

Declaration of Mr. Benjamin Frazier

Pursuant to Fl. Stat. Ann § 92.525 and 28 U.S.C. § 1746

1. My name is Benjamin Frazier.
2. I was born and raised in Jacksonville, Florida. I spent my entire childhood and adolescence going to school and growing up here in Jacksonville, and I have spent most of my adulthood living and working here as well.
3. I am a lifelong civil rights activist and organizer, an Emmy Award-winning broadcast journalist, and the President and Founder of the Northside Coalition of Jacksonville (“Northside Coalition”). I have dedicated my life to speaking out about systemic racism in my community in Jacksonville, within the state of Florida, and more broadly within the United States.
4. Locally, I have received various recognitions for my activism, including the following: the Jacksonville Image Award in the “Trailblazer Category,” the NAACP’s “Rutledge Pearson Civil Rights Award,” and Folio’s “Best Community Activist.” This past year, I was invited to Geneva, Switzerland, where I addressed the United Nations Committee to Eliminate Racial Discrimination about the status of human rights and racial injustice in Florida.
5. Florida has an unmistakable history of racism that you can track to the time of enslavement in this country. I have personally witnessed and experienced both overt and covert forms of racism and white supremacy throughout my life in Jacksonville.
6. Racism is a systemic concept, rather than a collection of individual acts of discrimination. Most concerning here is the role of the criminal justice system in maintaining white supremacy.
7. The Ku Klux Klan openly congregated and terrorized Black people in Jacksonville throughout my youth. As a child, I can vividly remember watching men in full Klan regalia speeding down the streets of Jacksonville in flatbed trucks while my mother whispered to me, “Benny, don’t be afraid.” Given the well-documented news stories of the Klan’s racial violence, such as the early 1960s bombing of Inoa Godfrey’s house or the murder of Johnnie Mae Chappel, it was often difficult for Black people in Jacksonville to not fear the racial terror of white supremacist groups like the Klan. We received little to no police protection.
8. I was 10 years old during the summer of 1960, when civil rights organizers across our city staged peaceful demonstrations protesting segregation in public accommodations. My mother and I participated in these protests despite objections from my father who feared retributive violence from white supremacists in Jacksonville.
9. On August 27, 1960, my father’s fears became reality on “Ax Handle Saturday,” when 200 armed white men violently attacked protestors staging sit-ins across Jacksonville. The police did not come to our aid, and even arrested Black residents who sought to stop the beatings. Fortunately, my mother and I were not harmed on that day. Many other folks involved in peaceful demonstrations were not nearly as fortunate.

10. Ax Handle Saturday is far from the only example where toxic white supremacy was publicly celebrated in Jacksonville while the police looked on. For example, in 1920, the Klan staged a massive election day parade that prevented between 3,000 and 4,000 Black people from voting. In 1964, roughly 300 people gathered just north of the Jacksonville Municipal Airport where they were quoted saying “The N***** is a willing tool of the Communist Jews and is being used to destroy America. They want to pump the blood of Africa into our white veins.”
11. Throughout my life, I have witnessed systemic racism deeply ingrained within systems of law enforcement and criminal punishment in Jacksonville. When City Hall and the Duval County Courthouse opened in the 1960s, both had separate restrooms and water fountains for white and Black people. When Mayor Haydon Burns appointed the first Black police officers in Jacksonville, they were housed at a separate substation and lacked the authority to arrest white people.
12. Over decades, I have seen firsthand the very tangible negative impact that racially motivated laws and policing have had on people within my community in the Northside of Jacksonville. The legacy of white supremacist violence and the Klan lives on within our gerrymandered council districts, our local government’s preservation of Confederate history and monuments, and in disparate treatment that Black folks in Jacksonville have experienced within our county’s criminal legal system. Police shootings of Black men in our community still happen on a regular basis, often with seeming impunity.
13. Our city’s history of systemic racism has fostered a deep-seeded, cross-generational distrust of our criminal legal system and law enforcement institutions. Many Black people in the Northside, including myself, remain skeptical that the institutions once constructed to further our oppression can today preserve our rights to equal protection and treatment enshrined in our state and federal constitutions.
14. In 2015, I founded the Northside Coalition to empower, educate, and organize our communities to establish greater self-sufficiency for those living in Northside Jacksonville. Our organization is made up of community advocates that stands against racial, economic, and social injustice.
15. Since the Northside Coalition was founded, we have developed a wide variety of programs and events to support those within our community. The Northside Coalition has hosted community health fairs, organized food drives, developed an adult and youth literacy program, and created a down payment assistance program to help people within our community secure safe and sustainable housing. The Northside Coalition has also organized canvassing within our community to help reduce gun violence and to advocate for the removal of Confederate monuments.
16. One key area of the Northside Coalition’s organizing is focused on voting rights. We are heavily engaged in “Get Out the Vote” efforts where we encourage people within the Northside to register and vote in local, state, and national elections. Our state and our nation have troubling histories of voter suppression.
17. Rooted in my awareness that generations of Black Floridians and Black people in Jacksonville had to fight for their ability to cast a vote, I consider my own civic participation a solemn duty. I also believe that people in the Northside add perspectives and values that should be reflected by those elected to serve our communities. At the very

least, I believe that every Black person in Jacksonville should have the inalienable right to participate in local, state, and national elections.

18. That civic participation extends to juries. While we organize to vote to have a voice in who represents us, as those representatives or executives make and execute our laws, we revere the right to participate on juries so that we can serve on the body our Constitution places between an individual and the State when it seeks to prosecute. Just as Black people in Florida and the United States overcame many systemic obstacles to secure the right to vote, I am well aware of our state's and nation's history of Black juror exclusion. Recognizing this history, I believe that myself and other Black people in Duval County should have the same opportunity to serve on juries afforded to white folks. The perspectives of Black people are valuable on all juries, civil and criminal alike. But they are especially valuable within capital juries—those juries which have the responsibility of determining whether our fellow brothers and sisters should live or die. These are the most important trials to take place in our courts.
19. I am deeply troubled that our state, which also has a well-documented history of racialized violence and lynchings the State never policed or prosecuted, and has condemned and executed more Black people than any other racial group. My distrust, based on the State's record of discrimination, influences my views on the death penalty. Because I cannot trust law enforcement, due to its actions past and present, I don't trust the death penalty. From my lifelong work in activism in this community, I know many others in my community feel the same.
20. Even more pernicious is the fact that my authentic position on the death penalty, and that of other Black Floridians, is born of my experience as a Black person in this state, and stems from law enforcement's own conduct and discrimination. My position means that I can be excluded from the most important cases heard in our courts, capital trials. This alienates me, and Black people in Northside Jacksonville, around Duval County, and in communities scattered across our state who are more than capable of listening to testimony, weighing evidence, deciding guilt or innocence, and selecting a lawful punishment.
21. The fact that the State and the courts can weaponize our wariness of the criminal legal system's administration of the death penalty to prevent us from capital jury participation is unacceptable and unjust. It delegitimizes my valid viewpoint, in favor of a punishment the State may demand (death) when lawful alternative punishments (life imprisonment) are available.
22. It is my opinion that true equitable justice in Duval County cannot be attained so long as broad sections of Black prospective jurors are prevented from serving on capital juries. It is our collective responsibility as a county, state, and society, to ensure that all people have equal opportunity and access to engage in all areas of civic participation.

Under penalties of perjury, I declare that the facts stated in the foregoing document are true.

A handwritten signature in black ink, appearing to read 'B Frazier', with a long horizontal flourish extending to the right.

3/7/2023

Mr. Benjamin Frazier

Date