EJI won a settlement with the correction department that obligates the state to make substantial changes, repairs and reforms.

**Community Remembrance Project:** EJI has worked with thousands of volunteers to collect soil from over 300 lynching sites. The jars of soil are exhibited in the Legacy Museum, and each one bears



CHRIS FLOOD PHOTO

**PROTEST MARCHES** from Selma to Montgomery in the 1960s ended at the the capitol in downtown Montgomery. To commemorate the 50-year anniversary of the marches, this crosswalk one block from the capitol was painted with footsteps.

the name of the lynching victim, date and location.

**Lynching markers:** EJI is installing markers at lynching sites across the South and engaging community members in activities that lead to a deeper understanding

of the nation's history of racial injustice.

**Public education:** EJI hosted thousands of students of all ages, faith groups, community organizations, policymakers, human rights advocates and international visitors at its office in Montgomery.