

ADJOURNED MEETING CITY COUNCIL
May 20, 2011

The City Council of the City of Albemarle met in an adjourned session on Friday, May 20, 2011, at 2:00 p.m. in the Council Chambers of the City Hall. Mayor Elbert L. Whitley presided and the following Councilmembers were present, to wit: Troy E. Alexander, Martha Sue Hall, Judy Holcomb, Jeanette M. Napier, Jack F. Neel, Dexter Townsend and T. Ed Underwood. Absent, none.

The Mayor and the City Council held a Public Forum on drug related activity and crime in the South Albemarle Community.

Forum Participants

Mayor Elbert L. Whitley, Jr.
Mayor Pro Tem Troy Alexander
City Council:
Martha Sue Hall
Judy U. Holcomb
Jeanette M. Napier
Jack F. Neel
Dexter G. Townsend
T. Ed Underwood
Senator William R. Purcell
Reece Saunders, District Attorney
Rick Burris, Sheriff of Stanly County
Bishop James Richardson, Saint's Delight Church
Ms. Burnetta Maske, Resident
David Deese, Office of Congressman Kissell
Sam Gregory, SBI
Kathleen Little, Chief Probation Officer
State Bureau of Investigations, Sam Gregory
State Bureau of Investigations, John Andrews
State Bureau of Investigations, Amanda Nosalek
Jon Michael Haymond, Juvenile Court Counselor Supervisor
Phillip Speight, Juvenile Court Counselor
City Manager Raymond Allen
Albemarle Police Department CEO G R Michael
Albemarle Police Department Acting Chief Ted Smith

Mayor Whitley thanked everyone for attending the forum today. He stated that the problems in the South Albemarle community pertain to the selling of drugs, bullying of people in cars, guns and shooting, fights, congregating in the streets and on private property. This is affecting the safety of certain streets and creating fear with the elderly, as well as the population in general in this community.

The Mayor continued to say that the City has increased the police force in this area, which has dispersed a lot of congregating of drug sellers. This in turn moved them to another area in this community.

Mayor Whitley stated that everyone had been invited to attend today for several reasons:

- 1) To have everyone understand the problem.
- 2) In hopes you can in some way help us solve our problem
- 3) From the judicial side, help our law officers in trying to enforce regulations that might require imposing strong financial penalties given by the court system.
- 4) To help with possible grants to increase our law enforcement force.
- 5) Wisdom and cooperation and comments as we move forward.

He encouraged each family unit and the churches to take an active role in this with the young people by giving guidance and direction.

Mayor Whitley asked for comments and questions.

Bishop Richardson thanked the Mayor and Council for this follow up meeting to the April 4 City Council meeting. He stated that he was raised at 430 Lincoln Street and gave a history of his long life in Albemarle. Never has he seen anything to top what is going on in the South Albemarle community today. He said it is very disturbing having to wait in your vehicle until the kids move out of the way. Groups of young people stand, sit, and lay in the streets and you cannot pass through in your car. He talked about several instances as Ms. James stated at the April 4 meeting that had a gun shot fired into her bedroom. Also, about a lady on Arey Avenue who is afraid to stay in her own home due to this violence. People are afraid on all the streets in this community. He thanked Mayor Whitley for keeping his word on having this meeting and having more police force checking in the neighborhood. He said that residents should feel safe in their own home and their own porch. Mayor Whitley thanked Pastor Richardson for being here today.

Ms. Bernetta Maske stated that this is a subject dear to her heart. This neighborhood has been fighting this battle for a long time. She said that she does not have to but chooses to live in this neighborhood because of her friends. A lot of the residents do not have a choice and have to live in this neighborhood. She stated that she has stayed and will fight for her friends and neighbors here.

She commented on the police department and what they have been doing in this area in the last few weeks. It was stated that there is now a big difference on Arey and Gibson streets, moving the action to other streets. This is a community wide problem. She asked that they continue what they are doing and do what is needed. More police are needed in this area and if more offenders were placed in jail, it could be a good thing for them, giving them time to stop and think about their behavior. She asked that more concern be shown to all residents in these neighborhoods. Mayor Whitley thanked Ms. Maske for being here today.

Police Department CEO Ronnie Michael stated that at the last meeting on April 4, concerns were addressed of how to deploy officers in this area. He said that they start by reaching out to kids beginning in Pre-K. The earliest class is 2nd grade for the Core Program for all City schools. The DARE program is offered starting in 5th grade. In the middle schools there is also the GREAT program. In high schools there is a school resource officer. There are also crime prevention programs and neighborhood watch programs for residents in any neighborhood. South Albemarle does not have a lot of neighborhood watch programs.

Bishop Richardson stated how hard it is to preside over a funeral of a young person who has been shot and killed and their family as well as the family of the shooter. This is not an easy task.

Ronnie Michael stated that they will maintain drug enforcement officers and the sheriff's office will also. There is an interoffice drug program in Stanly County.

It was stated that as many cases as possible are taken to the federal courts because the criminals will normally get a larger sentence. There were 32 cases taken to federal court, 24 were sentenced and 8 are pending.

Mr. Michael stated that Project Safe Neighborhood is possibly going to be addressed and we hope to do a modified version since there are not many jobs to offer the offenders. We will use NCEC for possible jobs available.

Also, Mr. Michael mentioned the High Point model that identifies kids and brings them in. The community meets with them and the law and community help the kids change their way and help locate jobs for them if they do not help get them convicted and on to prison.

Acting Chief Ted Smith talked about the City shift supervisors where they perform road checks and calls coming in with problems. The supervisors are out scouting to determine what streets the forces need to go before deploying their troops. He also said that the officers are visible and out there shaking hands and getting the community to know the force and what they are doing. Reports are filed weekly of all activity. He asked for continued support from the community. We are trying to get back to community policing.

The Mayor introduced District Attorney Reece Saunders. Mayor Whitley asked Mr. Saunders about offenders that sell drugs and how soon they are convicted. It is too easy for them to get off and we need to bear down on the court side if the City police or the sheriff's office arrest them. We need the court to back this up 100%.

Mr. Saunders stated that he is less than 5 months on the job as DA here, but the main thing is that citizens want to feel and be safe in their home and community. He said that his main job is to assess cases and make decisions and his main interest is in offenders where they continue to repeat the crime and are not going to change. He asked that the police call him and he and his 11 attorneys will get the offenders attention. He thinks the bond schedule needs reviewing and made more appropriate to the times. He also said he understands the comments today and will do his best.

The Mayor stated that he would like to have open dialogue with City Council.

Councilmember Townsend asked David Deese from the office of Representative Kissell and Senator Purcell, if there is any ordinance we could adopt for street loitering and drug activity. CEO Michael stated that current laws and ordinances are being used. It lets us know what we can and cannot do.

Councilmember Hall asked about the warrantless search issue. CEO Ronnie Michael stated this was adopted in 2009 and if a person is on probation and the officer suspects something, the officer can go after them without a warrant.

Mayor Whitley asked with the prisons full, is this a reason for judges not sentencing more harshly. Mr. Saunders stated that there is a limit for each class of crime. These types of criminals do not have money to pay and therefore go to jail. He said he does not think that raising the amount of the fine is the answer. Also, he will not concern himself with how full the prisons are, but on making decisions based on the crime.

Mayor Whitley asked for comments from Senator Bill Purcell. Senator Purcell stated that there are two problems here.

- 1) What we can do to make it safer for the residents
- 2) Programs as CEO Michael explained that are in place to help kids from pre-K through high school.

Senator Purcell stated we also need to find out how many kids are school dropouts, their ages, and if they are employed. Making contact with their families, the social issues involved, if they are from a poverty level family, if they were abused, etc.

Councilmember Holcomb asked Mr. Saunders does he have a list of drug dealers since he has been in Stanly County. If not, the police department or the sheriff's office can get him a list. Also, Ms. Holcomb said if the police or sheriff have continued problems with certain individuals, they can get those names to you. Mr. Saunders stated that a lot of 1st time offenders can not be charged. If the crime is serious enough, the only option is active time. Councilmember Hall stated that offenders that routinely appear in court are sentenced. Mr. Saunders stated that he tries to temper justice with mercy. If they are a habitual felon, he does not have a problem with sentencing.

Bishop Richardson stated that bullies and thugs are from one street corner to another and people are still trying to stay in their homes during the process. A lot of residents live alone and are 70 and 80 years old. We have got to do something to give these people some relief. With all the forces here today, we cannot leave here today without a solution.

Councilmember Hall stated that with CEO Michael's comments and Acting Chief Smith's previous comments, we can use this in determining our next steps.

Councilmember Neel stated that there are several bills in the legislature now addressing this problem. He hopes members of the legislature will come out and discuss problems of this nature and help us. The legislature has ways to hear from the public. They can come out and listen to the public as Senator Purcell and Representative Kissell's office is doing today. Senator Purcell is excellent in listening and makes himself very accessible.

Councilmember Townsend asked CEO Michael what ordinances do we have or need to deal with this situation.

Mr. Michael stated the ordinances are in place. There are specific issues to address and they have to be committing a crime. We cannot take someone off the side of the street when he is not doing anything wrong.

Councilmember Townsend asked if the ordinances can be enhanced for gang violence, where there are two or more. Mr. Michael stated that some are ruled unconstitutional and could not address. House Bill 673-Street Gang Nuisance Abatement is something we need to be aware of.

Ms. Maske asked if the South Albemarle community is the only community in Stanly County with this problem. Sheriff Rick Burris stated that this community is not the only one in the County, but has more than any other municipality in the County. He said he thinks the presence of the police officers has made a major dent in the problem. This method used by the police department is working and needs to be maintained. We are here to help the police anytime they need us. The tools are out there, less lethal methods do help. Community policing is a major help.

Ms. Maske stated with the City needing to add officers, how we get this grant and how we can hurry it along. CEO Michael stated that it is the COPS grant and Representative Kissell's office will be looking at this. We will be sending the application this afternoon and the deadline is Monday, May 23. Mr. Michael further stated that we are not sure when the decision will be made.

Mr. David Deese from Representative Kissell's office stated that their office is there to help and he gave their phone number 704.786.1612 in Concord.

Bishop Richardson stated that we need to look at getting jobs to get people off the streets. Some of the kids are good kids that have been led down the wrong path. They must turn their life around and they can work on farms and live in tents if they have to. Let's give these citizens an answer today.

Ms. Maske stated that she had a newspaper clipping from 1947 with an article addressing the same problem then as we are discussing today. She read from the article where youth training was given as a way to help change and help these youth. Problems are more intense today and need more strategies and more intense enforcement now.

Mayor Whitley asked Mr. Speight, Mr. Haymond, and Mr. Andrews about the number of kids on probation. Mr. Andrews stated that there are 65-75 offenders per officer. This is more of a control problem. Their office shares information with the community and law enforcement and targets those people. They are placed on curfew, house arrest, or long term jail time. Mr. Andrews asked that everyone feel free to call the probation office or juvenile services.

Ms. Maske asked who would be supplying all these drugs in from somewhere for local offenders to sell. She asked that the panel address the suppliers.

Acting Chief Ted Smith stated that the City police has a supervisor and 2 drug investigators. They ask the offenders once arrested, where they get drugs and find some out that way. They also use the Gang Task Force and work with Charlotte, Greensboro and local forces.

Mr. Sam Gregory with the State Bureau of Investigations stated that they are an assistance agency. Our goal is to identify armed criminals and make an effort to get the source they used. Then we follow the path of the source even through the US or even outside of the US. This is a problem state wide and outside of the state. If we identify the source, then there will always be another source or major player there to take over.

Councilmember Hall asked if most offenders on probation are juvenile or adult. It was noted that the ages range from 14-25. Ms. Hall also asked about the juvenile case load. Mr. Haymond stated that they try to identify at an early age and plug them into resources for help. There is one office for 35 kids in Stanly County. Getting

early identification and working with them at this point. Getting more identified at an early stage as they are very young and work with them. Juvenile crimes are down in Stanly County and also the state this year.

Councilmember Alexander asked questions directed to juvenile services. Mr. Haymond stated that the parent is also court ordered to do certain things. We have a worker that goes in to the home and works with the whole family.

Councilmember Holcomb stated that all drug dealers she sees has a cell phone. Sheriff Burris stated that they do try to check the cell phone out along with all their belongings and we use everything for the investigation.

Bishop Richardson stated that he knows there is a problem with not having enough money with budgets short in NC, the County, and City. Is there anywhere to find more money for the police to increase the number of officers. He said that he is asking for help from everyone, including Senator Purcell and Representative Kissell's office.

Senator Purcell stated that there have been tremendous budget cuts. We could increase the sales tax by 1 cent for 1-2 years. He stated that he will do all that he can.

Mr. Deese of Representative Kissell's office stated that their office will know later today as soon as he returns after this meeting. He said that he will find out.

Mayor Whitley stated that there was 2 hours allowed today for this meeting and the two hours have passed. He thanked everyone for coming today, including law enforcement, juvenile services, the District Attorney, SBI, probation parole office, Senator Purcell and Representative Larry Kissell's office. He also thanked Mr. Gregory with the SBI for his help with the sheriff's office and the police department.

With there being no more business, the meeting was adjourned.