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Contact: Amiel J. Rossabi, Esq.
Phone: (336) 895-4350 (O)
(336) 253-5953 (Mobile)
Email: arossabi@r2kslaw.com

Today is a tragic day for the citizens of Greensboro and our hard-working men and women of the Greensboro Police Department. I represent Officer Matt Hamilton.

On November 19, 2021, multiple officers were called to the scene at 3504 Cloverdale Drive in Greensboro (the "Property") regarding Joseph Lopez, a man that was charged less than one week before for possession of firearms by a felon and assault with a deadly weapon, and for whom there were outstanding warrants. Mr. Lopez's girlfriend, a resident at the Property, called police and was fearful for her safety.

The police located Mr. Lopez in a storage shed at the Property where he was hiding and barricaded. Given Mr. Lopez's recent history and the danger that he posed, the body worn camera ("BWC") footage shows extreme caution taken by the police. Further, Mr. Lopez ignored all commands to exit the storage shed. As a result, Officer Hamilton released his K-9 partner, which normally yields an immediate result. On this occasion, the K-9 did not signal that it had the suspect under control and, therefore, Officer Hamilton continued to give commands and followed his K-9 partner into the storage shed. Mr. Lopez immediately turned towards Officer Hamilton with a black object in his hand that resembled a handgun and pointed it towards Officer Hamilton. Officer Hamilton shot Mr. Lopez once, killing him almost instantly.

Everything leading up to the shooting was consistent with GPD and State of North Carolina training and standards. The incident is captured by extensive BWC footage. However, there was very little lighting in the storage shed and it was packed full of property. North Carolina law is very clear about officers using deadly force. N.C. Gen. Stat. § 15A-401(d)(2) provides that "a law enforcement-officer is justified in using deadly physical force upon another person...when it is or appears reasonably necessary thereby: a. to defend himself or a third person from what he reasonably believes to be the use or imminent use of deadly physical force...."

The District Attorney holds great power and the responsibility to determine in what cases charges should be brought, a case presented to the Grand Jury or not to charge at all. Police officers need

to know that they can do their jobs under the protection of North Carolina law, specifically N.C. Gen. Stat. § 15A-401(d)(2). If officers sense that they will be charged or presented to a Grand Jury even when they have a reasonable belief that it is necessary to use deadly force, their jobs immediately become exponentially more dangerous. They will feel as if they can no longer act on reasonable belief; instead, they will believe that they must be shot at or shot first before they can use deadly force. THAT IS NOT THE LAW!

Today, the District Attorney presented 15-year veteran of the GPD, Matt Hamilton, to the Grand Jury. In the six (6) months since this incident occurred, District Attorney Crump did NOT charge Officer Hamilton. Presumably, the District Attorney's decision not to charge was based on a clear interpretation of the law, specifically N.C. Gen. Stat. § 15A-401(d)(2). In the six (6) months since this incident occurred, the GPD has taken no disciplinary action against Officer Hamilton and, in fact, did not even perform an investigation of the Internal Affairs Division. Again, clear evidence that Officer Hamilton was simply doing his job on November 19. Nonetheless, despite her authority and her decision not to charge Officer Hamilton, District Attorney Crump seems to have been manipulated by local citizens and others to present this case to the Grand Jury. District Attorney Crump should have been comfortable with her decision NOT to charge and would have stood up to the uninformed "mob" who have a clear agenda to handcuff the police, self-aggrandize and profit financially from targeting police officers.

A police officer need not wait to be shot at or be shot in order to have a reasonable belief that it is necessary to use deadly force to save himself and others from death or serious bodily harm. If, on this occasion in November 2021, Mr. Lopez was armed (as he had been just a few days earlier when he barricaded himself with firearms), Officer Hamilton could easily have been killed. The impact of the decision to present this case to a Grand Jury will be significant, dangerous and immediate with respect to Greensboro police officers. The District Attorney knows that the Grand Jury process does not include the accused unless the accused is given adequate notice and then the accused can request to give evidence to the Grand Jury. District Attorney Crump knew that I represented Officer Hamilton; yet, she chose to present this case to the grand jury without giving me any notice to be able to request that Officer Hamilton give evidence. This is a travesty! Apparently, Greensboro police officers are not entitled to fair treatment or the courtesy of any advance notice of a presentment that should never have occurred.

Under these circumstances, and without the ability to present any evidence, it is often said in legal circles that a Grand Jury "will indict a ham sandwich." Moreover, in this climate of anti-police sentiment that has been fostered by a majority of the City Council and a small vocal cadre of others, this means that no police officer has a fair chance if the District Attorney refuses to do her job and make decisions based on the facts and the law. It was unfair to subject Officer Hamilton to this grand jury process when all of the evidence shows that he followed the law. The fact that Mr. Lopez ended up not having a gun on this occasion is immaterial. He was a dangerous man, with outstanding felony warrants for gun possession, who refused to heed countless commands from the police and barricaded himself in a storage shed on property that was not his. He then turned on a police officer with a black object in his hand and pointed it at the officer.

As a result of the various conditions outlined above, the Grand Jury today returned a true bill of indictment for manslaughter against Officer Hamilton. That is a tragic result for Greensboro's citizens. Officer Hamilton is proud of his years of service to the GPD and he will continue to serve the citizens of Greensboro as long as he is able. We recently have lost our police chief, Brian James, due to the lack of support for the police department shown by the majority of the City Council. Let's see if the Acting Chief will today stand up to the mob and support a veteran officer with an exemplary performance history.

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