

Opening Statement

- Rep. Jones, Chair: [00:00:31](#) Each of you are called here today for one reason— incompetence. Incompetence in the law, incompetence in running jails, incompetence of handling crime, and most notably, incompetence in keeping the citizens of Mecklenburg County safe. That is, to be frank, completely unacceptable. I'm not going to beat around the bush. This hearing is not going to be butterflies and roses. This body is going to get to the bottom of this crisis today, no matter whose feathers get ruffled or what letters get sent.
- [00:01:02](#) Normally, your activity, or thereof lack of, is something we could chalk up as mismanagement, incompetence. In August, Iryna lost her life, brutally murdered on Charlotte's light rail. This young woman had fled war-torn Ukraine to come to America for a better life, but she didn't get that experience. She didn't get to have her dream. Her life was cut short—not by one individual, but by a system that allowed career criminals to roam your streets who had 14 arrests—a system that allowed its officials to go on reality TV shows rather than patrolling the streets—a system that put on pride festivals all while continuing to go off the fiscal cliff after a deficit, after raising property taxes on its citizens—a system that prioritized DEI initiatives over armed security guards on CATS.
- [00:01:56](#) Her blood is on your hands. I'm going to close this. The core function of government is not DEI, trans rights, welfare benefits for illegal aliens, or some new social justice program. The core function is public order, safety, security. And it's the act of doing everything in your power to ensure your citizens wake up every day to feel safe. You have failed in doing that. Today, you're going to explain that to us.
- [00:02:28](#) To address this failure, today we have officials from the City of Charlotte and Mecklenburg County. We're going to begin with Mecklenburg County Sheriff Gary McFadden, County Manager Mike Bryant, and District Attorney Spencer Merriweather. Is the attorney here? Yep, you're there. Thank you, sir. Good to see you.
- [00:02:48](#) To make the most of everyone's time, we're just going to jump into questions. I ask that you stand and raise your right hand and repeat after me. Do you swear the testimony today is the

truth, the whole truth, and nothing but the truth, so help you God? Have your seats.

- Rep. Jones, Chair: [00:03:05](#) Members, I know there's going to be a lot of questions, so, we're going to use our normal protocol. It's going to be three minutes per person. It's going to be timed with everybody to have the opportunity to follow-up at least once in their round of questions. Mr. Merriweather, thank you for coming today. We appreciate-
- Rep. Quick: [00:03:21](#) Mr. Chair? Mr. Chair?
- Rep. Jones, Chair: [00:03:23](#) Yes?
- Rep. Quick: [00:03:23](#) I have a procedural question, if you don't mind.
- Rep. Jones, Chair: [00:03:26](#) Yes.
- Rep. Quick: [00:03:29](#) Will the microphones of all the members be left on and no microphones be turned off, even if the chair or anyone else doesn't like the questions that are being asked?
- Rep. Jones, Chair: [00:03:37](#) The mic will not be cut off for questions not liked. The microphone was cut off for somebody using up their time and not going through the proper protocol. But thank you, sir, for the questions.
- Rep. Quick: [00:03:46](#) So, members will be given-
- Rep. Jones, Chair: [00:03:47](#) Follow-up Representative Quick
- Rep. Quick: [00:03:48](#) Thank you, sir. Members will be given the full three minutes-
- Rep. Jones, Chair: [00:03:51](#) Members will be given the full three minutes.
- Rep. Quick: [00:03:53](#) Thank you.

District Attorney Spencer Merriweather

- Rep. Jones, Chair: [00:03:53](#) Yes, sir. Now, Mr. Merriweather.
- Mr. Merriweather: [00:03:56](#) Yes, sir?
- Rep. Jones, Chair: [00:03:57](#) I want to start by thanking you for coming here and for your service to the Mecklenburg County citizens and for all that you do.
- Mr. Merriweather: [00:04:01](#) Thank you, sir.
- Rep. Jones, Chair: [00:04:02](#) I know that you've been dealt a tough hand. Mecklenburg County continues to face serious felony case backlogs. As district attorney, what steps are you taking to reduce that backlog, and how do you plan to accelerate the resolution of those cases going forward?
- Mr. Merriweather: [00:04:17](#) I can tell you what we have already done, sir, in the last four years. Four years ago, we were at a place where there were over 400 homicides that were pending. We have reduced that by 100, even though the number of homicides has actually gone up, continued to rise significantly. We had 120 homicides that were filed just last year. Right now, we are under 300 as far as our homicide backlog.
- [00:04:40](#) As you know, homicides are not the only cases in Charlotte that need to be tried. And so, we have focused on reorganization. As a matter of fact, we've tried to hit hotspots. We've collaborated with law enforcement in particular neighborhoods to make sure that there is a seamless connection between what the strategies of law enforcement are, what our community—both business and residential community—needs as well as what the prosecutors in our office can do for them. That's how you build good cases, and that's how you convict the guilty.
- Rep. Jones, Chair: [00:05:08](#) Thank you for the answer, sir. As I'm sure you know, this General Assembly passed Iryna's Law to ensure habitual, violent offenders are kept off the streets. Has that law helped your office, or do you agree with Sheriff McFadden that "no good has come out of this law no matter what anybody says." And that, "It was a mistake."

Mr. Merriweather: [00:05:27](#) Thank you, Mr. Chair. You'll understand that this is not the first time I've come before this General Assembly. I think the first time in a real substantive manner was with the passage of the Pretrial Integrity Act in 2023. That, as you know, created a whole class of offenses, which meant that those cases went before district court judges as opposed to just magistrates. We believe that was an improvement in the law. It also increased the likelihood that a person who committed repeat offenses or violent offenses remained in custody.

[00:05:58](#) We believe that Iryna's Law built upon the successes of the Pretrial Integrity Act. We believe that this is what the community expects from us—that if someone goes out and both commits a violent act or commits an act repeatedly, that those persons remain in custody until their trial. I believe that's a good thing. I believe, in all candor, it's no surprise that there are always things that we can do. I know that this General Assembly is looking at ways to improve mental health and to try to improve the resources there. We hope to join you in that. And I speak for myself as well as my colleagues in the Conference of District Attorneys, but on the whole, I believe there's some good improvements that have been made with that bill.

Rep. Jones, Chair: [00:06:38](#) Thank you, sir. We've heard some concerns from law enforcement that they're re-arresting many of the same violent offenders. Do you believe there's a breakdown between arrest, charging, and detention in Mecklenburg?

Mr. Merriweather: [00:06:50](#) I want to draw attention to the fact that there are different standards for those things. The standard for arrest is probable cause. The standard for proving the guilt of someone, beyond a reasonable doubt, the highest burden in our law is what our prosecutors have to face. Our goal in collaborating with law enforcement is to make sure that we do everything we can to build the best cases. So, if there's a reason that a case fails, we go back to law enforcement. At least it's our intent to go back to law enforcement to see how it is that we can make sure that we are convicting that person that everyone who works in criminal justice knows is guilty of it but maybe on that occasion were unable to prove it.

[00:07:29](#) The other thing that I'll say is, I don't think the members of our community want necessarily to wait on being able to meet the

high burden of proof beyond a reasonable doubt before an officer makes an arrest on a case. It very well may be that, "Look, I need that person off my block. I know that you guys are still waiting to build reasonable doubt evidence, but we don't have it right now, but you do have probable cause and make that arrest."

[00:07:54](#)

It's the reason why I've tried to make a distinction, and I know that our police executives have also tried to make a distinction, between probable cause and between that reasonable doubt burden. Officers have a job to do, prosecutors have a job to do, and we all have to do that on behalf of the public.

Rep. Jones, Chair:

[00:08:08](#)

In your opinion, is there something that the General Assembly could do to help you with this?

Mr. Merriweather:

[00:08:13](#)

I do believe that when someone is arrested for repeat offenses, you want to make sure you make them count. I think one of the deficiencies for a community like ours as we continue to grow is that a lot of quality-of-life offenses, there's not a lot of teeth in a lot of those offenses. It very well may be that when someone throws a rock through a window, someone is seen tampering with a car that maybe somebody sees that one incident as being minor. But by the time a resident in a community knows that that person is a cancer on that community, we ought to make sure that we've got the teeth to deal with it.

[00:08:56](#)

The structure of a prosecutor's job entails discretion, and we do the best that we can to try to make sure that when we are using the teeth that the General Assembly gives us, that we're using it for people who are really a problem. And for those that aren't necessarily, we don't use those teeth. But every time that we can have an opportunity to have a piece of legislation with more weight, with more teeth, it certainly helps us in exercising that discretion.

Rep. Jones, Chair:

[00:09:22](#)

Well, as leader of this House, I want to let you know that I have an open door for you.

Mr. Merriweather:

[00:09:25](#)

Thank you, sir.

Rep. Jones, Chair:

[00:09:26](#)

I would love to sit down with you. And I see several of your colleagues out here that come by quite often, but I would invite you to my office.

- Mr. Merriweather: [00:09:33](#) Thank you, sir.
- Rep. Jones, Chair: [00:09:33](#) And as short session comes around, to work together collaboratively to see what we can do to put some more teeth in there. And I thank you for what you're doing. Recognizing Representative Schietzelt at this time for a question. Representative Schietzelt.
- Rep. Schietzelt: [00:09:46](#) Thank you, Mr. Chair. Thank you, Mr. Merriweather for being here this morning. I've just got a few questions to kind of follow up and build on what the Chair was asking here. We've had some challenges this year with... We've had some high profile homicides in the state of North Carolina where the individual who allegedly perpetrated the homicide has been a repeat offender and likely should have been kept behind bars, but for some reason was not. Here in Raleigh, there was a beloved teacher at Ravenscroft, Zoe Welsh, who was killed by a man who had previously faced four felony charges, was allowed to plead down to a misdemeanor. And instead of being in jail for years, he was back on the street in a matter of months. How does this happen, I guess is the first question?
- Mr. Merriweather: [00:10:41](#) To answer that question, cases are all built on the evidence that you have to be able to prove them without digging into the individual file of a particular case. I can't tell you whether those witnesses that were necessary to make that case were there. And that is the reason that often can mitigate what the final result is in a crime, a crime that's committed.
- [00:11:03](#) Quite frankly, one of the most painful things for me is when we, like I say, we know that a person is actually guilty of a crime, but then you realize that the evidence in that case falls apart from the unavailability of witnesses, and that's just kind of what it is. What you want to make sure that you do is have all your ducks in a row so that you can go after someone who's creating a real problem for your community.
- [00:11:22](#) It is necessary for me to say that one of the things that we've seen is a whole host of folks who are suffering from mental health concerns, and that's something we've got to deal with. You don't have to say that you are somehow not punishing people who are hurting people. You can do that. My goal has always been to make sure that if we've got mental health challenges, start addressing them when you're just talking

about the small stuff before it actually graduates into the kind of thing that quite frankly can permanently damage a family and a neighborhood.

Rep. Schietzelt: [00:12:00](#) And in the wake of the-

Rep. Jones, Chair: [00:12:03](#) You're recognized for a follow-up.

Rep. Schietzelt: [00:12:04](#) Oh, thank you, Mr. Chair. In the wake of the light rail murder of Iryna Zarutka last year, have there been any changes in policies in Mecklenburg County, in Charlotte-Mecklenburg County to try to keep people like Decarlos Brown off the street, or again, any of these other perpetrators like we had here in Raleigh?

Mr. Merriweather: [00:12:27](#) There's no question that when you have issues of public safety, and certainly repeat offenders and the like, that it captures the attention of the public. What captures the attention of the public captures the attention of the people who work in our court system and certainly in the district attorney's office. We are the bridge, the direct bridge between the people and the court system. Unlike every other sector within our court system, we're the folks that have to answer directly to folks.

[00:12:56](#) So certainly, there's a level of vigilance that goes up. But what I can say is that I'm proud of the efforts of my office and having had collaborated with, both in our center city as well as on its outskirts as well as our business community also, and certainly specific divisions of law enforcement to try to make sure that we are going after points of emphasis.

[00:13:23](#) In all candor, I've turned over documents to this committee to talk about some of the ways that we've had to be creative in addressing low level drug offenses. We do that so that we can prioritize those target neighborhoods and those target areas. You will find that in our center city and in some other hot areas within our community, that we are seeing more cases that we are proceeding on as far as drug cases, and that includes simple possession cases, because we know that if left to its own devices, that can really spin out of control. That's the way that you have healthy interdiction on communities, and that's the way you can stop folks who intend you harm.

Rep. Schietzelt: [00:14:07](#) And time for one more question, Mr. Chair?

- Rep. Jones, Chair: [00:14:09](#) You're recognized for another question.
- Rep. Schietzelt: [00:14:11](#) This is related again to the Chair's question earlier about what the General Assembly can do. How can we specifically assist in terms of pleading practices in order to give law enforcement the tools that they need to keep dangerous people out of the community?
- Mr. Merriweather: [00:14:31](#) I'm going to use your question as an opportunity to sort of broaden the perspective and talk a little bit about the differences between the community I serve and what we're used to in the state. The 14th largest city in America is in my district. Most of the cities of that size across this country have sort of a felony prosecutor, and then they have a local municipal prosecutor. The local municipal prosecutor, who also serves in municipal courts, is able to focus on that quality-of-life stuff, on the traffic stuff, while the other felony prosecutors are... Or the county prosecutors are focusing on felonies, violent crimes, and drug trafficking and the like.
- [00:15:19](#) We don't have that. We're not built for that. I do think that it is a, at some point, maybe that's a 10, 15-year question that we've got to answer. But right now, we're not built for the kind of community that we have in Charlotte and Mecklenburg County—a community of 1.2 million people. And I know that that's also true in Wake County. The population density, the disparity in poverty, all of the challenges, quite frankly—the fact that our population swells to almost 2 million between the hours of 8:30 and 5:30—those are real challenges that hit us in a different way.
- [00:16:02](#) Every single... Nobody comes to the DA's office to dismiss cases. They come because they actually want to uphold public safety. But I'd be lying to you if I didn't tell you that it's a heavy burden for our folks—from everything from first degree murder all the way down to public defecation on city streets. And being able to try to balance all of the things in between is something that's extremely significant and hits those folks in cities and in urban communities far different than it does in other places in our state.
- Rep. Schietzelt: [00:16:35](#) Thank you.
- Mr. Merriweather: [00:16:36](#) Thank you, sir.

- Rep. Jones, Chair: [00:16:39](#) Ladies and gentlemen, I forgot to tell you, for your viewing pleasure, you were expecting Representative Warren. He is out with an ear infection, and that's why I'm chairing today, just so you don't mistake me for the gray-headed gentleman from Rowan. Representative Ager, you are recognized for a question.
- Rep. Ager: [00:16:55](#) Thank you, Mr. Chair, and thank you both for coming. I really just kind of want to get into the specifics a little bit of the DA's office and how you guys are set up, just so that I understand it. How many assistant district attorneys do we have currently in your office?
- Mr. Merriweather: [00:17:15](#) We have 85. I'm sorry, 86 now, and that's because of the improvements that were made in Iryna's Law through this General Assembly, which added 10 full-time employees to my office—actually 15, but 10 prosecutors to my office. We have about four that are slated to join our office before the end of March, and we're still recruiting for those other six.
- Rep. Ager: [00:17:40](#) Great. And can I-
- Rep. Ager: [00:17:44](#) Sorry, one follow-up? Yep. Just how many of those are fully funded by the General Assembly? Are those all funded by the General Assembly and none by the-
- Mr. Merriweather: [00:17:52](#) Seventy-two of the 95 slots are funded by the General Assembly. I will note that when I say fully funded, we're talking about a total of \$101,299 is the average salary allotment for those positions. The average salary allotment for the other positions, which we're at that point talking about 24 positions funded by the city and the county, are an average salary of \$64,000. It is rare for a city and a county to fund that. That was a decision that was made well before my administration, in part because they know what I'm about to tell you—that for a community our size, you really ought to be talking about 12.5 prosecutors for every 100,000 people that you have. Even though 95 prosecutors sounds like a lot, you can do that math. We're talking about 50 short of what you would kind of expect for a community with our complexity and size.
- Rep. Ager: [00:18:51](#) Thank you very much.
- Rep. Jones, Chair: [00:18:54](#) Representative Willingham.

- Rep. Willingham: [00:18:57](#) Thank you, sir. Thank you for attending this hearing, Mr. Merriweather.
- Mr. Merriweather: [00:19:03](#) Yes, sir.
- Rep. Willingham: [00:19:04](#) I have a question. This is in keeping with what Representative Ager just asked you, too. What specific delays in charging, trial scheduling, and case resolution do you think has resulted from underfunding of prosecutors, of court staff in Mecklenburg County? Can you give some indication where that falls?
- Mr. Merriweather: [00:19:29](#) I can. And obviously, the person that makes a charging decision, 99 times out of 100 is going to be law enforcement. We are a different sort of state in that regard. There are places where the prosecutor sort of leads charging. We are a police filing state in North Carolina, which means that police have the ultimate decision as to what they bring to the magistrate's office and what sort of arrest they make.
- [00:19:56](#) With that said, we do have our limitations in the prosecutor's office, but you asked a question about court staff. Part of the reason why we're not able to tackle our violent crime and homicide backlog as quickly as I would like is because it's very difficult to calendar cases in Mecklenburg County and across our state. We have the benefit of having a public defender's office in Mecklenburg County. If four people rob a house, the public defender's office can represent one of them. The other three, if they are indigent—meaning, if they don't have money to afford their representation—they have to be represented by attorneys that have been drawn from an indigent services list.
- [00:20:42](#) For violent crimes in Mecklenburg County, there are eight people to do that. So, if you start to stretch that out over time and hope to God you don't have conflicts that arise in other ways, that means that it is very limited the number of people that you can actually calendar at one time. You also better hope that those folks aren't trying cases in Gaston County, that they're not trying cases in Union County. The number of times that I've got to call a fellow prosecutor, I think some of them can agree with me, can get pretty bloody when you're fighting with other district attorneys over a single defense attorney, and that can create an additional challenge for the calendaring of cases.

[00:21:27](#)

When a case is calendared in a county like ours, it really means that the stars have aligned—that your police witnesses are not in training, that your civilian witnesses are in a place where you make sure that you can actually line them up, that your defense attorney is there, that your judge can actually have a commission that lasts longer than a simple five days for a case that could involve three and four defendants. Those are challenges, and those are challenges that I know that people, populations and cities that are our size, probably aren't facing in other places.

Rep. Willingham:

[00:22:04](#)

Follow up?

Rep. Jones, Chair:

[00:22:04](#)

You're recognized.

Rep. Willingham:

[00:22:04](#)

Let me just ask you this. Have defendants accused of serious crimes been given pre-trial release or are their cases being dismissed or something similar where they're actually being set free?

Mr. Merriweather:

[00:22:25](#)

Well, if they're... I'm sorry. I didn't realize-

Rep. Willingham:

[00:22:30](#)

No, go ahead.

Mr. Merriweather:

[00:22:30](#)

If the case has been dismissed, that typically will mean that we have reached a place where we believe that we cannot proceed on that case. We can't meet our burden of proving the case beyond a reasonable doubt, and they have to be dismissed. I mean, they have to be released at that point.

Rep. Willingham:

[00:22:42](#)

But other than that?

Mr. Merriweather:

[00:22:45](#)

Oh, other than that? Well, there are people who I certainly wish were in custody that are not, if that's your question, sir. There are people who have committed violent crimes that it is the default position of my office that if you've committed a violent crime, then you ought to be in custody until your trial. We have to make that argument to a judge. A judge has to weigh both the other circumstances and evidence as well as what they believe are mitigating circumstances and the likelihood that that defendant will either cause harm while they're out in the community, or the likelihood of them making sure that they're in court on the date that they're supposed to be. The judicial

officials—both magistrates, district court judges, and superior court judges—are the people who have that responsibility.

- Rep. Willingham: [00:23:31](#) Thank you.
- Mr. Merriweather: [00:23:31](#) Thank you, sir.
- Rep. Jones, Chair: [00:23:34](#) Representative Cunningham, you are recognized.
- Rep. Cunningham: [00:23:36](#) Thank you, Mr. Chair. Mr. DA, you talked about the quality-of-life issues in Mecklenburg County. One of the things that certainly I've looked at is the juvenile recidivism rate because they are committing a lot of the crime, but they're also being able to be released because I guess we don't have a detention center down there anymore. But that is one of my concerns. Where are we at on that recidivism rate for those juveniles that are out continuously violating the law?
- Mr. Merriweather: [00:24:11](#) The recidivism rate, as I understand it for, and I don't have specific facts on this, but the recidivism rate for juvenile offenders, I believe, it's trending slightly down. But the seriousness that we are seeing for the people who are recommitting remains high. And I don't think there's a single person who works in the space of juvenile justice or works in our courts that would tell you otherwise. The number of times that we are seeing people... I'm not talking about under the age of 16. I'm talking about under the age of 14, who are picking up a gun and doing harm—that quite frankly, we have to make sure that we are appealing to our judicial officials to understand, "We know you want to treat this person like a kid, but please don't forget about these other kids, that they are entitled to a level of protection as well."
- [00:25:06](#) It is true that we don't want our judicial officials to have to make a decision on anything other than the safety of the community, as opposed to the availability of either space or a sufficient detention facility. That's why there is certainly a conversation about that within our district. I know that there are many resource challenges that have to be dealt with by folks who are far more qualified than me to speak on that, as far as the budget stuff is concerned anyway.
- Rep. Cunningham: [00:25:40](#) Follow up, Mr. Chair?

- Rep. Jones, Chair: [00:25:41](#) You are recognized.
- Rep. Cunningham: [00:25:42](#) Thank you. Do you know if every court now is operating in person in Mecklenburg County?
- Mr. Merriweather: [00:25:50](#) Every-
- Rep. Cunningham: [00:25:52](#) Every court is supposed to be functioning. Are they all functioning in person now?
- Mr. Merriweather: [00:25:57](#) I know that every criminal court because those are the ones where me and my people are responding to. I cannot speak with regard to civil.
- Rep. Cunningham: [00:26:05](#) Can somebody get that for me and get it back to me? Thank you. The last follow-up, Mr. Chair?
- Rep. Jones, Chair: [00:26:10](#) You're recognized.
- Rep. Cunningham: [00:26:11](#) So, it sounds like we are tight for resources. And for me, we spend \$3 billion in the state of North Carolina on other individuals, when we have a homeless population in Mecklenburg County, and we have a mental health crisis that's been going on for not just 10 years, 20 years, 30 years now. So, what resource would you ask for that we could help you with in the next session?
- Mr. Merriweather: [00:26:40](#) I want to think broadly, probably a little bit more broadly than what would be a part of an official policy ask. We have had issues with people who are homeless and unhoused in our community. I went over to South Carolina with a delegation of folks where they have what's referred to as a homeless court. And what they are able to do within their municipal court... This is Rock Hill, by the way. What they're able to do in their municipal court is to say, "Look, we know you're going to be held in custody for 30 days on this particular low level misdemeanor charge, or it's going to have significant fines to it. Now, these 13 service providers, they're willing to help you, but otherwise you have to stay where you are, or you're going to have to pay this money."
- [00:27:28](#) Now, the backlog in their system is not nearly what we have in our county or even within our state. But the design of that localized system gives them the possibility of being able to

leverage things that get people the care that they need. We have not figured out a way to do that within our system, and I don't know whether that's going to require more flexibility created within our courts or what. But if I could wrap my brain around that, if I could wrap- again, have the kind of partners that Chair Jones spoke of earlier, I think that's worth our time.

[00:28:11](#)

I will always have, certainly, with our prosecutor need being what it is, with other court positions needed within our system, I'll always have that question, and so, I'll be asking that from year to year. But with the specific issues that I think are the focus of this committee right now, [we need] the kind of flexibility to deal with the increasing mental health and homelessness problem, connecting people to resources early before we have the kind of tragedies that we had last year.

Rep. Cunningham: [00:28:42](#)

Thank you, Mr. Chair.

Rep. Jones, Chair: [00:28:44](#)

Representative Quick, you're recognized.

Rep. Quick: [00:28:47](#)

Thank you, Mr. Chair. Thank you, Mr. Merriweather, and the sheriff for being here this afternoon. I represent Greensboro, North Carolina, a part of Greensboro rather, which is one-third the size of Charlotte-Mecklenburg, North Carolina. And unfortunately, across this state, murders happen. And some of them become high profile because of the media attention. And while you all are sitting here today, please know that there are high profile murders that have happened in Greensboro, which has 300,000; in Kannapolis where my friend here to my left sits; in Asheville, where my friend to the right sits; and even in Tabor City, which has a population of 5,000, which Chair Jones represents, there have been high profile murders that media has brought attention to.

[00:29:34](#)

So, thank you for being here today and knowing that you are answering questions that all of us could have in all of our communities here and have questions for the way those communities operate. When I speak with my DA in Greensboro, Guilford County, she speaks of the fact that funding from the state is definitely an issue, and from the fact that sometimes local resources have to be used because funding gaps exist from the state. Is that the same case in Charlotte-Mecklenburg? And how much does Charlotte-Mecklenburg have to spend to make up for funding gaps that the state should be covering?

- Mr. Merriweather: [00:30:16](#) And I always confuse the numbers on this, but I think we're talking about \$8 million from Mecklenburg County. Again, as I said, my answer to the opening question, there are 24 prosecutor positions and probably about 25 victim witness legal assistant positions that are funded by our municipal governments. Like I said, it is rare for that to happen across our state, but an increasing number of districts are doing exactly that.
- [00:30:56](#) It differs a little from what goes on in other jurisdictions across the country. There are many places where there is a blended funding model for high population areas. I know Nashville-Davidson has something of that sort. I believe Atlanta and some of its surrounding areas have a model of that sort. I think there's some constitutional or at least statutory issues here with that. For a good reason, at the formation of our state or the last time that anyone looked at a broad sweep of what our court system looks like, we opted not to do that.
- [00:31:38](#) Our state looks, and I don't want to make our folks from the Conference of DAs nervous, but our state looks tremendously different than it did then. And I'm not asking for that change necessarily, but there are some built-in complexities that we have now that we did not have in the '60s, the last time anybody looked at this.
- Rep. Quick: [00:32:01](#) Thank you. Follow-up, Mr. Chair?
- Rep. Jones, Chair: [00:32:03](#) You are recognized, sir.
- Rep. Quick: [00:32:04](#) Thank you, sir. I used to live in Charlotte. It's a long time ago.
- Mr. Merriweather: [00:32:09](#) You can come back, sir.
- Rep. Quick: [00:32:10](#) No, no.
- Mr. Merriweather: [00:32:13](#) I need a pastor.
- Rep. Quick: [00:32:14](#) Part of my point is that the Charlotte I left in 1996 ... In fact, when I lived in Charlotte, the year I left, you just were awarded the Carolina Panthers. So, that tells you how long that's been. When I go back now, it's not the same place. It's absolutely not the same place. The growth in Charlotte is astronomical and in a lot of ways, mind-blowing. However, the funding formula from

the state does not appear to be modernized so that you can do what you need to do. How would you suggest that the funding formula from the General Assembly change so that you can more effectively do your job?

Mr. Merriweather: [00:32:53](#) I don't think that there's any question that certainly takes more revenue to fund a community of our size. Now, how you get there is something that I think all of you find folks can sort of figure out. There are some folks that believe that there could be changes in how that revenue is created. There are some people that think that if you spur economic growth in the right way, that that revenue will come. That's a debate I think that it's appropriate for you to have. But I do think we are changing, and we do have to do things to keep up with that. It's important for me to say I'm not from this state. I moved here. I moved to North Carolina in 2002.

Rep. Jones, Chair: [00:33:33](#) You're doing good, sir, to interpret this lingo we have.

Mr. Merriweather: [00:33:36](#) Thank you, sir. I appreciate you. I moved to Charlotte in 2007. I decided to make it my home because, man, it just seemed like the kind of place where a young person could make their mark. It was growing. I know that there are people all over your communities that have felt that same way. That is my interest in making sure that it is safe. I don't believe that just because you move to a city, that you have to abandon what your standards are as far as what a safe and vibrant community is. But it's also true that you do have to resource that. You have to fund it, and you've got to structure it. I believe that all of our people across this state are entitled to that level of safety and that level of accountability in our justice system. I'm not perfect. I will screw up. And I want my screw-ups to be about me and not necessarily about the deficiencies in our system. And right now, I believe that our system has a whole lot of stuff to do even before you get to me.

[00:34:50](#) Thank you, Mr. Chair.

Rep. Jones, Chair: [00:34:51](#) Representative Cervania.

Rep. Cervania: [00:34:55](#) Thank you, Chair. I'd like to ask the DA a series of questions.

Rep. Jones, Chair: [00:34:59](#) You are recognized for a series of questions, to three minutes per question.

Rep. Cervania: [00:35:02](#) Thank you, sir. Thank you for being here. What I've noticed is that you're very humble, actually, about what accomplishments you have, but we really need to piece it out, bring it to the table, and also, more likely than not, it needs to be a partnership with us here at the General Assembly to continue funding those things. So, my question for you is, I want to understand the programs that you've actually implemented, particularly into improving our situation in your office and in the public safety of Charlotte and Mecklenburg, particularly the strategies surrounding violent crime prioritization, diversion, and reducing system drivers for recidivism and backlog. I know you talked about backlog earlier. But your office has done things in specific, so, I want you to describe those things. And also, again, to ask what we can do here at the General Assembly to expand that so that we can have a safer Mecklenburg? Thank you.

Mr. Merriweather: [00:36:09](#) Thank you for the question. First, I'll say this. As soon as I took office, I reorganized our office from a system where we were focusing on drug cases, property cases, what we called at that point, crimes against persons cases. And we broke that open, and we recognized that there is a difference between the sort of crime that puts a chill on a neighborhood—we're talking armed robberies, we're talking aggravated assaults and shootings, from, for instance, what was my specialty and remains my specialty, sex assault cases and felony domestic violence cases. And so, we sort of split that out and created units that could focus specifically on that. During COVID, we had something happen that had never happened before—that someone decided to turn off the engine to the criminal justice system, and none of us would know how long it would actually take to get that engine going again. And so, we knew we were talking about backlogs. There were some opportunities that created from that and some shifts in priorities. We knew before we made that change, it was taking three and four years for a simple possession drug case to get to trial. Thinking to myself and quite frankly, we're hearing from jurors that, "Why are you trying this three- and four-year-old drug case? Because I could have sworn 100 people got killed in Charlotte last year." And so, we changed our priorities to be able to add more people to our violent crimes unit, add a couple of more people to our homicide unit, which meant that we could reach cases faster, that we could begin to eat away at that backlog, and that has occurred.

[00:38:02](#) Just within the last seven months, we reorganized a little bit again, that we sort of broke open ... We were one of the first offices in the state that had a unit that focused only on habitual felon cases—people who were repeat offenders. And that was a good thing because we developed a level of consistency with the way that we addressed those cases, and we were able to move with speed on those cases.

[00:38:26](#) I will say that that speed was sort of hurt a little bit as we saw more and more habitual felons that were released on custody and committing new offenses while they were out. That was a problem. That forced us to create different units that made it so that every week in Mecklenburg County, you can have a list of folks who are charged with drug trafficking, who are charged with armed robbery, who are habitual felons and charged with some other minor offenses. And so, we could have a rainbow of cases that can be tried as opposed to waiting four and five weeks for you to get to the armed robbery that you know your community wants prioritized. That's been important.

[00:39:06](#) The last thing that I'll say that with more prosecutors ... Well, first of all, with the prosecutors that we have that were received within ... They're assigned to our office because of House Bill 307. We have been able to assign some people who are focusing on our center city in particular, who are able to focus specifically on relationships with business owners with regard to retail theft. That has been an improvement. When you have more prosecutors, you're able to have more community-based prosecutors that are working directly with police captains, that are working directly with police divisions who are giving sort of hour-to-hour advice in the same way that we have with our violent crime unit, which has done tremendous work with our homicide unit and our sex assault unit. We want to have that for that quality-of-life stuff and with neighborhood-based crime. Does that answer your question, ma'am?

Rep. Cervania: [00:40:06](#) Yes, it does. Follow up, Chair?

Rep. Jones, Chair: [00:40:09](#) You're recognized for a follow-up.

Rep. Cervania: [00:40:10](#) I did ask, of those programs and others, I'd like to have a list of those things, plus how we can help you expand those to improve.

- Mr. Merriweather: [00:40:21](#) I'll be happy to follow up with you, if that's okay?
- Rep. Cervania: [00:40:23](#) Thank you. Quick follow-up.
- Rep. Jones, Chair: [00:40:26](#) Quick.
- Rep. Cervania: [00:40:26](#) Yes. So, my colleague, Representative Cunningham, had asked about juvenile recidivism, and I did a quick ... And it said it has lowered. I actually had a question on your general recidivism. Do you know offhand, although I do know on here, has that lowered? And what have you assessed that to being the improvements of that recidivism?
- Mr. Merriweather: [00:40:59](#) In all candor, I don't know off the top of my head as far as what the stats are. If those stats are coming from our court system, I would approach them with some level of hesitancy, only because you can get lost in how cases are categorized. That can impact the stats, which is one of the reasons why I don't commit that stuff to memory.
- [00:41:23](#) I do think that much in the same way that I answered the question from Representative Cunningham, what we see from repeat offenders has gotten more serious. And no matter what happens, and no matter what the recidivism rate is, when someone comes into our system and someone comes into my office having been victimized by crime, they don't care what the recidivism rate is. They just want to make sure that the person who did them harm is held to account. They don't care what the standard of proof was in the case that may have gotten dismissed before. They do want to know why it is that nothing happened in that case previously.
- [00:42:04](#) Now, I can tell them in a way that I probably can't tell you, quite frankly, all the reasons that that previous case may have failed, evidentiary speaking. But folks are coming in our office hurt and impacted just like their families are impacted by violent crime. Thank you.
- Rep. Jones, Chair: [00:42:21](#) Any further questions? Well, DA Merriweather, thank you for being here. First time you and I have met.
- Mr. Merriweather: [00:42:29](#) Yes, sir.

Rep. Jones, Chair: [00:42:30](#) I appreciate your candidness about things you need, things that went wrong, things that you're working on. I know I'm speaking for myself, and I think the entire body, that we look forward to helping you get your hometown in a good spot. We want to be one of the safest cities in North Carolina, and I think you are committed, hearing everything you're saying, to do that. And understand that we're committed to help you. And again, thank you for your testimony here today and just-

Rep. Cunningham: [00:42:55](#) Mr. Chair?

Rep. Jones, Chair: [00:42:57](#) Yes, ma'am?

Rep. Cunningham: [00:42:57](#) Mr. Chair, that information that I requested, will you all provide that please? Thank you.

Mr. Merriweather: [00:43:03](#) I will, Representative Cunningham. Thank you.

Rep. Cunningham: [00:43:04](#) Thank you, Mr. Chair.

Rep. Jones, Chair: [00:43:05](#) All good. All hearts and minds clear.

Mr. Merriweather: [00:43:08](#) And thank you, Mr. Chair. I appreciate it.

Rep. Jones, Chair: [00:43:09](#) Thank you. Yes, sir. All right. We're going to move on.

Sheriff Garry McFadden

- Rep. Jones, Chair: [00:43:18](#) All right, Sheriff McFadden, we'll go ahead and start with the elephant in the room. A formal petition was filed against you, alleging amongst many things, poor jail conditions, a terrible work culture, riddled with retaliation, racial slurs and bias, the misuse of public resources and the severe allegation of extortion. I'd like to ask you a series of questions, and if your department's run properly, they should be really easy to go through.
- [00:43:42](#) First question I'd like to ask: did you ever order, approve, or have knowledge of on-duty deputies transporting individuals to bars and strip clubs—yes or no?
- Mr. McFadden: [00:43:52](#) Thank you for having me here today, and I'm honored to be here and would love to answer questions coming from this body. But I cannot answer certain questions to this petition. We all know that this petition was filed by a member of this committee, Representative Cunningham, and others who once worked for my agency. Because of that petition being dismissed, and also because that petition is now under investigation by the State Bureau of Investigation ordered by the district attorney's office, I must respect the process, and I must respect the order by the district attorney, Spencer Merriweather, but I also have to respect the process of the State Bureau of Investigation to give a fair process. And I do respect that process, so, I cannot answer any questions that pertain to that petition at this time.
- Rep. Jones, Chair: [00:44:56](#) Fair enough. Then let's hypothetically—does pulling on-duty deputies off the street to chauffeur individuals to bars and strip clubs—would that make Mecklenburg safer?
- Mr. McFadden: [00:45:06](#) Again...
- Rep. Jones, Chair: [00:45:07](#) It's a hypothetical. It's not asking you directly anything with your agents. It's hypothetically as sheriff.
- Mr. McFadden: [00:45:11](#) Again, that is in the context of the petition that I just stated that I cannot answer questions to, even hypothetically.
- Rep. Jones, Chair: [00:45:22](#) Let the record reflect the gentleman refuses to answer.

- Mr. McFadden: [00:45:24](#) Let me state this, please. I did not refuse to answer your questions. I'm simply stating that this has become a legal matter, a litigation matter, a State Bureau of Investigation matter, and I must respect the process. Having been a homicide detective for 22 years, and respecting the process, this could have been done before this happened. I would have been glad to come and answer questions and talk about what goes on in Mecklenburg County before the petition was filed. The petition was filed. It was dismissed. And as I said, the State Bureau of Investigation—I'm giving them the respect and honor that they duly should have. So, let me make it clear for the record. I am not refusing to answer questions. I'm just simply telling you, I am wanting to allow this process to be fair to the state of North Carolina, even to your committee chair, Ms. Cunningham, but also fair to the State Bureau of Investigation, and also the district attorney. So, again, let me be clear and blunt, I am not refusing to answer the questions.
- Rep. Jones, Chair: [00:46:38](#) But you are unwilling to answer whether or not pulling deputies from the streets to drive guests to bars and strip clubs makes Mecklenburg safer.
- Mr. McFadden: [00:46:45](#) Again, to be clear-
- Rep. Jones, Chair: [00:46:47](#) So, you're unwilling. Okay. All right. I'm going to ask-
- Mr. McFadden: [00:46:50](#) Excuse me. I wouldn't say it's unwilling. Let me make sure we don't put words ... It's not that I'm unwilling. Again, let's be clear. If this happened before and your office invited me, as you invited Mr. Merriweather, and have an open-door policy, I would have been glad to answer those questions without a petition and without this now being a legal litigation matter.
- Rep. Jones, Chair: [00:47:19](#) Obvious answer is no. Okay. I'm just going to ask you point-blank. Have you ever threatened to extort, physically extort a sitting member of this body?
- Mr. McFadden: [00:47:27](#) I will refer to my statement.
- Rep. Jones, Chair: [00:47:33](#) Are you calling Representative Cunningham a liar then?
- Mr. McFadden: [00:47:35](#) Again, I will refer to my statement.

- Rep. Jones, Chair: [00:47:46](#) Representative Cunningham, I will yield to you at this time, if you would like to ask a question of the sheriff?
- Rep. Cunningham: [00:47:50](#) Mr. Chair, I have no questions of the sheriff since it is still in litigation as well as the SBI investigation continues at this time. Thank you, Mr. Chair.
- Rep. Jones, Chair: [00:48:01](#) No problem. Sheriff, I would like to talk to you about your recent comments on Iryna's Law. In your most recent sheriff debate, you call the law "a mistake" and that it "has done no good". Do you still stand by those statements today?
- Mr. McFadden: [00:48:21](#) In answering that question, I do stand by my statement, and I believe that you're taking a soundbite from a debate that I was debating with another person talking about the jail, the conditions, and everything else. So, I do stand by my statement because it particularly pertains to the Mecklenburg County Sheriff's Office. So, it was taken out of context or being taken out of context as a soundbite.
- Rep. Jones, Chair: [00:48:51](#) Okay. Do you think that taking repeat violent offenders off the streets of Mecklenburg is a mistake, yes or no?
- Mr. McFadden: [00:48:57](#) No. I've done that for 22 years as a homicide detective. I've done that for 40 years in law enforcement. That part of my job is never a mistake.
- Rep. Jones, Chair: [00:49:12](#) Do you feel like you should have been consulted when we write bills?
- Mr. McFadden: [00:49:15](#) Absolutely. I think that it is a fair thing, because I think a lot of bills are being written without our input. Of course, you would invite Mr. Eddie Caldwell, who is a great leader of our organization. I respect him fully. He takes us to a school, we go to the school, and we learn a lot. I think it is only fair that before you create a bill, you have the input of the person who is going to be directly affected by the bill, such as Iryna's Law.
- [00:49:44](#) So, when we are talking about the context that was taken out of place, "It did no good." Simply saying, "Sheriff, how would this affect you and your staff at the Mecklenburg County Sheriff's Office? Is there anything that we could do for you to help you make sure that it is not impeding the safety and security of my staff and the citizens of Mecklenburg County? Do you need

funding? How would funding help you? And if it's not only funding, what other resources could we provide for you at this time that would help you and your staff?"

- Rep. Jones, Chair: [00:50:19](#) Okay, so, Iryna's Law was a mistake.
- Mr. McFadden: [00:50:29](#) Again, sir, you are taking it out of the context of listening to a debate when I was actually speaking to a gentleman seeking to be the next sheriff of Mecklenburg County, who was my chief deputy, who I believe honestly and seriously was undermining me while he was at the sheriff's office. So, let's be clear. Taking it out of context, did it do anything for me and my staff at the Mecklenburg County Sheriff's Office? No.
- Rep. Jones, Chair: [00:50:56](#) Well, he's not here today. It's a great time to go on record. Do you think the bill's a mistake; yes or no?
- Mr. McFadden: [00:51:01](#) Again-
- Rep. Jones, Chair: [00:51:01](#) Just a yes or no.
- Mr. McFadden: [00:51:03](#) Again, my statement is, I would love for you and others to open the door for me also to have that conversation and have my input before a bill is addressed.
- Rep. Jones, Chair: [00:51:17](#) So, no?
- Mr. McFadden: [00:51:18](#) Again, that is my statement.
- Rep. Jones, Chair: [00:51:25](#) Not my fault. Let's move on to ICE. I'm going to yield right now to Representative Schietzelt.
- [00:51:31](#) Representative Schietzelt, you're recognized.
- Rep. Schietzelt: [00:51:35](#) Thank you, Mr. Chair. Sheriff McFadden, thank you for being here this morning.
- Mr. McFadden: [00:51:40](#) Thank you so much.
- Rep. Schietzelt: [00:51:41](#) There was a long discussion with the district attorney, Mr. Merriweather, just a moment ago about funding and funding needs. And in fact, in the question about Iryna's Law, you just

mentioned funding as one consideration. Are there concerns regarding funding in your department?

- Mr. McFadden: [00:51:57](#) Absolutely.
- Rep. Schietzelt: [00:51:59](#) Sheriff, do you know who Sarah Kirby is?
- Mr. McFadden: [00:52:03](#) Not right offhand.
- Rep. Schietzelt: [00:52:05](#) So, if I represent to you that Sarah Kirby is a management analyst in the sheriff's office. Would you have any reason to dispute that?
- Mr. McFadden: [00:52:14](#) No.
- Rep. Schietzelt: [00:52:16](#) Sheriff, in an email in 2020 from Ms. Kirby, she did a review of the grants received by your office and found that you're not eligible for a number of current federal and state grants because of your policies—several policies, but specifically those about notifying ICE about releases. Were you made aware of that analysis and that conclusion?
- Mr. McFadden: [00:52:42](#) No.
- Rep. Schietzelt: [00:52:45](#) Did you ever direct your team to change those policies so Mecklenburg County could qualify for that funding?
- Mr. McFadden: [00:52:52](#) Not to my knowledge.
- Rep. Schietzelt: [00:52:54](#) Who would be responsible for knowing about that information and communicating that up the chain of command?
- Mr. McFadden: [00:53:02](#) Her chain of command.
- Rep. Schietzelt: [00:53:03](#) Her chain of command. So, ultimately, is there nobody that reports to the sheriff on grant opportunities in your office?
- Mr. McFadden: [00:53:13](#) To report to the sheriff?
- Rep. Schietzelt: [00:53:14](#) If you're responsible for decision making ... I mean, I'm from the military. Okay? We have a chain of command, and ultimately, there is somebody where the buck stops at the top of the chain. I'm assuming, again, with my military background, the stars on

your shoulders let me know that's probably you, and your title as the sheriff means that you are responsible for the sheriff's office. Who is responsible for communicating those decisions up the chain of command, and how high should those decisions go?

Mr. McFadden: [00:53:43](#) The person who receives that information should also send it up to the chain of command. But coming from the military, we all know there is a chain of command, but oftentimes the person in the last link of that chain is often left out.

Rep. Schietzelt: [00:53:58](#) Sheriff, if you were made aware that your office is not eligible for certain funding grants because of your policies against notifying ICE about releases and notifying ICE about detention, would you change your office's policies as a result?

Mr. McFadden: [00:54:15](#) Well, let me clarify that. I think that we all know this has been a political battle. We have never not notified ICE about someone coming to our detention center. Simply, that is a political play and political move. We have always followed the law in notifying ICE. It is up to them what they do after that notification. So, we all know that the rhetoric was, if you didn't do certain things because of immigration, you will not get certain fundings. We all know that. That was part of the political ploy that they had instructed. And so, we have always followed the law when it comes to immigration and ICE. That is clear. We've always followed the law. We have always notified ICE. It's up to them to do what they need to do after that.

Rep. Schietzelt: [00:55:06](#) Sheriff, I believe you're responding to something I didn't necessarily ask. So, I want to clarify what this email says and then re-ask the question. We're not talking about specifically what the law requires. We can set that aside for a second. What I'm asking is, if you knew about policies that needed to be adopted in order to be eligible for grant funding, whether you would change those policies. So, let me read directly from the email. " I also reviewed many grants that have been made available recently, both federal and state, but which we are not eligible for based on the MCSO policies that do not maintain compliance for certification related to 'interrogation of certain aliens' or 'notice of scheduled release.'" If you knew that your policies were preventing you from accessing potentially hundreds of thousands of dollars in grant funding for your office, would you have changed those policies?

- Mr. McFadden: [00:56:03](#) We followed the law, and we follow the policy-
- Rep. Schietzelt: [00:56:06](#) Sheriff, let me interrupt you again because I'm afraid you're not answering the question that I am asking, which is, set aside the requirements of the law, would you change the policies if you knew your policies were blocking you from receiving grant funding?
- Mr. McFadden: [00:56:21](#) If my policies did not follow the law, I would change that policy, but my policies have followed the law.
- Rep. Schietzelt: [00:56:28](#) So your response, Sheriff, is that you will do only what you are legally required to do, but do no more to try to improve the office; is that your response to my question?
- Mr. McFadden: [00:56:37](#) We've always tried to improve the office. We've always tried to improve the communication. We'll always try to improve the understanding as we see that. That is a misunderstanding today.
- Rep. Schietzelt: [00:56:50](#) So Sheriff, your evasiveness on the question here suggests that maybe you are not willing to do everything you need to do to improve the office. Your unwillingness to answer my question beyond what the law requires suggests that maybe you are not willing to do everything that needs to be done in order to improve your office. Mr. Chair, I have no further questions or comments.
- Mr. McFadden: [00:57:12](#) Thank you.
- Rep. Jones, Chair: [00:57:13](#) Sheriff, can you explain to me how Sheriff Rowe here in Wake County puts forth a good faith effort, near the same number of ICE detainers issued, managed to have a 65% ICE pickup rate while you have an absurd 16%.
- Mr. McFadden: [00:57:30](#) Repeat the question again?
- Rep. Jones, Chair: [00:57:32](#) Sheriff Rowe is able to do his job correctly. He has a 65% ICE pickup rate while you have 16%. Explain why yours are so much lower than Sheriff Rowe right here, with almost exact same number of detainers issued.
- Mr. McFadden: [00:57:46](#) I can't speak for Sheriff Rowe and his policies or what he's doing. Many sheriffs here in North Carolina do it differently. I do it by the law.

- Rep. Jones, Chair: [00:57:57](#) Do you remember who authored the original ICE bill in this General Assembly?
- Mr. McFadden: [00:58:02](#) No, I do not.
- Rep. Jones, Chair: [00:58:03](#) That would be me and now-Speaker Hall.
- Mr. McFadden: [00:58:05](#) Thank you.
- Rep. Jones, Chair: [00:58:07](#) We had conversations back then. We had 97 sheriffs doing their job. We had three that didn't. We've swung this around to where we've got 99 doing it and one not. I don't see anyone else here today. You're both under exact statutes in the same circumstances. I want you to answer, why can he do the job and you can't?
- Mr. McFadden: [00:58:26](#) I don't know his policies. I don't know his procedures. I can tell you this. 287(g) was a voluntary policy that I didn't think that was good for my county. Believe it or not, each and every sheriff is elected by their county and the residents of their county to do a job, particularly for those residents and of that county. I can't speak for Sheriff Rowe. I respect him. I respect him highly, and we've talked honestly about once a week. I can't give you what he does and why he does it. I can only give you what I do and why I do it.
- Rep. Jones, Chair: [00:59:02](#) I believe you probably didn't mean to answer that. You just said that you interpreted the way you wanted to.
- Mr. McFadden: [00:59:07](#) No, sir. I did not. That's the way that you interpret it. Let me be clear.
- Rep. Jones, Chair: [00:59:10](#) Now that's what you've been interpreting, because it's obvious with the news and everything and having to come back and rewrite the law for one sheriff constantly, who is in the media constantly, badgering the General Assembly about not doing the right thing when we send you a law and you just say, "Hey, I'm not doing it." Is that not correct?
- Mr. McFadden: [00:59:25](#) Thank you, sir. If you-
- Rep. Jones, Chair: [00:59:26](#) Is that not correct?
- Mr. McFadden: [00:59:29](#) Let me answer the question.

- Rep. Jones, Chair: [00:59:31](#) Not your fault.
- Mr. McFadden: [00:59:32](#) No.
- Rep. Jones, Chair: [00:59:33](#) Nothing is.
- Mr. McFadden: [00:59:34](#) Well, a lot could be, but I would ask to be respected first. And if we want to be blunt about this, I could also be, but I don't think this is the place to do it.
- Rep. Jones, Chair: [00:59:43](#) Clear the air.
- Mr. McFadden: [00:59:45](#) House Bill 10 was created by this Assembly. If you didn't believe that you missed a step, then why create House Bill 318? Clearly, House Bill 10 did not address the legal transfer from a person in the Mecklenburg County Detention Center with state charges to federal charges. So, not having that legal transfer was done under House Bill 10. If the Assembly did not believe that was necessary, then they should have never created House Bill 318. This is why I believe it's so important for us to be invited with this open-door policy and help make these decisions. When you see a step missed, it's not a loophole, it was simply clarifying that if you had had indicated this in the first bill, House Bill 10, it wouldn't be necessary to do House Bill 318. I didn't ask for House Bill 318. I didn't ask for it to be changed. I simply pointed out a step that I believe that was missed. And because of that misstep, House Bill 318 was created.
- Rep. Jones, Chair: [01:00:58](#) So, we had 99 other sheriffs that could get on the program, but you couldn't, so, we had to continually figure out another way to try to force you to enforce the law. Let's move on. It's obvious nothing's your fault, and you're not going to agree.
- [01:01:09](#) Representative Quick, I'm going to recognize you for a question.
- Rep. Quick: [01:01:14](#) Thank you, Mr. Chair. Sheriff, welcome.
- Mr. McFadden: [01:01:17](#) Thank you.
- Rep. Quick: [01:01:17](#) Thank you for being here this afternoon. I want to go back to some questions that were asked about funding, and Representative Schietzelt pointed out some grant funding that you possibly missed because of ICE funding and federal funding for that. My question is this—should adequate funding for our

county jails depend on one program or a policy that targets one population?

- Mr. McFadden: [01:01:43](#) Absolutely not.
- Rep. Quick: [01:01:45](#) Second question that I have for you.
- Rep. Jones, Chair: [01:01:48](#) You're recognized for a follow-up.
- Rep. Quick: [01:01:49](#) Thank you, Mr. Chair. A little bit different. You have a lot of success in Mecklenburg County with reentry programs and getting inmates in school and educated so that we don't have this recidivism that's been mentioned before. Can you speak a little bit about those programs?
- Mr. McFadden: [01:02:06](#) We have more success than any other sheriff's office in the state of North Carolina. We have been recognized more than any other sheriff's office in the state of North Carolina. We hold more programs in our detention center than any other sheriff's office in North Carolina. We have been nationally recognized for our programs at the Mecklenburg County Sheriff's Office, so that the National Sheriff Association has created me as the chairman of what we call the IGNITE program—to go across the United States implementing programs in each and every sheriff's office who is willing, including the 99 sheriff's offices here. We are more accredited than any other sheriff's office here in North Carolina.
- [01:02:54](#) We have what they call the Triple Crown. And if I'm not mistaken, there are only three other sheriff's offices in the state of North Carolina that have the Triple Crown. That Triple Crown is so rare that only out of 3,000 [sheriffs], 89 sheriff's offices in America received the Triple Crown. Unfortunately... and I wish that Sheriff Rowe would come to me and we also will get him the Triple Crown. He deserves it. I'm willing to do it, since we were talking about Wake County. Respectfully, we are the sheriff's office that you should follow when you're talking about accreditations and programs in the state of North Carolina.
- Rep. Quick: [01:03:38](#) Final follow up, Mr. Chair?
- Rep. Jones, Chair: [01:03:40](#) You're recognized.

- Rep. Quick: [01:03:41](#) Thank you, sir. Do you believe that these programs that you have just talked about and the accolades that you've received nationwide, do you believe that these programs have led to a safer Charlotte Mecklenburg County?
- Mr. McFadden: [01:03:53](#) Yes, I do.
- Rep. Quick: [01:03:53](#) Thank you.
- Mr. McFadden: [01:03:54](#) I think the young lady was talking about recidivism rate, and I don't know the numbers, but I can tell you this. If you look at a newscast by Spectrum News and Jonathan Lowe, the national rate was at 44% at that time. Mecklenburg County was at 29. So, when we look back at that, we are doing what we can with what we can to be a better sheriff's office. We have programs that no other sheriff's office has. We have a program called the Next Great 50 where we create men and women to leave our detention center with not job readiness skills, but with an actual LLC company. We also have the state of North Carolina's only post release center where we take care of men and women who are released from our detention center daily and even the ones across the state that can come to our post release center and receive resources to put them better back in their community to create a safer community. So, these are the things that we are doing in Mecklenburg County. Thank you.
- Rep. Jones, Chair: [01:05:15](#) Sheriff, just wanted to make sure... You made a comment to my colleague, Representative Schietzelt. You said the last person in the chain of command is often left out. Does that mean you don't know what's going on in your department?
- Mr. McFadden: [01:05:31](#) Sir, I'm going to stand on my statement because I think you want to put words in my mouth. I think that-
- Rep. Jones, Chair: [01:05:35](#) That were your words, not mine.
- Mr. McFadden: [01:05:36](#) Let me please finish. Respectfully. We all know that things go through the chain of command, and we don't know at the last minute. Let's be clear. If we want to be honest about that, I should be a part of the chain of command of this Assembly when you create a law. Why? Because the law is going to affect me. If we all work together in the state of North Carolina, as we say that we do today and want our cities and counties safe, I should be part of that chain. Not only my chain at the sheriff's

office but part of the chain of making our community safe. So, if we are talking about that chain, I'm part of your chain also. Why? Because it affects me. Iryna's Law affects me. Immigration affects me. I know that puts people in an awkward place. But we all are part of that chain because we are talking about the great state of North Carolina.

- Rep. Jones, Chair: [01:06:30](#) Sheriff McFadden, have you ever found the doors of this building to be locked?
- Mr. McFadden: [01:06:33](#) No, sir. But as we can see-
- Rep. Jones, Chair: [01:06:36](#) Is there a reason that you couldn't come by and share your thoughts with us as we were writing these bills and going through the committee process?
- Mr. McFadden: [01:06:40](#) Excuse me, sir. I am going to do that now since you have invited me, and I hope I'm better welcomed than I am today.
- Rep. Jones, Chair: [01:06:48](#) You're always welcome. And again, you can be combative and go that way. And not your fault and everybody else's fault. I get it. No one's being combative except you, sir. We're going to move on to Representative-
- Mr. McFadden: [01:06:58](#) Let me make... Please.
- Rep. Jones, Chair: [01:06:58](#) We're moving on to Representative-.
- Mr. McFadden: [01:07:00](#) Please let me make a comment, sir.
- Mr. McFadden: [01:07:01](#) Thank you. I think your first statement-
- Rep. Cervania: [01:07:04](#) Point of order. Point of order, chair. It has to [inaudible 01:07:07] combative-
- Rep. Jones, Chair: [01:07:08](#) Rep. Cervania. Rep. Cervania, you're not recognized.
- Rep. Jones, Chair: [01:07:12](#) Sheriff, you're recognized.
- Mr. McFadden: [01:07:14](#) Okay, let me... I think that your first statement, if you read your first statement, it became combative, not on my part. I'm just answering my questions the best that I can. It should not be combative. If we're talk-

Rep. Jones, Chair: [01:07:25](#) And it was.

Mr. McFadden: [01:07:30](#) I want to respect you having the conversation first. Your opening statement-

Rep. Johnson: [01:07:36](#) Mr. Chairman, I got an inquiry to the chair.

Rep. Jones, Chair: [01:07:37](#) Yes, sir.

Rep. Chesser: [01:07:39](#) Does the time allotted belong to the member or to the speaker?

Rep. Jones, Chair: [01:07:44](#) The chair's being very gracious at this juncture, and we're going to let the speaker have a few moments to express his concern to the chair. But thank you, sir.

Rep. Johnson: [01:07:52](#) Thank you, Mr. Chair.

Rep. Jones, Chair: [01:07:52](#) Sheriff, you're recognized.

Mr. McFadden: [01:07:54](#) I think the opening statement set the tone into comments of blunt. And I have not been blunt. I have been direct. And I think that should be recognized. We all know that it has always been combative between Sheriff Gary McFadden and this body of legislators and politicians. We all know that. Because it's unusual for a sheriff to be outspoken. It is unusual for a sheriff to take a stance and stand on that stance and do respect the law. This is my 44th year in law enforcement, and I still will respect that oath that I took. All we are asking for is respect also. And I'm willing to come here anytime and speak to you all. And I will ask, have I been invited by any of you? Have I been addressed by any of you? Have I received a letter from any of you that said, "Sheriff, we are about to make a bill that will directly affect you and your staff?"

[01:09:04](#) "Sheriff, we're going to invite you to talk about a bill that we know that potentially has your name on it because we have said that in the media." So, I'm looking for the invitation because the invitation goes both ways. And I respectfully ask for that invitation and would respectfully come here, but it cannot be combative. It just cannot be, because we all say that we want safe and secure cities and counties and states. But is that the way that we are displaying this today? No, I'm not combative. I'm respecting the law. Simply by asking me questions, knowing that I cannot answer them because of the legal matter,

litigation, and all that is present. We know that. We all know that. And having a member of the committee, a party that is not a *potential* witness but is a witness to this litigation. It simply should not have been addressed.

[01:10:03](#)

And so, it's not that I'm not answering questions. It's just not the form that you want me to answer them in. We all know that. Let's be honest. It is different. It is different. I am different than most of the other sheriffs. I am the first African-American sheriff in Mecklenburg County. That itself comes with a burden. We were called every name before we got here as black sheriffs—"the woke sheriffs", "those sheriffs." Compare me with other ninety-nine sheriffs. I'm elected by the county that I'm in. Most of you all, or some of you all, could never be elected in my county. And I could never be elected in your county because your county has a different view than my county. So, let's be honest with that. I am the elephant in the room, but I'm the proud elephant in the room. And I will always be the proud elephant in the room and the state.

[01:11:04](#)

And it is not the great state of Mecklenburg. We are just a county. That is something that has been dubbed. If we can move away from all of that rhetoric, we could be better. But will we? You still want to put us on blast, but I don't think that is what this state needs and certainly does not deserve. Thank you.

Rep. Jones, Chair:

[01:11:25](#)

Okay. Let's address something. You said, in my county, we would never have that. So, that shows your lack of knowledge there. The former sheriff was an African-American sheriff who served on the Highway Patrol—very well received and won many reelections, so you were wrong there. You also said that most sheriffs aren't outspoken. I find that amusing because every sheriff I've met is very outspoken. I have a pretty good relationship with ninety-nine sheriffs in this state, as does this General Assembly. I don't see any of them here except you, sir. So, that should tell you where the problem lies.

[01:11:53](#)

No one's being combative. Excuse my directness if you have interpreted it that way. We're here to get to a problem. I don't have this problem in other counties. This General Assembly doesn't have that problem in other counties. And sir, you have been hung with it because we've had to keep coming back because you refuse to obey the law that was written. So, I

would get a little knowledge about my county before you spoke out not knowing. With that said, we're going to move on to Representative Johnson.

- Rep. Johnson: [01:12:16](#) Mr. Chairman, I fear when I was leaning forward, you may have missed Representative Cunningham's recognition, so I'll yield my time to her.
- Rep. Jones, Chair: [01:12:16](#) Representative Cunningham, you're recognized.
- Rep. Cunningham: [01:12:26](#) Thank you, Mr. Chair. Is your current jail under corrective action under the Department of Health and Human Services at this time?
- Mr. McFadden: [01:12:36](#) Thank you for the question, Representative Cunningham. We all know that I cannot answer that question because we are back to the same petition that you and others filed, and you will be a witness to that. So, we cannot answer that question because it pertains to part of the petition and part of the litigation and simply part of the investigation.
- Rep. Cunningham: [01:12:57](#) Thank you for those remarks. But that is not part of the petition, sir, I'm referencing. Is your jail in compliance with the Department of Health and Human Services at this time?
- Mr. McFadden: [01:13:08](#) Yes, it is.
- Rep. Cunningham: [01:13:09](#) Thank you. Now, the next question is, your implication of your statement is that we don't know how to write the law. You have a lobbyist who is Eddie Caldwell that we can confer with and consult when the laws are written. Is that your take on it? Is that we don't know how to write the law?
- Mr. McFadden: [01:13:32](#) I never said that you don't know how to write the law. I simply say invite us to help you write the law when it pertains to Mecklenburg County and Mecklenburg County Sheriff's Office. Eddie Caldwell does not work for Mecklenburg County Sheriff's Office, and he is not a resident of Mecklenburg County. He represents all 100 sheriffs. But Eddie Caldwell may also need to come to our facility and sit down and talk with us before a bill is written. And so maybe he can bring it back to you all. He does not work for the sheriff's office. He represents us very well, and I respect Mr. Caldwell, but simply going back and forth about this with the jail, Eddie Caldwell does not—he does not speak

totally for me and what I do at the Mecklenburg County Sheriff's Office. Respectfully.

Rep. Cunningham: [01:14:29](#) Follow up, Mr. Chair?

Rep. Jones, Chair: [01:14:30](#) You're recognized.

Rep. Cunningham: [01:14:30](#) Thank you. Thank you so much. The last thing that I'm going to bring up is about the music studio inside of the jail. We have a music studio, and I guess they're rapping or something in there. And the family members of some of the victims that were murdered were very upset about that. Do you think that's appropriate to have a music studio for people to rap in that are in jail for murder or other felonies?

Mr. McFadden: [01:15:02](#) So, let me put the content in a better context. Every single one of us in here listens to music. Every single one of us in here takes music into our lives. That's part of rehabilitation for us. I have directly spoken with that family member about that person being displayed as someone inside our detention center, simply just making music. It is part of rehabilitation. You can look at many studies and see that music helps us. So, we're taking this out of context of one particular thing. We should be talking about the mental health that we incorporated inside of the detention center—North Carolina's first mental health institution inside of a detention center.

[01:15:56](#) We don't talk about that. We talk about something that could bring a negative light. Let's talk about the RISE Program—the Mecklenburg County Sheriff's Office takes on the responsibility of 36 other counties for mental health. We did not ask for funding for any of that in the beginning. So, simply just putting this music studio as a highlight, we should highlight all that we do for the good of helping young men and women be rehabilitated. And if the door is completely open, then we will take on the task of how to better... We will welcome how better we could help our men and women.

Rep. Cunningham: [01:16:36](#) Thank you.

Mr. McFadden: [01:16:36](#) Thank you.

Rep. Cunningham: [01:16:37](#) My last question.

- Rep. Jones, Chair: [01:16:39](#) You are recognized.
- Rep. Cunningham: [01:16:39](#) Thank you, Mr. Chair. We've had 21 deaths in the Mecklenburg County Jail. Two additional jail inspectors I got because not just Mecklenburg County jail, but over 70% of jails across the entire state fail inspection because of different reasons: the building is old or different things are going on inside. Most of these deaths were overdoses or suicides. Do you think that we needed some more jail inspectors or not?
- Mr. McFadden: [01:17:15](#) Well, thank you for that. And Ms. Cunningham, thank you for bringing that up.
- Rep. Cunningham: [01:17:20](#) Excuse me, Mr. Chair. It's Representative Cunningham. Thank you, sir.
- Mr. McFadden: [01:17:21](#) I'm sorry, Representative Cunningham. Thank you, ma'am. And I'm Sheriff McFadden. Thank you. The jail inspectors are of great need, but if we are following what we believe that we are following is this: you have a jail inspector that openly lied about his inspections. We have a jail inspector that openly lied about his inspections. I wrote a letter to the state. I wrote a letter to governor at the time, Governor Cooper. And I wrote a letter to the attorney general. And I wrote a letter to DHHS about this inspector who lied about inspections. And created his own list of inspections for the Mecklenburg County Detention Center. We do need reliable, truthful, and professional inspectors to inspect our detention centers. That's what I would ask for us to do.
- Rep. Cunningham: [01:18:17](#) Thank you, Mr. Chair. I'm finished.
- Rep. Jones, Chair: [01:18:25](#) Thank you, Representative Cunningham. Not my fault, not my fault. Representative Schietzelt, you're recognized.
- Rep. Schietzelt: [01:18:25](#) Thank you, Mr. Chair. I just want to revisit some things that were said a few minutes ago, Sheriff McFadden. Specifically with regard to the General Assembly's—not necessarily your words but paraphrasing you—our duty to consult with you as we write the law. And these are your words, placing yourself in the chain of command as we write the laws. Sheriff, my old boss liked to quote Article I, Section 35 of the state constitution, "A frequent recurrence to fundamental principles is absolutely necessary to secure the blessings of liberty."

[01:18:59](#) So, let's talk about some of those fundamental principles. Are you familiar with Article I, Section Six of our constitution, which is the separation of powers clause?

Mr. McFadden: [01:19:08](#) I'm familiar with that phrase.

Rep. Schietzelt: [01:19:10](#) Are you familiar with what section or article of the constitution that forms the office of the sheriff?

Mr. McFadden: [01:19:18](#) Yes.

Rep. Schietzelt: [01:19:18](#) Which article is that?

Mr. McFadden: [01:19:20](#) I don't know the article, but I know that I am a-

Rep. Schietzelt: [01:19:22](#) It's Article VII.

Mr. McFadden: [01:19:23](#) Okay. Please let me finish.

Rep. Schietzelt: [01:19:25](#) I just asked you if you knew which article, and you said you didn't know specifically which article. So, I'm telling you it's Article VII. We are the Article II branch in the state government. Our job is to write the laws, and we do so in consult... Not for one county, although we do pass local bills. This discussion hasn't been about local bills. It has been about public bills that generally apply to all 100 counties. And we consult with a representative for the sheriffs. We consult with the different representatives around the state. I have 119 colleagues here in this chamber that assist us in writing the law. So, I appreciate the bluster with which you've come in here and the hubris. But the fact remains you are not a part of this chain of command.

[01:20:11](#) It is not your job. And if you have concerns about laws that are coming before this body or bills that are coming before this body. You have an elected representative that you can go directly to. It is not the leadership's job to go and consult the opinion of 100 sheriffs around the county or around the state. With all due respect, I would like to keep in mind our different constitutional roles here.

Mr. McFadden: [01:20:37](#) Thank you.

Rep. Schietzelt: [01:20:37](#) Thank you.

Mr. McFadden: [01:20:38](#) Well, thank you. So, I guess that the open-door policy is not for the sheriffs.

Rep. Jones, Chair: [01:20:46](#) That's not what he said.

Mr. McFadden: [01:20:47](#) Okay. So, I guess that the open-door sheriff policy is not for the sheriff, but here's what I'm saying-

Rep. Schietzelt: [01:20:52](#) Sheriff McFadden, that's not what I said. So, please do not... You've asked us not to put words in your mouth. Please do not put words in my mouth. My sheriff, Sheriff Rowe, is able to talk to me whenever he would like to. And he knows that. I've told him that before. You have representatives in your county that you can consult with, and you have an association that represents the interests of the sheriff. You can consult with them at any time. But to think that you can try to exercise some sort of unilateral veto or have some sort of say in all of this beyond what everybody else gets is patently mistaken. And that's the only point I would like to make. There's really no question here.

Mr. McFadden: [01:21:29](#) Well, I would like to comment-

Rep. Schietzelt: [01:21:30](#) Mr. Chair, I yield my time.

Mr. McFadden: [01:21:31](#) I would like to comment on that question if I may.

Rep. Jones, Chair: [01:21:33](#) The gentleman is recognized to comment.

Mr. McFadden: [01:21:34](#) Well, may I comment, sir?

Rep. Jones, Chair: [01:21:36](#) You can comment.

Mr. McFadden: [01:21:36](#) Thank you, sir. I guess the door is not open, as we said, because I'm not asking. I think it would be wise. Because if it wasn't necessary... Then when you created House Bill 10... If it wasn't necessary... And I did not have to consult anyone, I didn't have to consult any representative. I'm just looking at a misstep that was done on House Bill 10. I didn't have to call anybody. I simply made a comment in the... As we say, I made a comment in the news. And you took that comment. If it wasn't necessary, then why change House Bill 10 to 318? I think it was necessary. I brought it to the attention over the media or maybe talking about it. And it was changed from House Bill 10 to 318. So, if it

wasn't necessary to change it, then why change it? By simply listening to what I said that you missed a step of getting someone transferred from the state, with state pending charges, over to federal pending possibly federal civil charges.

[01:22:52](#)

We've had 24 people taken from the Mecklenburg County Courthouse since this new bill—29 people—correction, 29 people, 24 have pending charges. So, does that make it difficult for this man later? Yes, because they possibly have OFAs [orders for arrest] outstanding. That was never thought of, I assume, because it wasn't implicated in the bill. Changing the bill from holding someone 48 hours without a legal aspect of it made House Bill 318. If it wasn't necessary, then why change North Carolina General Statute 162-62. And if you're familiar with point (c), (c) says that nothing in this article will prevent a person from being released from custody. So, you had an old statute, 162-62 changed by House Bill 10.

[01:23:59](#)

After it was changed by House Bill 10, there was still a misstep in House Bill 10. So, we redo it. I didn't redo it. It was redone again to House Bill 318. I'm simply saying this—you don't have to invite me. You don't have to listen to me, but I'm saying it may be wise. Because Mr. Caldwell didn't tell you about this misstep. I brought the misstep up into the media. Listening to the media, as we see that we do, every time Sheriff McFadden makes a statement we take that and make a quote from it. I'm simply saying it would be wise to talk to the sheriffs who are directly affected and who directly will deal with this every day. Mr. Caldwell doesn't. I do. Respectfully, thank you.

Rep. Jones, Chair: [01:24:52](#)

Representative Johnson.

Rep. Johnson: [01:24:53](#)

Thank you, Mr. Chairman. And Representative Schietzelt is a fine attorney, and I am not an attorney. So, my cadence may be a little bit different. You're just going to have to bear with me. I'm going to reference an email that you were on with your chief counsel, and I believe chief financial officer, Chief Collins. You were on an email in August of 2022. Are you aware of the email I'm referring to?

Mr. McFadden: [01:25:15](#)

No, sir. I'm not.

Rep. Johnson: [01:25:17](#)

I believe we can get that pulled up. We have a great IT chair in this body, and I think we can get...

Rep. Jones, Chair: [01:25:23](#) He does an outstanding job.

Rep. Johnson: [01:25:24](#) He does a great job. So, we have that email now pulled up before you. In this email, I believe it's referenced at the compliance rate with ICE, and this from an editorial from a UNC professor, was 33%. And I don't want to put words in anybody's mouth, I'm just going to read what the quote was. Your counsel said, "That strikes me as way wrong." If that number is way wrong—and this is referring to the number of ICE detainer requests in 2019—if it's way wrong, is the real number higher than that, lower than that? What does that real number look like?

Mr. McFadden: [01:26:01](#) In the request?

Rep. Johnson: [01:26:02](#) In the ICE compliance rate leading up to that email in 2022.

Mr. McFadden: [01:26:07](#) Okay. I'm not sure what you mean by compliance rate.

Rep. Johnson: [01:26:10](#) Cooperating with ICE.

Mr. McFadden: [01:26:11](#) We've cooperated with ICE. I don't think anybody can say that I have not followed the law. Cooperation and following the law are slightly different. Cooperation to what someone opinion's is, that's cooperation following the law.

Rep. Johnson: [01:26:28](#) So, you would say the number is higher or lower than 33%?

Mr. McFadden: [01:26:33](#) In what?

Rep. Johnson: [01:26:34](#) As far as cooperating with ICE. In the sense of what we consider legal now. Cooperating with ICE.

Mr. McFadden: [01:26:42](#) Was it legal then? I'm not sure of your question. I'm sorry. I'm sorry.

Rep. Johnson: [01:26:47](#) Well, would you guess now your rate is higher or lower than 33% cooperating with the law?

Mr. McFadden: [01:26:55](#) We've always cooperated in the law. We've always cooperated with ICE under North Carolina General Statute 162-62. We always cooperated. It is the number that you may be-

- Rep. Johnson: [01:27:09](#) Let me specify that. Complied with detainer requests from ICE. Complied with detainer requests from ICE. Would you say that number is higher or lower than 33%? When you were... In this email. When he said... Because he's clearly saying in this email, 33% is not right and way wrong. So, that means way wrong in the low direction or way wrong in the top direction of complying with ICE detainers, specifically.
- Rep. Jones, Chair: [01:27:39](#) He's looking for a number, sir.
- Mr. McFadden: [01:27:41](#) I don't have that number. If you're looking for a number, then I don't have that number because what we're saying is complying with detainers. We accept detainers each and every time... Let me put it in this context. When a person is arrested in Mecklenburg County, no matter what they're arrested for, every single person comes to Mecklenburg County and is asked three questions pertaining to their citizenship—with 287(g), with House Bill 10, without House Bill 10, without 318, each person is asked three questions.
- [01:28:17](#) Once we find that person's citizenship cannot be verified, we, what we call, query or ping ICE. ICE then has a person to send a detainer over. A detainer is not signed by a judicial official or is a legal document in my opinion. Because it's not a legal document. We receive it, we acknowledge it, and we file it in our office—before 318.
- Rep. Johnson: [01:28:49](#) Let me reference the number, that 33%. That was from a UNC professor saying that was the amount that they had judged and studied that it had been complied with these ICE detainers. So, here's the issue, and here's the bigger issue—that if that was when it was voluntary—because this was before these laws were put in, we passed them when they were implemented—that was voluntary. Fast-forward, so now, we're fast forwarding to 2025. And this is from your own office in December of 2025—that out of the 445 detainers that you received that year. ICE had only picked up 72 people. It's roughly 16%. So, I guess the real question is, if your cooperation was higher, lower, we're not sure we haven't gotten a real answer there. Higher, lower. I mean, are they failing to show up or are you inflating numbers? There's only so many ways that can go.
- Mr. McFadden: [01:29:53](#) ICE picks up people who they want to pick up. I can't tell them who to pick up. They are at liberty to pick up anyone from the

Mecklenburg County Detention Center if they have the legal right and documents to pick them up.

Rep. Johnson: [01:30:09](#) And see, here's where I'm having a hard time because we just established a little bit ago that Wake County is what, 65%? 65, and we're talking about 16 here. So, what that's telling me is it's not ICE not showing up. It's not a failure on the part of ICE that they're not showing up. That these numbers are simply inflated or the perception of an inflated number, that it was 33% when it was voluntary, and now it has dropped to 16% based on your office. I mean, the numbers have either been inflated somewhere in reports to us, or there is an active attempt to not comply with the law. That's what I'm seeing in these numbers.

Mr. McFadden: [01:30:57](#) There is no attempt not to apply with the law. Let me make sure we understand that. That is what we want to believe, or that is the platform that we have done since I've taken office. We have always complied with the law. I can't tell you what ICE is doing or not doing about picking them up. I can tell you this—as of October 17, having a meeting with ICE in my office for the very first time, face-to-face because I invited them there—I wrote them a letter and said, look, we simply cannot operate in this manner unsafely in Mecklenburg County any longer. I classified this saying that we had... Where they fought somebody in a duck pond—ICE agents fighting someone in a duck pond.

[01:31:45](#) When I was at the National Sheriff's Association a couple of months ago and the two people lost their lives at the immigration camp in Dallas, I told every sheriff there, we need to go back to our agencies and do whatever we need to do to simply work together to make our cities and counties safe. On October 17, ICE came to my office. We provided them documentation of the guidelines and procedures that we wish that they would follow so we can have a safe and a better working relationship.

[01:32:20](#) I can tell you, since that time, it has been better and the communication has been better. But we're simply looking at this: back then, it is a different immigration elephant than it is now. They simply may not have the time. I can't answer that. Maybe ICE should have been invited here to answer that question on why they couldn't pick someone up. They are in our custody. They are there. They are notified that they are there. I can't speak to ICE and why they did or did not pick up someone.

- Rep. Johnson: [01:32:57](#) I think there is a fair discrepancy in that number of 65 to 16% with the same amount of detainees put out. That to me is just absolutely unacceptable to be that low. And I'll yield now and may circle back with some follow-ups. Thank you, Mr. Chairman.
- Mr. McFadden: [01:33:14](#) One comment. Let me say this. We want to compare Wake County to Mecklenburg County. We are two different counties. We are two different populations. Their murder rate may be different than my murder rate. It's different. We cannot say what one person is doing in one county compared to other counties. We are the same, particularly the same size. Are we different? Is the industry different? This is a tech city. Mecklenburg County is a banking city. So, when we compare that, Sheriff Rowe is different from Sheriff McFadden. Sheriff McFadden is different from Sheriff Rowe. Although we are duly elected sheriffs, we operate differently. But simply making it seem like I'm doing something wrong or fudging the numbers is not true. I want to make sure that we understand that. It's not true.
- [01:34:08](#) And so, although we are similar in size, our crime could be different. Our administrators could be different. Our demographics can be different. We simply can't say because of what Sheriff Rowe is doing—Sheriff Rowe doesn't have a post-release center, Sheriff Roe doesn't have what we have inside of our... Sheriff Roe is not a Triple Crown.
- Rep. Johnson: [01:34:28](#) Mr. Sheriff, I would highly suggest that when we ask this question again going forward about the 33%, we need an exact number. We need a north or south of that. Not an I-have-no-idea-what-our-compliance-rate-is.
- Mr. McFadden: [01:34:42](#) Well, I thank you. We complied to every single thing that you ask us to do, even to the last minute. If we saw that there was a discrepancy during that time, I think that someone could research that and present that to me to say they're... Just simply saying, it could be fudging numbers or couldn't be fudging numbers. If you had the time to ask for it, simply you could ask somebody to research it with everybody that you have here to research it. To bring the numbers and say, let's find an answer. But simply making it seem like I'm fudging or someone's fudging the number, I would not accept that. And I can't accept that on the back of my county. I cannot accept that.

Rep. Johnson: [01:35:24](#) Thank you, Mr. Chairman.

Rep. Jones, Chair: [01:35:25](#) Thank you. Well, Sheriff, what's not different is 441 to 445, pretty close in numbers. 65%, 16%. With that being said, what is your detainer number as of today?

Mr. McFadden: [01:35:39](#) I have no idea.

Rep. Jones, Chair: [01:35:40](#) You're the head of the agency, and you have no idea what your detainer number is?

Mr. McFadden: [01:35:43](#) If I knew... I can find out for you if you need it.

Rep. Jones, Chair: [01:35:45](#) You were coming to this committee. You didn't think that was a good idea to know?

Mr. McFadden: [01:35:48](#) Sir, I believe it was-

Rep. Jones, Chair: [01:35:49](#) I'm just asking.

Mr. McFadden: [01:35:50](#) I think it's a good idea for me to speak clearly and honestly to you. If you had that number, you should have said, "Bring me your detainer number." We were receiving requests until 5:00 on Saturday. If you said, "Bring me the detainer number today," we would have that.

Rep. Jones, Chair: [01:36:08](#) Your invitation instructed you to be prepared. I'm moving over now to Representative Pyrtle.

Rep. Pyrtle: [01:36:14](#) Thank you, Mr. Chair. I have a brief comment and then a series of questions. Thank you for being here today, Sheriff.

Mr. McFadden: [01:36:21](#) Thank you, sir.

Rep. Pyrtle: [01:36:22](#) As a retired police chief, I've been fortunate enough to get some successful legislation across the finish line that benefits both law enforcement and the people of the state of North Carolina. And in doing so, I've developed relationships with chiefs and sheriffs across the state, who come through my office right regularly, simply because I'm a former police officer. But each time I do a piece of legislation, usually it's impossible to talk to 100 sheriffs and all the police chiefs. So, I have a great relationship with Eddie Caldwell and Fred Baggett with the Chiefs Association and Chuck Spahos with the Conference of

District Attorneys. And I rely on them to represent the district attorneys, the sheriffs, and the police departments across the state when I had this conversation.

[01:37:09](#)

So, it kind of caught me a little off guard when I realized that I probably should have worked you into that conversation as well, because it's my understanding that that's exactly what the Sheriff's Association is supposed to do. But my questions deal more with... I want to talk a little bit about the jail. Sheriff McFadden, is it fair to say, or would it be correct to say, that you're the constitutional officer responsible for the safety and welfare of every person in your jail?

Mr. McFadden:

[01:37:37](#)

Yes, it would be.

Rep. Pyrtle:

[01:37:40](#)

That responsibility includes ensuring adequate staffing, proper medical care, and required safety checks. Would that be a true statement?

Mr. McFadden:

[01:37:49](#)

Yes, it would be.

Rep. Pyrtle:

[01:37:51](#)

Sheriff, for the audience here today and those at home watching, do you have any idea how many inmates died in the Mecklenburg County Jail under your predecessor, Sheriff Carmichael, who served from 2014 to 2018?

Mr. McFadden:

[01:38:07](#)

I don't have that number.

Rep. Pyrtle:

[01:38:09](#)

Would it surprise you to know that there was eight deaths in that four-year period? And before him, Sheriff Bailey had eight deaths over a seven-year period. So, that's a total of 16 deaths in about 11 years. Sheriff, my question for you is, how many people have died in your jail since you took office in 2018?

Mr. McFadden:

[01:38:30](#)

It would be 21, I believe.

Rep. Pyrtle:

[01:38:33](#)

Twenty-one, okay. In a recent interview on television, you talked about, was confronted with that number, and I think your statement was you kind of got defensive and you said, "Did I cause their deaths or can I prevent those deaths?" Sheriff, my question to you is, as the sheriff of Mecklenburg County with your constitutional responsibilities, can you prevent those deaths?

- Mr. McFadden: [01:39:05](#) So, let me answer this in this way, and I still will stick with my statement. I cannot talk about these incidents that happened because it is a legal, ongoing and litigation matter, and I'm going to respect the investigation, and I'm going to respect the litigation.
- Rep. Pyrtle: [01:39:23](#) All right, but-
- Mr. McFadden: [01:39:24](#) Let me say this: people die every day across America. People die in hospitals across America where there are millions of dollars of technology, millions of dollars spent on salaries and education to equip the best doctors sometimes in the world at a facility, and people still die.
- Rep. Pyrtle: [01:39:55](#) Are you saying a hospital and a jail are comparing-
- Mr. McFadden: [01:39:58](#) No, sir. What I'm saying is, they are responsible for the care of that person. People die in the United States every day of prostate cancer, heart attack, congestive heart failure, and several diseases.
- Rep. Pyrtle: [01:40:15](#) Sheriff, we're talking about a jail-
- Mr. McFadden: [01:40:17](#) Let me finish.
- Rep. Pyrtle: [01:40:17](#) A controlled environment where people are there for pretrial or post-trial adjudication and sentenced to the jail. I'm asking you, what have you done? Let me ask another question. You can't talk about it, let me ask another question. What have you done to mitigate policy to ensure that the continued deaths in the jail don't occur? I know the state requires a certain amount of wellness checks. What have you done beyond the required state minimum to ensure that these deaths do not continue?
- Mr. McFadden: [01:40:48](#) Again, I would ask that this committee respectfully understand that I'm not going to answer any questions or go into any part of questioning as it pertains to this petition, as it pertains to the legalities or litigation that is part of this petition. It would be unfair to the investigation. It would be unfair to the district attorney's office. What I'm simply stating is a general statement—people die. When people come to the facility, they're not adequately receiving healthcare. People die every day. Simply coming, it is highlighted only because it is the jail, but we commonly refer to it as a detention center. We highlight

deaths inside detention centers, but we don't highlight deaths in a hospital or a care facility. Simply coming to a facility of incarceration, including our prisons, people still enter in poor health, in poverty, disease, longtime healthcare-

- Rep. Pyrtle: [01:42:03](#) You said earlier that your responsibility was to provide proper medical care.
- Rep. Jones, Chair: [01:42:08](#) Representative Pyrtle, Mr. DA, does this particular line of question have anything to do with the petition itself?
- Mr. Merriweather: [01:42:16](#) Your Honor, I said Your Honor, here's where we are. Let me say this: the sheriff has counsel. He has counsel both within his agency as well as individual counsel present. He is correct that these broadly there are matters that are under investigation by the SBI. It would not be appropriate for me to in any way interfere with the counsel that he has present.
- Rep. Jones, Chair: [01:42:48](#) Fair. Ask another question. I'm not an attorney. We just want to be truthful and we get truth. Are jail deaths an administrative function of the sheriff's office? Is that something the sheriff should know?
- Mr. Merriweather: [01:43:02](#) As far as shoulds of-
- Rep. Jones, Chair: [01:43:05](#) Just jail deaths, is that an administrative function of the sheriff's office?
- Mr. Merriweather: [01:43:11](#) Anything that goes on in the four corners of any of our buildings is our responsibility, and that would include the sheriff in the jail and me in my office and the like.
- Rep. Jones, Chair: [01:43:20](#) So, if you had 74 deaths in the DA office, it'd be fair to ask you a question of what was going on there, wouldn't it?
- Mr. Merriweather: [01:43:27](#) I would have an expectation to answer specifically as a policy matter for whatever questions that you have. Mr. Chair, if I could say-
- Rep. Jones, Chair: [01:43:38](#) Not trying to put you in a box. You answered what I need. Thank you, Mr. Merriweather.
- Mr. Merriweather: [01:43:41](#) Thank you.

Rep. Jones, Chair: [01:43:42](#) Representative Pyrtle, you are recognized to finish your line of questioning.

Rep. Pyrtle: [01:43:45](#) Thank you, Mr. Chair. I guess my question would be, let's put it another way. What have you shared with the great people of Mecklenburg County that your strategy is to prevent these deaths in the jail from continuing to happen?

Mr. McFadden: [01:44:06](#) Again, I'm going to respectfully ask you to respect my statement on whether we're talking about death or anything that is part of the litigation of the ongoing investigation. We can talk about deaths in general and the health and welfare and the poverty that we receive people in, and that is where I will leave it.

Rep. Pyrtle: [01:44:37](#) Thank you, Mr. Chair. I have no other questions that I think will be answered today.

Rep. Jones, Chair: [01:44:41](#) Representative Miller, you are recognized for a line of questioning, but Representative Miller, just for the body's knowledge, what's your former profession, sir?

Rep. Miller: [01:44:50](#) Chief Deputy Brunswick County Sheriff's Office.

Rep. Jones, Chair: [01:44:52](#) So you have a pretty good understanding how a sheriff's office works?

Rep. Miller: [01:44:55](#) I do.

Rep. Jones, Chair: [01:44:55](#) Thank you, sir.

Rep. Miller: [01:44:57](#) And unfortunately, I know how a jail works, Sheriff. It's a full-time job to keep a jail running, but I appreciate you being here today, and I have the utmost respect for the office of sheriff. But Sheriff, state inspection reports found that in four of five deaths in '22, that you had officers that either falsified or failed to conduct required safety rounds. Were you aware of that finding?

Mr. McFadden: [01:45:30](#) Yes.

Rep. Miller: [01:45:32](#) And what actions did you take, if you can...

Mr. McFadden: [01:45:35](#) Again, I'm going to refer you also to my previous statement. We are still getting into litigation, lawsuits, and an investigation.

Prior to this, you could have asked us any questions, and if I was invited, we could talk about it. But simply trying to find another way to maneuver for me to talk about this petition is not going to be acceptable to me, because we have the person, one person here, Representative Cunningham, is part of that petition. And as you can see, everything hangs on the words of Sheriff McFadden, whether it's in the media, whether it's on social media or anywhere else. So, I have to understand that, that doing this investigation and also the litigation proceedings, that I will be asked—as I'm being asked today—of what I've said during a debate or a hearing or anything else, I respectfully ask for that.

- Rep. Miller: [01:46:43](#) Okay. Let's try it another way. What is the state requirement for inmate checks per hour?
- Mr. McFadden: [01:46:57](#) Juvenile or adult?
- Rep. Miller: [01:47:00](#) Both.
- Mr. McFadden: [01:47:06](#) We're getting into the same thing. I'm going to say it again.
- Rep. Miller: [01:47:08](#) No, sir. No, sir, we're not.
- Mr. McFadden: [01:47:10](#) Okay.
- Rep. Miller: [01:47:11](#) State jail inspectors come. They download your—I forget the name of the system that you do the checks with. How often are you required by state code to check on an inmate?
- Mr. McFadden: [01:47:26](#) It goes back to a leading question. That's a leading question into another question, if you want to be honest.
- Rep. Miller: [01:47:33](#) Just answer the question, sir.
- Mr. McFadden: [01:47:35](#) I'm answering the question again. I'm answering the question again. Respectfully, understanding the petition and the lawsuit, I'm going to respect the process and not ask any questions pertaining to that.
- Rep. Jones, Chair: [01:47:51](#) Sheriff McFadden, is your counsel here with you today?
- Mr. McFadden: [01:47:59](#) I believe you know that answer.

Rep. Jones, Chair: [01:48:00](#) No, sir, I don't. I don't know them. Is your counsel with you today?

Mr. McFadden: [01:48:03](#) Yes.

Rep. Jones, Chair: [01:48:04](#) How about you take a moment, confer with your counsel, and ask if you can answer these questions?

Mr. McFadden: [01:48:09](#) Outside. Thank you.

Rep. Jones, Chair: [01:48:11](#) Five-minute recess. We'll start back at eight after....
[After recess] We're awaiting Representative Miller, Sergeant at Arms, if you could see if Representative Miller's outside.

[01:48:49](#) Thank you for joining us, Representative Miller. Committee's back in order. Sheriff McFadden, did your counsel give you the authority to answer the question?

[01:49:14](#) Queue up, please. Thank you. Thank you.

Mr. McFadden: [01:49:16](#) So, let me make something clear, maybe to clear the record here. So, there is a pending petition litigation, and there is a pending lawsuit for death inside our detention center, and maybe I didn't make it clear, and that is my fault. So, when I'm talking about the petition that we cannot answer questions, and it's also for pending lawsuits. There is, for the inspection, I mean, every 15 minutes for suicidal [inmates] and every half hour, every half hour, every 30 minutes, twice an hour, inside the detention center. So, we do understand that part of the inspection.

Rep. Miller: [01:50:09](#) Okay. So, you're doing 15 minutes for suicide watch, and you're doing the twice an hour that's required by the state. Have you increased any of those times based on what you've been through over the last several years with suicides or anything? Have you increased your checks, is what I'm asking?

Mr. McFadden: [01:50:31](#) Yes, we have. I think that if you look at the national study-

Rep. Miller: [01:50:34](#) Okay. You said yes, we have.

Mr. McFadden: [01:50:35](#) I said we've asked our staff to do more checks, so more than the regular times.

Rep. Miller: [01:50:44](#) More than twice an hour?

Mr. McFadden: [01:50:45](#) Yes.

Rep. Miller: [01:50:46](#) Okay. So, what have you increased those checks to?

Mr. McFadden: [01:50:49](#) More than twice a hour. We didn't have to say on paper to do it every 30 minutes. We do frequently more. So, we encourage our staff doing roll call to do more.

Rep. Miller: [01:50:58](#) So you encourage, you don't direct or change policy?

Mr. McFadden: [01:51:02](#) We direct them to do it.

Rep. Miller: [01:51:03](#) So it's policy?

Mr. McFadden: [01:51:05](#) Yes.

Rep. Miller: [01:51:05](#) Okay. So, what does the policy say? How many times?

Mr. McFadden: [01:51:08](#) Again, now we're into the part of part of the death investigations.

Rep. Miller: [01:51:14](#) I'm not asking you about an investigation, sir. I'm just asking you what your policy is.

Mr. McFadden: [01:51:19](#) I don't have that policy. I don't have that-

Rep. Jones, Chair: [01:51:21](#) Sheriff, Sheriff, just please. Due to time, the Chair is going to instruct that you answer simply as the members are asking you to answer the questions, instead of bogging down with a bunch of rhetoric that the committee does not need going forward. So, if you would limit your answers to the question you're being asked, because there's folks behind you that I know want to get back to Mecklenburg County and you're taking up their time. So, please refrain from the commentary and just answer the questions. Representative Miller, proceed.

Rep. Miller: [01:51:52](#) What's your policy?

Mr. McFadden: [01:51:53](#) I don't have it. I don't have it before me.

Rep. Miller: [01:51:56](#) You said you had one. I asked you if you had a policy or I asked you if it was a directive or a policy, and you said you had a policy.

Mr. McFadden: [01:52:07](#) I encourage my staff to do...

Rep. Miller: [01:52:09](#) So you don't have a policy?

Mr. McFadden: [01:52:10](#) I encourage my staff during roll call to do more.

Rep. Miller: [01:52:14](#) Okay. We're not going to get anywhere here. Who's your healthcare provider in the jail?

Mr. McFadden: [01:52:20](#) VitalCore.

Rep. Miller: [01:52:21](#) How much do you pay them a year?

Mr. McFadden: [01:52:22](#) I don't have the exact number.

Rep. Miller: [01:52:26](#) I'm sure it's in the millions.

Mr. McFadden: [01:52:28](#) We are the largest facility in the Carolinas.

Rep. Miller: [01:52:31](#) And they provide all your inmate screening once a new inmate is brought in?

Mr. McFadden: [01:52:36](#) Part of it, yes.

Rep. Miller: [01:52:37](#) So they would know if somebody has cancer or some disease that you were talking about, they would know that after the screening, or pretty shortly thereafter they should know, correct?

Mr. McFadden: [01:52:48](#) We have found out that many of our residents are not truthful about their healthcare because they don't know about their healthcare. That's generally speaking. And I'm sure-

Rep. Miller: [01:52:59](#) I can agree with that. I can absolutely agree with that. We've had in custody deaths in our jail. Most of them are natural causes, so you're exactly right there. But you're paying millions of dollars for healthcare. I would hope that they were doing the proper screenings that they should be doing. And I know where you're going to go after this, but in a September '22 death, state

reviewers found that eight out of 17 assigned shift officers were actually on duty on the floor when the inmate died. What have you done to increase your staff, your jail staff? And I know they're hard to find and hard to retain, but what have you done to increase that?

- Mr. McFadden: [01:53:49](#) Give me the question again, I'll see if I can answer it.
- Rep. Miller: [01:53:51](#) Are you in a staffing shortage, sir?
- Mr. McFadden: [01:53:53](#) The nation is in a staffing shortage. I think that the governor just indicated that they are 40%, 2,000 staff short. Every single facility that I know of is in a staffing shortage across America.
- Rep. Miller: [01:54:09](#) So in December of '21, the state of North Carolina officially warned you that staffing shortages were creating, and I'm quoting, "An imminent threat to the safety of inmates and detention staff." Sheriff, you received an official warning about the imminent threats, and then people kept dying. So, what are you doing to stop that?
- Mr. McFadden: [01:54:30](#) Again, I'm going to refer to my statement.
- Rep. Miller: [01:54:32](#) Okay. Let's set aside the deaths. What are you doing to address your staffing shortage?
- Mr. McFadden: [01:54:38](#) Great. We are asking people not to talk so negatively about Mecklenburg County Sheriff's Office. We're asking people to speak positively about Mecklenburg County Sheriff's Office. The rhetoric that we have against law enforcement, as you can see each and every day, hinders people from coming to the law enforcement career. And most people know that, and I'm sure that you know. When you talk negatively about your sheriff's office constantly, and you keep them in the news constantly. QT Express can hire people quicker than we do, because you're not talking about QT Express. We're doing everything that we can, but you have to understand, in Mecklenburg County, we have seven other different agencies, all looking for the same qualified applicants from the same pool. So, it is very competitive. We do advertisement, we do initiative budgets, I mean, incentives, and we do all of that, but simply asking the media and others to provide a positive view of our sheriff's office would be helpful.

- [01:55:44](#) So we do recruit, and we're looking for the best recruits as other sheriff's offices around the county of Mecklenburg and including the townships. So, we are doing our best. The governor just said that the state prison system is down 40%, 2,800. If you look across the country, when I just left Washington, DC, we all are subject to lower recruitment because of what's happening in these large cities with ICE and immigration and all. It sends a negative sign. So, we are doing recruiting, but we need the help of the public also to encourage them to take on an unbelievable career in law enforcement.
- Rep. Miller: [01:56:29](#) You went there, I didn't. So, what does ICE have to do with recruiting?
- Mr. McFadden: [01:56:33](#) It's negativity on law enforcement.
- Rep. Miller: [01:56:36](#) Why is it negative?
- Mr. McFadden: [01:56:38](#) ICE is part of law enforcement, so the negative confrontation that has been created in our cities and counties across the nation, in Charlotte as well, it gives a bad taste of law enforcement, simply the badge. It gives a bad indication. So, we're asking people to, let's get back to talking good about law enforcement as a reputable profession, but we don't. We don't.
- Rep. Jones, Chair: [01:57:04](#) Representative Miller, hold on. Chair's got to interject. So, you're saying that law enforcement's going out, doing their job, detaining illegals, bad criminals is a bad look for law enforcement?
- Mr. McFadden: [01:57:18](#) Killing people is a bad look for law enforcement with someone without a gun.
- Rep. Jones, Chair: [01:57:22](#) Twenty-one [people have] died in your jail since you've been-
- Mr. McFadden: [01:57:25](#) No, you asked about ICE, or you asked about law enforcement-
- Rep. Jones, Chair: [01:57:28](#) I didn't ask. I made a statement.
- Mr. McFadden: [01:57:29](#) Well, I'm making a statement also. So, here's what we're going to say. Two American citizens died, not immigrants. American citizens died-
- Rep. Jones, Chair: [01:57:38](#) Not in North Carolina.

- Mr. McFadden: [01:57:39](#) But still, it's an image. It's an image that we have of law enforcement. If you can say that respectfully, the way that we are approaching this hearing today—not against him, but against me—is different and it's going to be different, because it is my time for you to bring me forward and say anything that you want to say. For me, that's not a good look. When you say you welcome me... and I will, I will make sure I will come back here before bills are made or when I hear bills are made, to show you that if we work together, it's better, but simply making it look like it's a hostile environment each and every time is not acceptable.
- [01:58:20](#) We talk against law enforcement each and every day. We talk about the Blue on Blue. If we didn't come together in this little incident in Charlotte with Charlotte's Web, surely something would happen. It would happen. So, when we're talking about recruiting, you would want to come to the best team. You would want to come to an agency that is fulfilling, a fulfilling career. We all do. This is why I put on this uniform and this badge for 44 years. Maybe not physically, but I do take it in my heart every day. People say, "Why do you go from police officer to homicide detective, retire and come back to serve?" Why? Because I love this profession, but we are simply saying this, the way that America has it now, law enforcement is one of the last things that we can recruit. And I'm just simply saying, no, we're not saying that one incident, all of the incidents that happen brings a bad light onto law enforcement.
- Rep. Jones, Chair: [01:59:17](#) I also think people look at the head of an agency, decide if they want to work there or not, and if it's not in a positive light, it's probably where they're going. Representative Miller, do you have any follow up?
- Mr. McFadden: [01:59:24](#) Let me make a comment. Well, let me make a comment on that.
- Rep. Jones, Chair: [01:59:27](#) I asked [inaudible 01:59:28] the questions. I know you want to have that last word. Representative Miller's going to ask your question, sir.
- Mr. McFadden: [01:59:33](#) Wait, before that, it's not that I want to have a last word, but-
- Rep. Jones, Chair: [01:59:36](#) You're taking up all their time with this hyperbole.

- Mr. McFadden: [01:59:38](#) But here's what you do, after I speak, you interject a small comment that I should refer to. So, let me explain this to you. We do have a vibrant recruiting. As of today, we have people wanting to be rehired. We can't hire everyone that's applied. Why? Because we are particular about who's running, we are particular about who's running our agency. That means my detention officer and my staff. So, we don't hire everybody that applies. They want to work for Sheriff McFadden; I can tell you that. A young man came to me only because he saw my picture on the bus.
- [02:00:21](#) People want to work for the first black sheriff of Mecklenburg County because it's rare. So, let's get this clear, they want to work for me. They would love to work for me. And if we put a positive light on working for a black sheriff in the middle of Black History Month, that would be a positive thing. But simply always bashing the sheriff because he's outspoken, because he's different than the 99 is not acceptable. But simply making a comment each time to run and point to somebody else should not be accepted. And you may do so, but it's not acceptable by me. Thank you.
- Rep. Jones, Chair: [02:01:02](#) Good thing the citizens of Mecklenburg's your employer. Representative Miller.
- Rep. Miller: [02:01:07](#) Thank you, Mr. Chair. Sir, I'm trying really hard to be respectful. Like I told you early on, I have the utmost respect for the office of sheriff. What is the starting pay for your detention officer?
- Mr. McFadden: [02:01:21](#) About \$61,000.
- Rep. Miller: [02:01:23](#) Wow. But the cost of living in Mecklenburg is much higher I'm sure than Columbus County. So, I understand that. How many openings do you have right now? Do you know?
- Mr. McFadden: [02:01:36](#) I think about 98, maybe 100.
- Rep. Miller: [02:01:40](#) And how big is your jail staff, detention staff total?
- Mr. McFadden: [02:01:46](#) We have supposed to be 80 per shift.
- Rep. Miller: [02:01:52](#) And how many inmates do you average on a daily basis?

Mr. McFadden: [02:01:56](#) Well, usually 1,600, but right now it's 1,838 and we are at the maximum the middle of December because of the overflow that we have now.

Rep. Miller: [02:02:14](#) Okay. Well, that's all I have for right now, Mr. Chair.

Mr. McFadden: [02:02:18](#) Thank you so much.

Rep. Jones, Chair: [02:02:21](#) Let's see. Representative Chesser.

Rep. Chesser: [02:02:29](#) Thank you, Mr. Chair. Sheriff McFadden, I understand that you are under investigation, part of litigation, what have you. I'm going to try to stay as far away from those issues as I can. But I will very plainly ask you to answer my questions quickly, concisely, and not go on a long tirade because I'm going to do my best not to be disrespectful. I don't want my time wasted either. So, first, if I were to classify your position as the highest law enforcement officer in the county, would that be a fair description?

Mr. McFadden: [02:03:04](#) That's correct.

Rep. Chesser: [02:03:06](#) Okay. And as such, you made reference earlier that you're a constitutional office. My colleague may reference that there are constitutional divisions amongst responsibilities between us and you. What branch of government do you operate under?

Mr. McFadden: [02:03:23](#) Mecklenburg County.

Rep. Chesser: [02:03:27](#) What branch of government do you operate under, Sheriff?

Mr. McFadden: [02:03:35](#) Constitution of the United States.

Rep. Chesser: [02:03:37](#) Correct, that is what establishes the branches of government. I'm asking which branch you fall under.

Mr. McFadden: [02:03:43](#) Mecklenburg County. I'm a duly sworn Mecklenburg County Sheriff. We answer to the people of Mecklenburg County.

Rep. Chesser: [02:03:49](#) This was not where I was anticipating getting stuck. Are you aware of how many branches of government there are?

Mr. McFadden: [02:03:59](#) No.

Rep. Chesser: [02:04:00](#) Okay. For the sake of debate, I will move on and say there are three branches of government, legislative, executive, judicial. Of those three, which do you believe you fall under?

Mr. McFadden: [02:04:14](#) I believe I fall under the last one.

Rep. Chesser: [02:04:17](#) Would you say it to me?

Mr. McFadden: [02:04:18](#) Judicial.

Rep. Chesser: [02:04:19](#) Okay. You are incorrect, sir. You fall under the executive. And as a member of the executive, what do you believe your primary function is?

Mr. McFadden: [02:04:29](#) Care and custody of those in my custody at the Mecklenburg County Detention Center.

Rep. Chesser: [02:04:34](#) Okay. That is part of what your responsibilities as sheriff are, sure. But as a member of the executive, your primary function is to execute upon the law, to enforce the law. Okay? And again, I'm not trying to be rude, not trying to be combative, just walking you through the pace as I used to wear a badge as well. Okay? So as the sheriff, do you take an oath of office?

Mr. McFadden: [02:04:58](#) I do.

Rep. Chesser: [02:04:59](#) And in that oath, I'm going to read it right off the screen and I'm going to ask you if you agree with it. Okay. So, there's a portion that says, you will execute the office of the sheriff, the county of Mecklenburg for you, sir. To the best of your knowledge and ability agreeable to law. Is that a fair representation of the oath you swore to?

Mr. McFadden: [02:05:17](#) Yes, sir, it is.

Rep. Chesser: [02:05:18](#) Okay. And the agreeable to law, what do you think that means?

Mr. McFadden: [02:05:24](#) Following the law.

Rep. Chesser: [02:05:25](#) Following the law.

Mr. McFadden: [02:05:25](#) Following the law.

Rep. Chesser: [02:05:25](#) Okay.

Mr. McFadden: [02:05:26](#) Not opinions, following the law.

Rep. Chesser: [02:05:28](#) I would agree. Thank you. With that, do you think your personal opinions have any authority to override statute?

Mr. McFadden: [02:05:41](#) No.

Rep. Chesser: [02:05:41](#) Do you believe your office holds any authority to nullify law?

Mr. McFadden: [02:05:45](#) No.

Rep. Chesser: [02:05:45](#) Okay. So, how do you reconcile that with the public statements that you've made about not enforcing the law?

Mr. McFadden: [02:05:56](#) I've never said I'm not enforcing the law.

Rep. Chesser: [02:05:59](#) With respect, I'm going to read a direct quote from you, sir. It says, quote, "We do not have a role in enforcement whatsoever. We do not have to follow the rules and the laws that are governed by our lawmakers in Raleigh." End quote.

Mr. McFadden: [02:06:17](#) We were talking about, again, you're taking the context of what I said when we are talking about immigration.

Rep. Chesser: [02:06:28](#) So you're talking about existing law and how you don't have to follow it. I'll allow you to expand on context if you'd like.

Mr. McFadden: [02:06:35](#) No, I don't need to expand. I'm saying that we follow the law. Again, you are taking something out of context to make a point.

Rep. Chesser: [02:06:49](#) Okay. So, if the law says you must comply with detainers, and you're saying earlier in your testimony, you said that in your opinion, because of who they are or aren't signed by, you view that as not binding. What ruling, because the law is very clear, so what court ruling are you hedging that belief on?

Mr. McFadden: [02:07:08](#) I don't think that a detainer is state law.

Rep. Chesser: [02:07:12](#) But it is. The compliance of the ICE detainer is settled state law.

Mr. McFadden: [02:07:19](#) As of-

Rep. Chesser: [02:07:20](#) What ruling are you hanging that on?

Mr. McFadden: [02:07:22](#) If you let me answer, now it is state law. House Bill 318 now is state law, and we are complying with that law.

Rep. Chesser: [02:07:35](#) Now.

Mr. McFadden: [02:07:36](#) Now.

Rep. Chesser: [02:07:37](#) Previously, it was state law.

Mr. McFadden: [02:07:40](#) In House Bill 10. We're referring to North Carolina general statute, if you're familiar with that, A, B, and C.

Rep. Chesser: [02:07:49](#) We play with those every day here, sir.

Mr. McFadden: [02:07:51](#) So we follow the law. We follow the law.

Rep. Chesser: [02:07:57](#) So how do you reconcile that with the statement that I just read that was a direct quote from you-

Mr. McFadden: [02:08:02](#) It was-

Rep. Chesser: [02:08:02](#) That you don't have to follow the law, and you've already said that you don't believe that you have the authority of nullification.

Mr. McFadden: [02:08:09](#) Again, you're taking it out of a context of an immigration law.

Rep. Chesser: [02:08:12](#) I will allow you as much leeway as you need to explain the context.

Mr. McFadden: [02:08:16](#) That's all I'm going to explain. You're talking about immigration law. A detainer is not-

Rep. Chesser: [02:08:24](#) I am not. I think you were talking about immigration law when you made this statement. I am simply talking about broad spectrum application of the law and your job to enforce it, sir.

Mr. McFadden: [02:08:34](#) That is where you have taken that out of context.

- Rep. Chesser: [02:08:37](#) I've offered you the opportunity to place it in context. I am not trying to lead you astray. I'm giving you the opportunity to make clear your statement, sir.
- Mr. McFadden: [02:08:45](#) Thank you so much. Simply, we follow the law. When the law is produced, we follow the law.
- Rep. Chesser: [02:08:54](#) One closing statement, Mr. Chairman?
- Rep. Jones, Chair: [02:08:56](#) You're recognized.
- Rep. Chesser: [02:08:57](#) Thank you. Again, I have no intentions, as someone who wore the badge, to disparage the badge or the man wearing it or the office of which you hold. I promise you that. As a military veteran, as a former law enforcement officer, as someone who's fallen under a chain of command and been a participant in a chain of command, I have serious concerns with your testimony you've provided today and the statements that I've seen you make in the past, where it seems like we often get to see real leaders step up and say, "The buck stops here."
- [02:09:32](#) I've never heard anyone with the rank that is on your shoulder, sir, say that nothing is their fault, that no blame belongs on them. I've heard you blame staff. I've heard you blame lobbyists. I've heard you blame the legislature. I have not heard you take responsibility for a single question that we have asked you today, and that, sir, is disheartening to me. I don't think it is going to be conducive to us building a relationship of where we can work together in the future. You have accused us of being combative. I have not tried to be combative with you today, and you are still refusing to answer questions, very simple, basic questions. And so, with that, Mr. Chair, I yield my time.
- Mr. McFadden: [02:10:13](#) May I comment, please?
- Rep. Jones, Chair: [02:10:14](#) Yes, sir.
- Mr. McFadden: [02:10:14](#) I thank you, and I respect you wearing the badge, and I hope that you respect me wearing the badge, including the stars on my shoulders that I have rightfully earned for 44 years. I understand, no matter how we paint the picture here today, I clearly understand why I'm here. Being the only sheriff that has ever been brought before a hearing such as this. Even leaving here today, I want to come to your office, your office, your

office, your office, and anybody else's office. I would hope that we exchange phone numbers today, so I won't have to go directly to anybody. I want a better relationship to work with this body. We need a better relationship working with this body. Simply making it seems like I am the fault and using what you've heard on the radio, not my fault, we all clearly know that comes from one radio station said it's not my fault.

[02:11:21](#)

You have never heard me say it's not my fault. You say it's always not my fault. You make it characterized [like I say] it's never my fault. A mother who comes to me and said her child has died, she takes that fault, and I take that fault from her. So, let's make it clear. What we are saying here today, it is like an invite and welcome, Sheriff McFadden, to your chambers, to your offices. I will find out if that's true. I will find out if you're that welcoming and that open. I'm at 500 Fayetteville Street to Marriott every time I come to Raleigh. I'm sorry that the 42nd Street Oyster Bar, I think, is gone. I would invite you to dinner. We can say that today to make it appear to be that way, but we can see we want to attack Sheriff McFadden, but I'm not going to flinch. I think that's the problem. You want me to flinch at this. You want me to worry at this.

[02:12:24](#)

I've been doing this a long time, and if you think about who's in law enforcement, and I'm sure you know about Graham versus Connor, if you're in law enforcement, I'm sure that you do, Connor was my partner and was my partner in homicide. We still know each other, so I'm hoping that we do respect my position here, and I know it's different. I'm different. I'm the first black sheriff, and why I say that? Because you can never, never, never, understand what it is to be the first black sheriff of a county that's wanting to see that face. Yes, we would dub many names by this body, "the woke sheriffs, the supermajority sheriff, those few sheriffs, those minority sheriffs." If we went back to newspaper articles and all of that, did you sit in Lexington with members of this house in North Carolina at a barbecue that nobody in that meeting looked like me and nobody was of my party?

[02:13:40](#)

That statement, which says, "We have to make those sheriffs do what we want them to do," if you need a copy of that article, we can have that. It should not be like this, ladies and gentlemen. We're here for answers. We are here to say what is right and what is wrong, and we came here because of Iryna's

Law, and we said Iryna. We dub her now as a refugee. We dare to put the word immigration on her. We dare to say that, but I have to say, in closing, I want a relationship with each and every one of you all, but will you accept that relationship from me? Will you honor that relationship from me? Will you respect the four stars on my shoulders, that I rightfully earned, each and every time? No matter if you were the sheriff, or you were the deputy, or you say that you did it in the ranks of officers, you could never live in my shoes as the first African American.

[02:14:47](#)

And I say that why? Because this house said the words before I did, the woke sheriffs, the supermajority sheriff, the magnificent eight sheriff. It's a cartoon, and I have it, but saying all of that, I'll pass it to you, I'll pass it to you. Saying all of that, I welcome the friendship, working relationship, because here's what I say. It can work if you want it to work. The next time I come here, you know what I want? I want it to be better than it has been today. We can all say it's not combative. We can all say, "I'm not directing that to you. I'm not saying that to you." We know that it is, because we made sure that I'm the one of the 99, but I am the one. I am the one, and I will always be the one. I'm a dream of my ancestors. Think about it.

[02:15:46](#)

I'm a dream of my ancestors. I know some people are going to roll their eyes, sit back, and don't think that is, but you can never understand what it is to be the first African-American sheriff, or maybe possibly a state that are not accustomed to seeing it, and I know we going on and on in here, but I must make sure that, because I want the relationship, it is whether you want the relationship. It's whether you want to work together to make this state and this city better, and I will take my challenge with Sheriff Rowe, outstanding man, and we will still be different. I'm progressive, direct, and sometimes that bothers people, because it's oftentimes that is not the way we are—submissive, get along, understand. But that's not what we tell our constituents, is it?

[02:16:42](#)

We are all working for the betterment of the great state of North Carolina. We hate the word, "The great state of Mecklenburg County." Why? Because we are part of North Carolina, so don't single us out. Accept us for who we are. We are the largest agency, and we probably are the largest progressive agency, and we are. We just happen to be outspoken like you are, and I welcome that, and I welcome that

more than you can ever imagine, but we will see if, as they say, Sheriff, you are welcome. We'll see if the open door is welcome, because you think about it. We made it perfectly clear that you welcome him, but you didn't welcome me for an open door. We understand that, but that still does not deter me from being who I am and being a representative of our county.

[02:17:43](#)

Whether you think that or not, I'm here to help you, because missing a step caused House Bill 10. Missing a step caused House Bill 318. Missing funding causes my staff now to work and help with mental health. We can do this. We should never fight, no matter how you make it seem that we are not fighting. We should never have these kinds of meetings, and say, "We're going to do this and you're on the hot seat." We are not on a hot seat. We should be standing on the same seat together, and that's what I want to understand, but we will see if you accept me when I knock on your door, because I'm going to tell each and every one of you today, I invite you to my office.

[02:18:32](#)

I invite each and every one of you to my office, 700 East 4th Street, Suite 100. Come, and I will show you what hospitality is. Come, and I will show you a progressive sheriff's office. Come, and I can guarantee you this, you will see a difference, and you can compare me to any other sheriff's office in North Carolina. No sheriff's office has my resume. I'm on both of the national sheriff boards in America. Name another sheriff of the 100. I sit on the board of both executive staffs. I am the chair of the American Correctional Association for Detention, so when you ask about detention and you want to stump the chump, as we call it, of asking you about some numbers, let's talk about that. I chair that.

Rep. Jones, Chair: [02:19:35](#) Sheriff, thank you. We've got to move on.

Mr. McFadden: [02:19:39](#) Thank you, sir.

Rep. Jones, Chair: [02:19:39](#) Representative Echevarria.

Rep. Echevarria: [02:19:40](#) Thank you, Mr. Chair. I have a question for DA Merriweather and a series of questions for the sheriff. May I be recognized?

Rep. Jones, Chair: [02:19:49](#) Yes, sir.

Rep. Echevarria: [02:19:50](#) Thank you. DA Merriweather, just a question of clarification. Thank you for your knowledgeable, thoughtful, and professional testimony. This is my very first term, and a lot has happened in almost 14 months, not to mention years past. I understand that Mecklenburg County has a backlog that you're diligently working through. Now, you said that in 2020, someone brought the criminal justice system to a halt, and that's the first time I've heard that mentioned. Just for clarity, who brought the criminal justice system to a halt?

Mr. Merriweather: [02:20:31](#) The reason why I'm taking a minute to make sure I'm answering your question accurately is: there are phases to that going back to 2020. Originally, with the onset of COVID-19, when no one knew anything about it at all, Chief Justice Beasley, I believe it was a March date, basically, all court sessions were ceased for a week. That was then extended by a number, another series of days, and then that was extended to then May. I believe it's my recollection that, at that point, there were various districts that asked for some level of permission to try to get up certain sessions. There were conversations among the principal court officials in my own county to determine, one, whether it was possible to gather the volume of people that it takes to have court Mecklenburg County.

[02:21:40](#) I should, just to give you some context, Representative, that when we have a traffic court or admin court, we're talking about calling upwards of 900 people, which was not something that everybody wanted to do at the time of early in COVID. We were able to get our first jury trials off the ground, I believe, in November of 2020, and at that point, and I might get the name wrong, I think that was the Delta version of the COVID virus. Then, it ceased again in my own county. Those were decisions that I believe were made locally. I was a part of that, to be frank. We made a decision—I want to make sure I get this right—because there was one school of thought that maybe we should start with misdemeanor appeals, because if you mess one of those up, you can always kind of do it over again.

[02:22:49](#) Whereas if you mess up a homicide, you might not get a second chance with those witnesses, and I believe we were able to get some serious felony crimes off the ground by the end of 2020, but then it ceased for much of 2021. It wasn't until late 2021 that we were able to get back into something that looked like normal circulation. So, to answer your question in sum, early on

it was the Chief Justice. Subsequent to that, a lot of those were local decisions that were made by our court officials with keeping in mind just what it takes to get the number of people it takes to get a court session off the ground in Mecklenburg County. I hope that answers your question, sir.

Rep. Echevarria: [02:23:41](#)

It does. Thank you very much. That's the first time I'd heard it mentioned. Sheriff McFadden, I'm going to do my best not to ask you any questions that you can't answer, okay? So, with that being said, in February of 2024, you recruited Kevin Canty as your chief deputy, a 32-year law enforcement veteran who voted for you twice. After eight months, he resigned, and I understand you to be familiar with the content of his resignation letter. Mr. Canty, who is black, wrote, and I'm quoting, "The MCSO functions like a third-world dictatorship. In my 33 years of law enforcement, I have never worked in such a toxic and abusive environment and never seen an agency head conduct himself in such a classless and abusive manner." Sheriff, what did you do to a decorated law enforcement veteran of 33 years to make him describe working with you as the most toxic experience of his entire career?

Mr. McFadden: [02:24:48](#)

I'm going to answer that in two phases. The first is we well know that it is part of the petition that I cannot answer. That's part one. There is a study by Harvard University that talks about black leadership. When a black leader is leading, he is described differently than a white leader. Forty-three percent say that when a black leader is leading other blacks, it is a problem. That's a Harvard study. That's not my opinion. That's a Harvard study, but it also says in that study that 28% or 29% of their leadership who is directly under them will undermine them and find conflict in the way that they operate.

Rep. Echevarria: [02:25:55](#)

Thank you. I have a question that's a little separate, but so are you saying it's because you're black, that he describes this as a toxic time?

Mr. McFadden: [02:26:03](#)

Okay. Let me go back to make sure we get this clear, because there's all-

Rep. Echevarria: [02:26:06](#)

You're saying because he's black and you're black, that he's described, that's the reason or-

Mr. McFadden: [02:26:11](#) I said this, that I cannot comment on that because it's part of the petition and the ongoing investigation.

Rep. Echevarria: [02:26:18](#) We'll go to the next one. Sheriff, I'm not pressing you. I'm not pressing you, because quite honestly, I don't want anything to happen to me in your county, but I do have one more question. You apologized for the racist language that you were recorded saying. Is that correct?

Mr. McFadden: [02:26:35](#) That is correct.

Rep. Echevarria: [02:26:36](#) Excellent. So, pertaining to the racist words that you said, I would like to know what do they mean and how do they shape the culture of your agency?

Mr. McFadden: [02:26:47](#) So, let me explain it to you in this way. We've all been upset.

Rep. Echevarria: [02:26:51](#) Well, no. I accept your apology. What I need to know is what do those words mean, and how do they shape the culture of your agency? I accept your apology. North Carolina, I believe most of them accepted your apology, so the question is, what do they mean and how do they shape the culture of your agency?

Mr. McFadden: [02:27:22](#) We've all been upset. We've all been angry. Each and every person in here have said things during a time of being upset.

Rep. Echevarria: [02:27:38](#) I accept that, Sheriff. I accept that.

Mr. McFadden: [02:27:42](#) If you allow me to finish?

Rep. Echevarria: [02:27:44](#) No, no, no. Thank you. I really just want the question, because I accept your apology. We've all been upset and said things that we wish we hadn't. What I'm asking you is what those words mean and how do they shape the culture of your agency?

Mr. McFadden: [02:27:57](#) It means that I was upset. I was upset. I was disappointed. Those words do not shape the culture of my entire agency. Those words were spoken because of what I had taken on, what had happened to me, and I was upset.

Rep. Echevarria: [02:28:22](#) I believe that. Thank you. So, those words don't have a meaning? I mean, you could just say, "I'm not going to answer that." Mr. Chair?

Mr. McFadden: [02:28:34](#) Just a second. You want me to answer that?

Rep. Echevarria: [02:28:39](#) I would love for you to answer.

Mr. McFadden: [02:28:39](#) Words have meanings.

Rep. Echevarria: [02:28:41](#) Yes.

Mr. McFadden: [02:28:42](#) Context of the words also should be-

Rep. Echevarria: [02:28:45](#) Give it all.

Mr. McFadden: [02:28:45](#) That's it. That's my answer.

Rep. Echevarria: [02:28:47](#) Just the context?

Mr. McFadden: [02:28:49](#) No. The context of being angry, upset at a point that you say things. I didn't say it out of context. The context that I said it in, it was out of anger, and you think about this. Did you really do the investigation on what all happened with that recording? But we can't talk about that. Let me finish.

Rep. Echevarria: [02:29:11](#) Mr. Chair, Mr. Chair, he's not answering the question, but may I just make a statement?

Rep. Jones, Chair: [02:29:18](#) You're recognized for a statement. Turn your mic on, please.

Rep. Echevarria: [02:29:28](#) I've been upset many times, and out of the abundance of the heart, the mouth speaks, and the truth is, I've said things that I wish I hadn't said. None of them have been racist. So, yeah, we get upset, and yes, you shape the culture of your agency. While you should have never said those words, particularly about another race, publicly, because you do hold the higher office, I think we're all in trouble if you use those words privately, and I yield my time. Thank you.

Rep. Jones, Chair: [02:29:59](#) Representative Johnson, you're recognized.

Rep. Johnson: [02:30:01](#) Thank you. I'll just make a brief statement in closing. I've chaired this committee since its inauguration, I think three years ago, and you mentioned in your narrative that a sheriff had never been called before this committee before, and that's not a point of pride that one is being called now. We do not want to

have to do this. The reality is things are wrong within the department. The rule of law is not being followed in my eyes. If I can't get the numbers on these ICE detainees, I mean, the law is not being followed, so being here is not something that should be a point of pride. We do not want to have to call you up here, but there are clearly problems within the department that we are going to have to address going forward. Thank you.

- Rep. Jones, Chair: [02:30:46](#) Very quickly, Representative Miller?
- Rep. Miller: [02:30:48](#) Thank you, Mr. Chair. I should have went over this earlier, and I'll try to do this really quick, Sheriff. The Jail North, which included Mecklenburg's juvenile detention facility has been closed since '22, if I'm correct.
- Mr. McFadden: [02:31:02](#) That is correct.
- Rep. Miller: [02:31:02](#) How's that building being used today?
- Mr. McFadden: [02:31:05](#) The bottom portion of the building is used for some of my executive staff. We also use that for training, and we use part of the building for our after-school program and summer camps for my community engagement.
- Rep. Miller: [02:31:24](#) Follow up.
- Rep. Jones, Chair: [02:31:25](#) You're recognized.
- Rep. Miller: [02:31:26](#) So, there's no room to contract with the state for juvenile detention beds, or do you do that already? Do you contract with the state?
- Mr. McFadden: [02:31:35](#) I contract with your old office, Wilmington. You all use that facility. If you look at the contract, you all have a contract with me or agreement, if there is a hurricane in Wilmington, you are to use that building. Me and Sheriff McMahan have always had that agreement, so that's-
- Rep. Miller: [02:31:53](#) Are you talking about for evacuation of inmates?
- Mr. McFadden: [02:31:54](#) Yes, sir.
- Rep. Miller: [02:31:55](#) You have to move inmates. You're talking about that.

- Mr. McFadden: [02:31:57](#) Yes. We are having that space open on the contract that I did not know about, but we've had that contract with your old sheriff's office for seven years.
- Rep. Miller: [02:32:06](#) That's right.
- Mr. McFadden: [02:32:07](#) And we still honor that.
- Rep. Miller: [02:32:08](#) So, are you saying that you would entertain the idea to contract with the State of North Carolina Juvenile Justice?
- Mr. McFadden: [02:32:15](#) We want it. I would grant that. I would want that, because we ran the best juvenile detention center in the state. We welcomed that. We are still in negotiation for that, but here's the problem, funding, and not only funding, and we want to work that. If we settle nothing else, we would want that. Fourteen million to run it a year, that's what the numbers were. Three million to go to Cabarrus County, which is Stonewall Jackson. That's the number that I hear, so imagine this: Stonewall Jackson is 40% understaffed. That's a state-run facility, understaffed right now. I have thrown out this. Allow Stonewall Jackson to close, and I, in Mecklenburg County, will hire every single person from Stonewall Jackson to work at the Mecklenburg County Sheriff's Office under the same rate, same years of experience, losing no rank, and you're still in retirement. The state should give us, if we do that, all the resources will come to Mecklenburg County, and you could fund that, all the stuff you're doing at Stonewall Jackson, number one.
- [02:33:26](#) But the biggest problem is this. It takes 98 staff members to run that facility. Presently, we are hiring for our detention officers, and if you happen to be keeping up with us, which I'm sure that you have, we decided to run our own BLET [Basic Law Enforcement Training] school. So, we are running two and three BLET schools at the same time because we are getting the numbers, Central Piedmont, Mitchell College. So, what happens is we were willing to take on that burden of running it. We still want to run it. Ninety-eight people, you have to talk about staffing. Number one, who's going to recruit that staffing? If the state really wants that open, create an entity that hires for that facility, and we will take them on—98 people in the beginning. But you have to understand, it takes nurses, healthcare, it takes resources, food. It takes programming, because we are going to

give the program heavy. We were the only sheriff's office in the state to run a high school inside a detention center, a full-blown high school, so we want that.

- Rep. Miller: [02:34:39](#) Is that through community college or?
- Mr. McFadden: [02:34:40](#) No, sir. That's through us and Central-
- Rep. Miller: [02:34:43](#) Through the school system?
- Mr. McFadden: [02:34:44](#) Through CMS, Charlotte Mecklenburg School System. If nothing else, if we can come together and get that figured out, we are willing to do it. Ninety-eight people, how we get the staffing and funding, \$14 million to run it. We have the numbers. If y'all ask for the numbers, we'll give you the numbers. Three million is what the state or what they are paying out, but here's what the bottom line is: A juvenile detention center is not a statutory requirement by the sheriff's office.
- Rep. Miller: [02:35:20](#) Right.
- Mr. McFadden: [02:35:20](#) It is for the state. Me and William "Billy" Lassiter have a great relationship. We are having meetings on top of meetings on top of meetings. We have one in the next two weeks. If we can find the staffing and the way to staff it with an entity of hiring, vetting, and recruiting five, six people, we can open that center again for the juvenile in Mecklenburg County and the surrounding areas. The quick fix is this: close Cabarrus County, allow us to hire them, allow us to maintain them, and let the state provide us the funding that kept Cabarrus County open, and also the resources that they were providing for Cabarrus County, and provide them to Mecklenburg County.
- [02:36:15](#) That is the easy fix. The study that went out is called the CHIN [Children in Need of Services] study. If you all want that study, we'll send it to you. We are the best facility to run the juvenile detention center in the state. So, when you think about it, it's a 500-bed facility sitting in Mecklenburg County. If it takes construction, because the ACA [Affordable Care Act] requirements is going to, if you want to house the whole facility, it's going to require construction. It is called an investment if you want it, an investment that we are willing to take on, but we have to be partners in that and driving the same car to the

same location, and we can do it. Allow us the chance to do it.
That's what we're asking.

- Rep. Miller: [02:37:06](#) Thank you, sir. I would encourage you to continue those conversations with-
- Mr. McFadden: [02:37:10](#) We are.
- Rep. Miller: [02:37:10](#) ... With Billy, because as a JPS chair, I have those same conversations.
- Mr. McFadden: [02:37:14](#) I can promise you that we are.
- Rep. Miller: [02:37:16](#) And he's in dire need of beds right now for juveniles.
- Mr. McFadden: [02:37:19](#) We are. Thank you.
- Rep. Miller: [02:37:20](#) Thank you.
- Rep. Jones, Chair: [02:37:23](#) Sheriff, easy question, should be a yes or no for one time. Do you feel like you've been painted in a bad light by this committee?
- Mr. McFadden: [02:37:30](#) Yes.
- Rep. Jones, Chair: [02:37:32](#) Fair enough. We heard a little bit about it, so let's use some words of folks that have been close to you. One of your chief deputies said your department was the most toxic and abusive he has worked at in all his years of law enforcement, and he "has never seen an agency head conduct himself in such a classless and abusive manner." The next chief deputy right after him described his tenure with you as the worst year of his entire career. Both used the word dictatorship to describe your office, one even goes forward to say it's equivalent to a third-world dictatorship. Both have accused you of retaliation and abuse. Both have said you've used your office for personal benefit. A third, single, senior official, Dr. Rigsby said, "Everything Kevin Canty put in his letter is absolutely correct. He runs that organization like a dictator." Sheriff, I ask you, when three independent senior officials all describe the same, toxic, abusive environment, are you telling us today that they're lying, or is there a problem?

Mr. McFadden: [02:38:32](#) That is part of the petition. That is a part of the litigation. What I will say is, did you talk to anybody in the community besides that? No. Did you talk to any of the staff that works there now under my leadership? No. We're talking-

Rep. Jones, Chair: [02:38:50](#) You don't know who I've talked to. You have no idea. You're making an assumption, correct?

Mr. McFadden: [02:38:56](#) Yes, I am.

Rep. Jones, Chair: [02:38:57](#) Thank you. An honest question finally got answered. Thank you.

Mr. McFadden: [02:39:00](#) But I think that you also are making an assumption.

Rep. Jones, Chair: [02:39:04](#) No. We're just going by written testimony.

Mr. McFadden: [02:39:06](#) Written testimony, but is any of that written testimony? Not a question. Why don't we talk to the staff, but we have that investigation going on, but the first question that you ask, I think that's the question.

Rep. Jones, Chair: [02:39:18](#) Are there any further questions? Representative Baker?

Rep. Baker: [02:39:31](#) Thank you. Thank you, sir. I have been in the queue for a while waiting, so I just thought-

Rep. Jones, Chair: [02:39:36](#) And I apologize for missing you. That's my fault.

Rep. Baker: [02:39:39](#) Thank you. I have a couple of questions, and we've gotten so far away from the emails, but these questions, I'm from the great state of Forsyth, where arguably our sheriff would say he's the greatest, so I just thought I'd add a little humor to this very tense situation, but because I'm not fully aware of what at all is occurring in Mecklenburg, we have a couple of documents that was on the screen and starting with this first document, it looks like it was a question from the Charlotte *Observer*, and there's a specific question in there that's asking about the stats for Mecklenburg. Was that question ever answered for that particular... No. No. No. Back up for a minute, sir, to this one. It says, "Can you share those stats for Mecklenburg?" And it was pertaining to the total number of detainees and the number of folks that ICE arrested directly from jail. And I don't know-

Mr. McFadden: [02:40:45](#) Is that asked by this committee?

Rep. Baker: [02:40:47](#) I'm asking the question.

Rep. Johnson: [02:40:48](#) Yes.

Mr. McFadden: [02:40:48](#) Okay. [inaudible 02:40:50].

Rep. Johnson: [02:40:51](#) Representative Baker, it was asked by this committee. That's the email they're referencing there, and we were asking in response, his counsel had put that the number was wrong and we were trying to get to the bottom with little success of what the number actually was.

Mr. McFadden: [02:41:06](#) We have got so many emails and responses from you all. If you can give me a number that we can respond to.

Rep. Baker: [02:41:19](#) This email is from someone at the Charlotte Observer to someone at Mecklenburg County. "Hi. This federal detainer data is just missing too many variables for me to confidently determine where people went after having a detainer on them." The Wake County Sheriff's Office told me that from January through November 19, they had 441 detainer requests and ICE took 288 inmates. Can you share those stats for Mecklenburg County, just total detainees and the number of folks that ICE arrested directly from jail? The reason why I'm asking this question is because I'm not abreast as to what has been occurring. And we kept talking about Wake County having a 68% detainer, I don't want to say capture, but a detainer turnover and Charlotte, Mecklenburg having 16%. So, I think for me, somebody who's trying to get a hold on this, if that question was ever answered, then I think it would at least get my colleagues some of the information, because I'm sure that this request was made under a public notice of information.

Mr. McFadden: [02:42:50](#) Again, we have so many requests from you all. If there is a number that you can refer us to, we have them in correspondence 1 through 10 or 12.

Rep. Baker: [02:43:01](#) Okay. So, it looks like-

Rep. Jones, Chair: [02:43:02](#) [inaudible 02:43:02].

Rep. Baker: [02:43:04](#) ... our follow-up, if you can see, back up again, sir, this request was not from us if I'm correct. This request, the name of who requested the information is redacted.

Rep. Jones, Chair: [02:43:19](#) Representative Baker, the next email is what you're looking for.

Rep. Baker: [02:43:22](#) Oh, okay. Thank you. Okay. I got it. Okay. Can we back up one more, please? No. To the original. Is that the original email that was up, that you just had up on the screen? There was another one. There was another email. Is it only two? No. There was another one. Yeah. There's a third one, because in there, it was also a request from Charlotte Observer, and they were asking for some information and my question was, was that information ever given?

Rep. Jones, Chair: [02:44:05](#) Representative Baker, I understand from staff, you're confusing the 2022 stats to current stats. Is that correct? So, they're completely different, so they're not what you're trying to compare.

Rep. Baker: [02:44:16](#) No. I wasn't trying to compare anything. I just wanted to know in that email, there was also a question from the *Observer*, that one, where-

Rep. Jones, Chair: [02:44:27](#) I'm told by staff that's the answer.

Rep. Baker: [02:44:29](#) Huh?

Rep. Baker: [02:44:32](#) You're told by staff that's the answer.

Rep. Jones, Chair: [02:44:34](#) That's the answer you're looking for.

Mr. McFadden: [02:44:35](#) Okay. So-

Rep. Baker: [02:44:36](#) That's the email I'm looking for. I haven't asked the question yet.

Rep. Jones, Chair: [02:44:42](#) Okay. Your email, not answer. There.

Rep. Baker: [02:44:44](#) Correct. So, the question is, was that information ever verified? Because it says... Oh, shoot. Never mind.

Mr. McFadden: [02:45:03](#) Let me answer, if I may.

Rep. Jones, Chair: [02:45:06](#) You're recognized.

- Mr. McFadden: [02:45:07](#) Thank you, sir. Since October 1, we've had through my staff, 360 detainees submitted to Mecklenburg County; 186 have been picked up. Am I right—186?
- Mr. McFadden: [02:45:26](#) One [hundred] eighty-six have been picked up by immigration and custom and two are undecided at that point. It means 360 detainees, 186 picked up.
- Rep. Baker: [02:45:39](#) Okay. And then, again, not knowing the full scope of the ongoing... I understand there's multiple pending litigations and this is to follow up to the question of Representative Miller. So, we're looking at an aggregated number of deaths that have occurred in the jail. Is the department tracking the causes of death? Because I think they were asking general questions about the number, but I do think it's important if those numbers are disaggregated.
- Mr. McFadden: [02:46:18](#) Okay. Thank you for that question. To clarify that and not getting to the petition, everybody who dies in Mecklenburg County Detention Center, their body goes to the medical examiner. The medical examiner—that's any death in North Carolina, should be—will have the cause, the manner and the contributing factors. In my 22 years as a homicide detective, you will see the cause, the manner and the contributing factors. The contributing factors is your heart or your fatty conditions, anything else.
- Rep. Baker: [02:47:01](#) No. I get that.
- Mr. McFadden: [02:47:02](#) The autopsy will give you the cause, the manner, and what this person dies of.
- Rep. Baker: [02:47:07](#) I get that. But the question that I'm asking you is, since they died in the custodial care of the sheriff's department vis-a-vis the jail, then does the coroner give you the cause, so that if we're tracking data, and I'm not a big numbers person, but I think this will help me, it may not help anybody else, but if you're talking about a large aggregate number of say 700, how many deaths have you had in the-
- Mr. McFadden: [02:47:40](#) I think it's 20-something. Here's what I can-
- Rep. Baker: [02:47:43](#) Okay. No. No. No. No. Hold on. So, if you've had 28 deaths in your custodial care, but 19 of those 28 say, were heart attacks

and then of those nine, maybe five were suicidal, maybe four were overdose, I think for me, to just look at a big number without understanding the underlying information that feeds into that big number can be misleading. So, that's why I was asking is there any way that you actually track the causes of death and how is that communicated back out to the public?

- Mr. McFadden: [02:48:24](#) Yes. We do. Okay. The district attorney gets a copy of it. SBI provides him a copy of it and he makes a decision. So, the simple answer is yes, we do have that. And if you want to review it, I'll be happy to bring it to your office and let you review every one of them.
- Rep. Baker: [02:48:41](#) Well, I love the idea that perhaps we could have had this hearing in Mecklenburg, because I know the number of people on your staff that are present had to be a strain on your office and so I really would have enjoyed to have had the meeting in Mecklenburg.
- Mr. McFadden: [02:48:58](#) We enjoy coming to Raleigh. I do.
- Rep. Baker: [02:48:59](#) And so, one more question and this will give you an opportunity to maybe shed some light to us in terms of maybe some specific policies or some operational changes that you've made or implemented that has improved in terms of the inmate safety in Mecklenburg. So, what would you want for us to know? This is your opportunity to say-
- Mr. McFadden: [02:49:31](#) We're no different than any other sheriff's office, any other police department in America. We make it seem today like Mecklenburg County is different. We're not different.
- Rep. Baker: [02:49:40](#) No?
- Mr. McFadden: [02:49:40](#) We are—so, the simple thing is we're not different. Every sheriff's office has the same problems that we do. Every sheriff's office deals with the same issues that we do.
- Rep. Baker: [02:49:53](#) But that's not what I'm asking. No. No. No. Because here's your moment to shine. Here's your moment to say, "In Mecklenburg County, we know that the things that we are encountering in our department, in our jail is no different than what our other county sheriffs, my colleagues are experiencing, but here's

some things that we've come together collectively to try to implement." This is your moment.

Mr. McFadden: [02:50:21](#) That is where I was getting.

Rep. Baker: [02:50:22](#) Yeah. I ain't got a lot of time, you see? [inaudible 02:50:26].

Rep. Jones, Chair: [02:50:25](#) Representative Baker, I have gave up-

Mr. McFadden: [02:50:28](#) You stopped me when I was saying it.

Rep. Baker: [02:50:30](#) I'm going to need you to [inaudible 02:50:32].

Mr. McFadden: [02:50:32](#) You stopped me from saying that. We're no different.

Rep. Baker: [02:50:35](#) I don't need that. I just need you to just-

Mr. McFadden: [02:50:37](#) We have programs that help our staff. We have peer support that help our staff.

Rep. Baker: [02:50:42](#) There you go.

Mr. McFadden: [02:50:42](#) We just changed some things to help our staff. We can't change how to stop people from coming in. We're not going to stop that. We have the programs. We have all the programs that-

Rep. Baker: [02:50:51](#) What are some of the programs?

Mr. McFadden: [02:50:52](#) We have the peer support programs. We have Next Great 50 program. We have barber shops, culinary schools. We have a business program. Hopefully this week, we're going to launch our own house. We hope this week or this month, we're going to launch our own house, called the Sheriff's House, where we are taking care of the problem of people having no place to go. Our post-release center, there's no other like it in the state, that we are taking care of people inside and before they leave. We have programs for fatherhood. We have programs we call face-to-face. We capitalize on visitation, the human touch of touching someone, the father initiative program. We've had a program where we invited people who did not know they were sitting with people outside of the detention center. They just came to sit, and we had dinner with them. So, we have all of these things.

- Mr. McFadden: [02:51:46](#) Many, many more that we could have—culinary school, barber school. We have all of that. We have, as they say, the music studio. We have all of that. So, all of that is to create better citizens leaving and also better citizens that are entering. We even baptized someone who needed that inside.
- Rep. Baker: [02:52:08](#) Well, praise God. We all need a little bit more Jesus in our life.
- Mr. McFadden: [02:52:11](#) We do.
- Rep. Baker: [02:52:15](#) So-
- Rep. Jones, Chair: [02:52:15](#) Representative Baker, do you have a final follow up?
- Rep. Baker: [02:52:15](#) I do, sir. And so, my final question is, how do you balance security and accountability? And we've heard a little bit of that with the responsibility to protect the dignity and mental health and physical safety of those in custody.
- Mr. McFadden: [02:52:33](#) We began North Carolina's first behavioral health for men and women inside. We also have the RISE program—Restoring Individuals Safely and Effectively. We're doing that and we have what we call the RISE 5.0. Now, we are taking care of the people from 36 other counties, and we've been asked to take care of the whole state. Nothing on Wake, but Wake is only taking care of Wake. And so now they will ask us, the state has asked us to take on more responsibility. If we were such a bad agency, why would the state come and ask us, number one, to run this largest mental health center in the state? Why would they come to us and say, "Can you run the RISE program?" And if we are such a bad...why are they wanting me to open a juvenile detention center, to run the juvenile detention center?
- [02:53:17](#) So we are helping the state, and we will continue to help the state, but mental health is something that we are focusing on more than ever. Not only for my residents—because we do see residents and inmates as different—but also for my staff. Mentally, our staff, our jail detention center is different. Most do not interact with the people inside their detention center. They lock them down for 23 and 1. We have programs that they have to attend every day. If you come to our center and see it firsthand, you will see how we operate differently, and all of that has to also encompass mental health, because my staff has to deal with 50-something people—one staff member at a

time—who are out of their cell or out of their room interacting with other staff members. If simply housing them is not the answer, rehabilitation, reentry is, and that's what we are doing.

Rep. Baker: [02:54:20](#) Thank you, sir.

Mr. McFadden: [02:54:20](#) Thank you so much.

Rep. Jones, Chair: [02:54:21](#) Representative Cunningham, you're recognized for a quick question. I'm sorry. Representative Miller, go ahead.

Rep. Miller: [02:54:27](#) Thank you, Mr. Chair. Sheriff, who does all your jail or in-custody death investigations?

Mr. McFadden: [02:54:35](#) The State Bureau of Investigation.

Rep. Miller: [02:54:37](#) Okay. I thought you had mentioned that. I just wanted to clarify. Thank you.

Mr. McFadden: [02:54:40](#) Yes, sir. Thank you.

Rep. Miller: [02:54:41](#) Now, Representative Cunningham.

Rep. Cunningham: [02:54:42](#) Thank you, Mr. Chair. So, Sheriff McFadden, I have a couple of questions. How many of your officers are CIT trained?

Mr. McFadden: [02:54:51](#) All.

Rep. Cunningham: [02:54:52](#) All. How many are mental health first aid trained?

Mr. McFadden: [02:55:00](#) I don't have that exact number, but I wouldn't-

Rep. Cunningham: [02:55:02](#) Okay. Thank you.

Mr. McFadden: [02:55:03](#) Yeah. No.

Rep. Cunningham: [02:55:03](#) I'll go to the next question. If you have a suicide person on watch, how many times do you have to check that person on watch?

Mr. McFadden: [02:55:14](#) Fifteen minutes.

Rep. Cunningham: [02:55:15](#) Four times per hour?

Mr. McFadden: [02:55:17](#) Yeah. Correct.

Rep. Cunningham: [02:55:17](#) If it's not on special, how often do you have to check them?

Mr. McFadden: [02:55:21](#) Two. Two per hour.

Rep. Cunningham: [02:55:21](#) Twice. Twice. That is correct. How many deaths currently are in litigation with the Mecklenburg County Jail right now?

Mr. McFadden: [02:55:29](#) I don't have that number. Unless they have it. I think it's 21, 24.

Mr. McFadden: [02:56:28](#) Five.

Rep. Cunningham: [02:56:30](#) So there are currently five pending litigations due to deaths in the jail.

Mr. McFadden: [02:56:34](#) Yes.

Rep. Cunningham: [02:56:35](#) Would that be accurate?

Mr. McFadden: [02:56:36](#) Yes.

Rep. Cunningham: [02:56:36](#) Thank you. The last question I want to ask is I just saw where it was a case that was going to be settled. When those cases are settled, do they come out of your budget, or do they come out of the county's budget?

Mr. McFadden: [02:56:50](#) County budget.

Rep. Cunningham: [02:56:51](#) Thank you.

Rep. Jones, Chair: [02:56:53](#) Okay. Sheriff, we're in turn four. We're getting close. We're almost done. I've got one final question and before we get into the details, I just want to confirm something. Been writing notes. Making sure I'm right. When this committee requested, among other things, your communications with ICE, and your internal discussion about detainees, you were instructed to produce all responsive emails, memos, and attachments, correct?

Mr. McFadden: [02:57:19](#) That's correct.

Rep. Jones, Chair: [02:57:22](#) Did you personally review these or did you direct someone that you trusted? The records for your office produced to this committee in response to our documents.

Mr. McFadden: [02:57:30](#) We entrusted my staff to gather them, and I reviewed what they presented to me.

Rep. Jones, Chair: [02:57:37](#) You did review. Okay. Was Chief Deputy Fields involved?

Mr. McFadden: [02:57:43](#) That is correct.

Rep. Jones, Chair: [02:57:45](#) Okay. And through her, she confirmed yesterday that everything was submitted, correct?

Mr. McFadden: [02:57:49](#) That is correct.

Rep. Jones, Chair: [02:57:50](#) Okay. Thank you. In our review of the documents you submitted, we came across a press release. This release detailed your alleged communications with ICE. I want to talk about this press release that was put out on March 24, 2025. Are we getting those? Is that it? Okay. We've got it on the screen there. In this press release, you even provided a detailed timeline of attempts to converse with ICE officials. You say, "On March 18th, 2025, at 10:03 PM, I emailed ICE's ERO Atlantic Field Office Chief of Staff." Then on the 19th, 9:26 AM, you emailed ICE's ERO Atlantic Field Office chief of staff requesting names. March 19 at 2:31 PM, your public information officer emailed ICE media operations unit key for the Southeast. So, Sheriff, this is your press release and your words, correct?

Mr. McFadden: [02:58:48](#) Where?

Rep. Jones, Chair: [02:58:50](#) Right there.

Mr. McFadden: [02:58:55](#) That?

Rep. Jones, Chair: [02:58:57](#) Mm-hmm.

Mr. McFadden: [02:58:58](#) That's not a press release.

Rep. Jones, Chair: [02:59:01](#) Yes, it is. Or an excerpt.

Mr. McFadden: [02:59:04](#) Okay. Go back to it. That is an op-ed.

Rep. Jones, Chair: [02:59:10](#) From you, correct?

Mr. McFadden: [02:59:12](#) Yes.

Rep. Jones, Chair: [02:59:13](#) Okay. Your words?

Mr. McFadden: [02:59:14](#) Yes.

Rep. Jones, Chair: [02:59:14](#) Nonetheless. Excuse my reference of what it was, but your words, you did it. Okay. Well, then we got a problem, because in the documents you gave the committee, none of those emails from you or from your public information officer to ICE appear. Zero. So, what's the deal with that? How do you explain it?

Mr. McFadden: [02:59:36](#) We are human. We make a mistake. This committee asked us for a lot of information at the last hour. We did the best we can.

Rep. Jones, Chair: [02:59:48](#) So you failed to produce to this committee those emails?

Mr. McFadden: [02:59:53](#) Not knowingly.

Rep. Jones, Chair: [03:00:00](#) Oversight, right? Not your fault.

Mr. McFadden: [03:00:05](#) Is that a question?

Rep. Jones, Chair: [03:00:07](#) I'm asking. Not your fault, right? Oversight.

Mr. McFadden: [03:00:09](#) It is our mistake.

Rep. Jones, Chair: [03:00:11](#) Not your fault, right?

Mr. McFadden: [03:00:12](#) It is our mistake.

Rep. Jones, Chair: [03:00:14](#) I think we're seeing exactly why the MCSO is failing. You have made history here today, sir. You have blown off the House Oversight Committee request. I honestly got the answer that I was seeking from you. It was not a mistake. You point the finger. You move on. It's what you do. It's time to look in the mirror, Sheriff. That's where the mistake is. Your own administrators don't deserve to own this. It's the same thing over and over, Sheriff. It would just be great if you tell this committee that you own it, you did it, but you're not going to

do that. Are there any further questions from this committee?
We're going to break for lunch. We will come back in at 1:25.

- Rep. Cervania: [03:01:08](#) Chair, parliamentary inquiry.
- Rep. Jones, Chair: [03:01:09](#) It is recess.
- Rep. Cervania: [03:01:10](#) Chair, parliamentary inquiry on why I was refused to be able to speak.
- Rep. Jones, Chair: [03:01:14](#) Chair's [inaudible 03:01:15] recess.
- Rep. Cunningham: [03:01:14](#) [inaudible 03:01:16].

City of Charlotte

- Rep. Jones, Chair: [03:01:56](#) Everybody ready? We're going to turn to the City of Charlotte. Today, we're fortunate to have Mayor Vi Lyles, City Manager Marcus Jones, Police Chief Estella Patterson, and Charlotte Area Transit System Interim [CEO] Brent Cagle. If you would, please stand and raise your right hand. Do you swear or affirm that the testimony you give here today is the truth, the whole truth and nothing but the truth, so help you God? Have a seat, please. Thank you. Chief Patterson, congratulations.
- Ms. Patterson: [03:02:32](#) Thank you, sir.
- Rep. Jones, Chair: [03:02:33](#) I've heard stellar things about you from Colonel Johnson. He was here to see you today and we ran a little long. He had a funeral. One of his troopers passed and he had to fly to Surrey County, but just want you to know he talks very highly of you and has enjoyed the working relationship you have.
- Ms. Patterson: [03:02:50](#) Yes, sir.
- Rep. Jones, Chair: [03:02:53](#) I know you're still getting your feet wet over in Charlotte, leaving the fair city of Raleigh. Now that you've taken command, what are your top two or three priorities over the next year?
- Ms. Patterson: [03:03:03](#) Yeah. So, Mr. Chair, first, I want to say thank you to this board for allowing me to be here today. It is an honor to serve as the chief of police for the Charlotte-Mecklenburg Police Department, a city that I absolutely love and a police department that I know and also love. In terms of my priorities, I have been very vocal about this publicly and internally to my organization. There are three areas that I want to focus on as the chief. The first and foremost being violent crime reduction. Looking at violent crime across our city, our jurisdiction and making sure that we are mitigating at every turn that we can. Also, to building community. We know that we can't do this work alone. We don't have enough officers to have them in every place at all times, so it's very important, it's critical to us that we have strong partnerships within our community and working very closely with them at every turn.
- [03:03:50](#) And then lastly and most importantly, looking inwardly towards our staff, our police officers. I am an officer's chief. I believe in

making sure that our people are well taken care of. I demonstrated that when I was in Raleigh as a chief and I know that we have got to fill vacancies. We have to make sure our employees have the tools they need to be successful, so that we can make our city the safest that it can be. So, those are the top priorities that I have outlined and that I will continue to work towards.

Rep. Jones, Chair: [03:04:17](#) Well, you've went right in and answered my next question. And I do want to let you know also, some of the private individuals, not public officials in your community have already bragged on you and some of the things you've implemented. You being out in the street yourself. You're leading by example and not just giving orders. So, I commend you on that and it's getting the respect of your community already.

Ms. Patterson: [03:04:36](#) Thank you, sir.

Rep. Jones, Chair: [03:04:40](#) We don't ever want to point fingers. What would you say you've learned from your predecessor's mistakes? What will you do a little differently? I've heard some things, but if you just elaborate a little bit.

Ms. Patterson: [03:04:53](#) Yes, sir. And Mr. Chair, I'll be first and foremost to say that Chief Jennings is a friend of mine. He's a mentor. He helped me and my career move along. I think he helped me get the chief's job in Raleigh, so I think very highly of him. I respect the work that he did in Charlotte. Coming into this position, looking across the board, I have to relearn Charlotte, I have to relearn some things that's going on in our community. I think moving forward though, the big things as I've stated, those are my goals that I want to do, but I think we really have to focus heavily on the perception of crime. I think people think that Charlotte's an unsafe city, although our numbers show otherwise. So, really, just making sure, for me, that we're working on that perception and we're working to mitigate crime in the long term.

Rep. Jones, Chair: [03:05:37](#) Good. Talk to us about how CMPD is using crime data and technology to drive decisions. And on that, I'm asking how the analytics, real time intelligence, tools like cameras, LPRs (license plate readers), how are you utilizing those?

Ms. Patterson: [03:05:52](#) We're utilizing all those tools and I'm very happy to see that. Coming back to Charlotte, one of the biggest things that I saw

that we have made an investment in, which our city's helping to fund, but also our private-public partnerships are working together for is drones. In Raleigh, we had drones. We saw they were useful when we had large protests, when we were doing surveillance and various other things. Having that technology, that's a force multiplier for us. And so being able to utilize those tools, I think is really helpful. Additionally, we have a crime gun intelligence center that we're working very closely with the ATF. That is good. When you have shooting events, you want to be able to solve that crime as quick as possible, be able to do correlations with those casings. Having a crime gun unit that specifically focuses on that is really essential to us.

[03:06:42](#)

We have a lot of tools in our toolbox here in Charlotte that I'm very proud of. Technology's a big thing. We're very data driven. We have one of the best crime analysis units in the country. They've received several awards, because of the way they gather data, the way they disseminate the data, making sure that we are on top of crime before it even happens. Identifying those hotspots. Identifying those trends. We use data repeatedly to be able to give us that information and our team is just fantastic when it comes to that.

Rep. Jones, Chair:

[03:07:09](#)

Good. Effective public policy depends on patrol, detention, prosecutors, and all the courts pulling in the same direction. From your perspective, where are the biggest coordination challenges right now?

Ms. Patterson:

[03:07:22](#)

So I'm a natural collaborator. I believe in bringing in all our teams. In fact, I started on the job, day one on December 1. On December 5, we pulled together a multi-agency operation to really focus on our Uptown, because of the perception of crime and because of some upticks we had seen. And so I brought Highway Patrol. Colonel Johnson was very gracious: stood up with me to talk about that at a press conference. We had North Carolina ALE. We brought in the FBI. All these partners, our US attorney of the Western District, Russ Ferguson was there with us and said, "Hey, we want to be a part of this." So, it is super important to me, it's critical that we have all our partners at the table. There are some partners though that I feel that we have to work a little bit harder to bring to the table.

[03:08:05](#)

I think some of our private security and that kind of thing, because they're just not used to having a relationship with the

police in that way. But I am committed to making sure that we bring them in and that they're a part of our team. Again, we have a limited number of police officers to do the work. We have to rely on everybody coming together. And I'm glad that this body recognizes that as well. The General Assembly has been very good to us. When I was here in Raleigh, I came before you a couple times to get some of the things that we need to help with that collaboration and to build those gaps. And so I appreciate this board for—and not just this board but the General Assembly for working very closely on that.

Rep. Jones, Chair: [03:08:43](#)

And I've got just one final one. How do you consider your relationship with the Mecklenburg Sheriff's Department?

Ms. Patterson: [03:08:51](#)

I realize that public safety is a shared responsibility. Each one of us has our part that we have to do. We work closely with the sheriff, because when we arrest somebody, they have to go to the jail. I happen to know the sheriff. He is a friend. He's somebody that I can go to. I know that if I call him, I can get what I need. The relationship I think is a good relationship from that perspective. We know that we have some challenges just across the board when it comes to some legislation and things like that and I know that this body's working on it, but I would characterize our relationship as a good one. We do our respective duties. I don't tell him how to run the jail. He doesn't tell me how to run a police department. We stay in our lane.

Rep. Jones, Chair: [03:09:33](#)

Good. Members, any questions? Representative Quick.

Rep. Quick: [03:09:36](#)

Thank you, Mr. Chair and welcome, Chief and-

Ms. Patterson: [03:09:40](#)

Thank you.

Rep. Quick: [03:09:40](#)

... congratulations on your historic nature of being history here in Raleigh and history in Charlotte-Mecklenburg, and certainly well deserved.

Ms. Patterson: [03:09:51](#)

Thank you, sir.

Rep. Quick: [03:09:52](#)

These things were not given to you, but certainly, you deserve both of these appointments. Just have one question for you as it relates to mental health and substance abuse with police officers having to sometimes serve as de facto substance abuse counselors and resolve substance abuse matters, as well as

mental health matters. Explain a little bit to this committee as to what that actually looks like on the ground and how you all are able to mitigate that and what we can do to assist you in that.

Ms. Patterson:

[03:10:23](#)

Sure. And thank you, Representative Quick, for that question. So, we see a growing mental health crisis across our nation. Not just in our community, but across the nation and we know that we have to have resources for those individuals. I'm proud and I'm pleased that CMPD is doing some things right in that arena. We have our CPCRT or our Community Policing Crisis Response Team. That is where we pair an officer with a mental health clinician and they go out and they respond to calls where somebody might be in a mental health situation or a crisis. And they do follow up. It's not just a one and done, where they go and they respond to the scene, but they follow up to ensure that that person is getting the care that they need. Also, I'm very proud that we have CIT officers, crisis intervention trained officers.

[03:11:11](#)

In fact, probably about 700 or so within our agency that are trained with baseline, dealing with individuals who might be in crisis or have a mental health condition. I think that and working with the county, Mecklenburg County has a fantastic CIT program. We just met last week to talk about how we expanded, how we get more officers CIT trained. And not only that, but also too, that at a two-year mark, that they get a refresher training as well, because it's important that they continue to learn and evolve and make sure that they understand how to help and deescalate situations when there's mental health issues that are concerned. When I look across the board, I know NAMI has a different model on when you should be CIT trained. When I was in Raleigh, every officer was CIT trained. They got it in the academy. But at CMPD, we want to make sure that our officers have some knowledge on how to deal with individuals in the public, so they do not become CIT certified until at least about three or four years on the force kind of thing. So, bottom line for me is, it is super important that our officers have training when it comes to dealing with somebody in mental health crises. I'm an advocate of that. And we'll continue to work with our county and our other partners to make sure that our officers are trained.

Rep. Quick:

[03:12:24](#)

Follow up.

- Rep. Jones, Chair: [03:12:25](#) You're recognized.
- Rep. Quick: [03:12:26](#) Thank you, Mr. Chair. My final question is, as fast as Charlotte is growing and the number of people who are moving into Charlotte, you have to deal with the current realities, but also you have to be future-focused. How are you as the chief of police being future focused as to the issues that may arise from a fast-growing population in Charlotte?
- Ms. Patterson: [03:12:47](#) Yes, so in two ways. One is we have to increase our police department. And the manager knew I was going to say this.
- Ms. Patterson: [03:12:55](#) We have to fill out-
- Rep. Jones: [03:12:55](#) He [Rep. Quick] put you on the spot. I didn't do it.
- Ms. Patterson: [03:13:04](#) We absolutely have to fill our vacancies. That is a top priority of mine. As our city is growing, we have to make sure that we got enough resources. We can only rely so much on technology to be those force multipliers. We have to have officers in those seats. So, I'm going to be working very diligently to close our vacancy gap, expand our police department and bring more officers to Charlotte. We need that. The second thing is we have to look to best practices. What are other cities doing? Charlotte is a part of the Major City Chiefs Association, where all the chiefs of large agencies over 100,000 come together to talk about best practices, what works, what should we make investments in. And then we learn from that from one another. A lot of the challenges we're seeing with street takeovers, with violent crime, other large cities are facing the same issues. And so, if we can learn from one another and work collaboratively, I think it's a win for everybody.
- Rep. Quick: [03:14:03](#) Thank you, Mr. Chairman.
- Rep. Jones, Chair: [03:14:04](#) Representative Hawkins, you're recognized for a question.
- Rep. Hawkins: [03:14:04](#) Absolutely. Thank you, Mr. Chairman. Really appreciate it, Chief. I won't ask you what place you like better, Raleigh and Charlotte. But I will ask-
- Ms. Patterson: [03:14:10](#) Plead the fifth on that one.

- Rep. Hawkins: [03:14:11](#) Absolutely. There you go. I will ask you what you have learned from Raleigh to Charlotte, because I think you mentioned that everyone in Raleigh was CIT trained, but you decided to not do that in Charlotte. What are some other pieces that you're going to carry from one large city to the next?
- Ms. Patterson: [03:14:29](#) I would say that both cities are aligned in terms of the types of incidents that we see. Of course, we had the horrible mass shooting here, Heddingham, in 2022. So, you have violent crime occurring everywhere—kind of thing. I think probably the biggest thing I learned from Raleigh is just seeing things through a different perspective. For instance, we had more walking beats in Raleigh to deal with our homeless population, our unsheltered population. Those officers were CIT-certified so that they can talk with these individuals. They were very much in touch with them. Charlotte, of course, is much larger. Our downtown is much larger. We need to have staffing to do that, but that is something that I think that we could probably accomplish in Uptown because one, it makes people feel safer to see that presence of officers doing those walking beats, but then also two, we're identifying those who may need mental health services and being able to connect them with those right services.
- Rep. Hawkins: [03:15:28](#) Follow up.
- Rep. Jones, Chair: [03:15:29](#) You're recognized.
- Rep. Hawkins: [03:15:30](#) It seems there is a growing narrative about Charlotte being an unsafe city, but it feels like it's unwarranted because there has been a, was it, 21% drop in violent crime over the last year? And so, you talked about interventions, you talked about wanting to get more cops on the beat. If you could answer for me, what can the General Assembly do to better support you? And secondly, do you have any impediments to filling your positions? Is it because of pay? Is it because of people not wanting to get into law enforcement? What do you think your gaps come from when we talk about employment on the Charlotte Mecklenburg Police Department?
- Ms. Patterson: [03:16:13](#) Yes, sir. And Representative Hawkins, if I could start with just addressing the crime-
- Rep. Hawkins: [03:16:15](#) Sure.

- Ms. Patterson: [03:16:16](#) ... that you talked about. We're very pleased that we saw reductions across the board in our violent crime and in our property crime. That is something that you don't see often. And so, I really want to tout the work of our officers in 2025 to reduce our crime and even year to date. We're safer now than we were in 2025 this time. Very pleased with that. Year to date, we're down 29% in violent crime, 27% in property crime, and 27% overall. So, we're going to keep working to keep that trend going down. But when you talk about the gaps and what we see as issues and what this body, what the General Assembly can help us with, I think it's the same challenges that everybody is facing across the nation. The sheriff talked about it a little bit, but I think I would ask this body to help us to be able to ensure that our officers have competitive pay, that what we offer them is the best in the nation so that the talent wants to come to North Carolina rather than other states.
- [03:17:11](#) Also too, that we incentivize the work. I think that Charlotte does a fantastic job of providing incentives, but we still have vacancies. So, I think we can do a little bit more if the General Assembly, and the Colonel might get upset for me saying this, but the same way the General Assembly funds take-home cars for our troopers, we'd love to see something like that in our municipalities as well, or at least some funding that can go towards that.
- Rep. Hawkins: [03:17:36](#) Very nice. Last follow up.
- Rep. Jones, Chair: [03:17:40](#) I was about to say, I know you're not finished.
- Rep. Hawkins: [03:17:41](#) You know me well, sir. What is the vacancy, current vacancy rate?
- Ms. Patterson: [03:17:46](#) We're roughly at 289 vacancies.
- Rep. Hawkins: [03:17:49](#) Okay. Thank you. No further questions.
- Rep. Jones, Chair: [03:17:51](#) Representative Cunningham, you're recognized.
- Rep. Cunningham: [03:17:53](#) Thank you, Mr. Chair. Thank you, Chief Patterson, for being here. I have a couple of questions. The CIT training, it takes 40 hours for them to train. Is that part of the issue—getting the officers off so they can train and having people in place to substitute for them?

- Ms. Patterson: [03:18:16](#) No, ma'am. Not exactly. We have the vacancies to do it. We have the seats to do it. The county is very good about getting those classes together when we need them. Part of the issue is just we have young officers. We have a very young police department, and we want to wait till they get to about that two- or three-year point where we feel that they have some road experience before we have them do the CIT training. And I think that's useful. I know in Raleigh, we did it a little bit differently, but to understand how to talk to somebody, how to recognize trends or behavior is useful for CIT. So, for us, it's just making sure that they get to about that two-year mark and putting them in the classes, but we don't have any issues with the county having availability for those classes.
- Rep. Cunningham: [03:19:05](#) Okay. So, currently we have six mental health professionals embedded with our CMPD, and it looks like it runs \$500,000 to \$600,000 annually for that. Is that correct?
- Ms. Patterson: [03:19:18](#) I don't know exactly how much that is, but I certainly could get that information for you.
- Rep. Cunningham: [03:19:21](#) So I understand the program has been working very well, but with the growth, it seems like we may need to be looking at additional mental health professionals to be out with the officers. Will you get back with me on that, because as the population grows and the social norms and behavioral norms are just not present anymore in society?
- Ms. Patterson: [03:19:45](#) Yes, ma'am. And thank you for bringing that to our attention. That is something that we have spoken about. I'm still getting on the ground, still trying to just evaluate, learn, see where the gaps are. But I agree with you that having enough mental health professionals and having these teams of officers is really beneficial to us.
- Rep. Cunningham: [03:20:03](#) Follow up, Mr. Chair?
- Rep. Jones, Chair: [03:20:05](#) You're recognized.
- Rep. Cunningham: [03:20:07](#) I'm on juvenile right now. So, with the juvenile intervention programs, and let me go ahead and say this: When we have juveniles that have mental health issues or behavioral health issues, we normally are asking the state to get a psychiatric inpatient bed. So, we've been trying to get a 70-bed facility built

in Mecklenburg County so the children can remain in their home where the parents are, but we're still struggling with that. And my issue with that is that the juvenile crime, it hasn't increased, but according to the previous testifier, the level of the violent crime has gone up. So, what are we doing in that space?

Ms. Patterson: [03:20:58](#) And Madam Representative, you're saying to work with our juveniles is what you're saying?

Rep. Cunningham: [03:21:02](#) Yes.

Ms. Patterson: [03:21:02](#) Yes. So, we have programs within CMPD where we focus on our juveniles. And the most current one that we have that we're seeing some successes with is our JADE program—our Juvenile Accountability and Diversion program. And that is where our officers are working, following up on these juveniles. If they commit a crime—or before they even commit a crime—trying to identify those trends and working with them to make sure that they don't go down a path of crime. The mental health aspect of it, again, I just feel that we do need more mental health resources—people who are trained to work with these young people. I think it's just we have to do a full analysis—or I do, coming in new—to determine exactly what those numbers look like. And I would like to clarify when I talked about our clinicians, we currently have 12 clinicians working with our mental health groups.

Rep. Cunningham: [03:21:56](#) Okay. I'm going to just make a comment, Mr. Chair.

Rep. Jones, Chair: [03:21:58](#) You're recognized for a comment.

Rep. Cunningham: [03:21:59](#) Thank you so much. So, I recognize you just came into the city, and you were in Raleigh, and it seems like you all had an ACORNS program [Addressing Crises through Outreach, Referrals, Networking, and Service]. I thought I had heard you speak about the ACORNS, which was patterned behind CAHOOTS program [Crisis Assistance Helping out on the Streets].

Ms. Patterson: [03:22:17](#) Yes.

Rep. Cunningham: [03:22:18](#) But I'm concerned that we're waiting two to three years for CIT training. Even if there are new officers, they should be well

qualified to handle that population because we are seeing more issues with people with mental health and behavioral health issues. As the population grows and the homelessness continues to grow in our area, we're going to need more officers ready to intervene in those actions with engagement with those individuals. Thank you, Mr. Chair. And thank you, Chief Patterson.

- Ms. Patterson: [03:22:51](#) Yes. Duly noted, Representative.
- Rep. Jones, Chair: [03:22:53](#) Representative Ager.
- Rep. Ager: [03:22:55](#) Thank you, Mr. Chair. And thank you, Chief Patterson, for being with us today. One of my questions got stolen, so I've only got one. And the real question, just from a, sort of, big picture perspective, your funding sources as a police department, obviously with a focus towards , sort of, the resources that come from the state level—I would just like to kind of understand what that funds and then what percentage of your, sort of, overall funding that is.
- Ms. Patterson: [03:23:26](#) Yes, sir. Do you mind clarifying a little bit more?
- Rep. Ager: [03:23:30](#) Just looking writ large at your funding for the whole police department, what percentage of that comes from the state? What percent comes from the county or the city? And I don't need exact numbers. I'm not going to hold you to these exact numbers. I just kind of want to get maybe 1/3, 2/3, that sort of thing.
- Ms. Patterson: [03:23:49](#) Sure. Yes, sir. And I do not have those numbers. I don't know, Mr. Manager, if you could take that.
- Mr. Jones: [03:23:56](#) Well, thank you for the question. First of all, I want to appreciate being here today because of what the General Assembly has been able to do, especially around public safety. And that's very important, the partnerships and your leadership, the LEO Act, the Pretrial Integrity Act, civil crash investigators, what's happening around the increased funding for the DA. And I'd be remiss if I didn't mention the Payback, which is so important to both what's happening locally with roads, but also with transit.

[03:24:26](#) When we start to think about the overall general fund budget for the city, about 61% is for public safety. So, our general fund budget is driven by property tax and sales tax. We have some enterprise funds like the airport and water, wastewater, as well as CATS, but that's more or less fee driven. So, when you talk about the general fund, public safety is what we do. 61% of all of the general fund goes to police and fire.

[03:24:58](#) I will tell you that over the last four years, our investments in police have increased. When we start to look at the top biggest 10 cities in North Carolina, the growth and funding since 2015 is the highest in Charlotte. About 40% when you look at it per capita, not just total spending. And I think what's also important with just the funding for police is that when we see a problem, we try to address it. And we're here today, and if there's some problems that come up, we'll try to address those also.

[03:25:31](#) So, we had a problem with retaining police officers, and it really happened 30 years ago when there was a COPS [federal] grant, and throughout the country, a lot of cities were receiving this influx of police officers. So, we get to 2022 and 2023, and that's when their 30-year clocks were there. And you know, with the supplement, we lose them. So, we knew that we were going to have a situation with trying to fill these positions. So, that's why since 2019, we've increased starting pay for police officers by 34% and top pay by about 40%. But back to the original question: General Fund, about 61% of our funding goes to police and fire.

Rep. Ager: [03:26:16](#) Quick follow up. Sorry, Mr. Chair.

Rep. Jones, Chair: [03:26:17](#) You're recognized.

Rep. Ager: [03:26:18](#) Thank you. And of that 61%, obviously that's going to the police and fire, that part that goes to the police, is there any extra funds that are coming from outside the city that are going to the police department to help execute programs or pay officers or whatever it's used for?

Mr. Jones: [03:26:40](#) Sure. Absolutely. About 40% of that 61% is strictly for police, but they're like asset forfeiture. There's a lot of other funding streams, but in terms of just the General Fund, it's about 40% of that goes strictly to police.

Rep. Ager: [03:26:58](#) Thank you.

Rep. Jones, Chair: [03:27:00](#) Any further questions? Representative Miller, you're a recognized.

Rep. Miller: [03:27:03](#) Thank you, Mr. Chair. And thank you for being here today, Chief Patterson. What is the starting pay and what is the top pay for your officers?

Ms. Patterson: [03:27:11](#) Starting pay for our officers are just \$59,000 and I do have it-

Rep. Miller: [03:27:15](#) Fifty-nine?

Ms. Patterson: [03:27:16](#) Fifty-nine, yes, sir, \$59,502. And the top out, I think it's 60... I might have to refer to one of my other assistants here, but I believe we're about 62.

Rep. Miller: [03:27:31](#) And how many officers do you have, ma'am?

Ms. Patterson: [03:27:34](#) We are allocated a budget of 1,938 officers.

Rep. Miller: [03:27:42](#) Do you have that many cars to give each one of them?

Ms. Patterson: [03:27:45](#) No, but if we get the cars, we'll get the officers.

Rep. Miller: [03:27:48](#) I know. That is a huge perk and it really helps having the take home cars for retention and recruitment. So, I would encourage that. Thank you.

Ms. Patterson: [03:28:01](#) Yes, sir. And Representative, I do have that number. Our top pay with our SPO Program, Senior Police Officer Four Program, that top pay is \$96,703.

Rep. Miller: [03:28:12](#) Thank You, ma'am.

Rep. Jones, Chair: [03:28:13](#) Representative Cunningham, you're recognized for a second.

Rep. Cunningham: [03:28:15](#) Thank you. And this is going to be a hard one. We saw all over the country as ICE and the Border Patrol came in—and before I had made my decision on my votes, I had talked to several police officers about it being safer for individuals, detainees to be picked up from the jail instead of people coming out into the community for which we have seen—but since that has taken

place, we've seen a total disrespect of the ICE officers, and they are federal agents. And I've also noticed that people were training people to blow whistles and walk behind these individuals to antagonize them. What would you say to me as a woman, would you be out there blowing a whistle and walking behind federal agents? I want to know that.

- Ms. Patterson: [03:29:09](#) So Representative Cunningham, I believe that we respect law enforcement. Those who are doing the work to keep our community safe, we have an obligation to make sure that we support that work. And me being a police officer, my family, I tell them all the time, "You need to understand the work that we do is difficult and that we should respect law enforcement." I wouldn't condone, I don't think it's right to heckle, to interfere or to intervene in the work that—the lawful work that police officers and law enforcement is doing.
- Rep. Cunningham: [03:29:40](#) Thank you. I'm going to make a final statement on that.
- Rep. Jones, Chair: [03:29:43](#) You're recognized.
- Rep. Cunningham: [03:29:44](#) I'm a nurse by profession, and I've never told people to put themselves in harm's way. And I would hope that every officer, law enforcement, would tell people, "Don't antagonize federal agents, because we don't have authority over them. They're federal agents." Thank you, Mr. Chair.
- Rep. Jones, Chair: [03:30:07](#) Any further questions? Representative Cervania.
- Rep. Cervania: [03:30:10](#) Thank you, Chair. I'd like to ask the chief a series of questions.
- Rep. Jones, Chair: [03:30:16](#) Sure. You're recognized.
- Rep. Cervania: [03:30:17](#) Thank you, Chief. Thank you, Chair. Thank you.
- Rep. Jones, Chair: [03:30:20](#) I've been Chief, Your Honor. I'm getting promotions today.
- Rep. Cervania: [03:30:23](#) I'll call you anything you want.
- Rep. Jones, Chair: [03:30:25](#) I hear you called me a few things a minute ago, but that's okay.
- Rep. Cervania: [03:30:26](#) No, I did not.

- Rep. Jones, Chair: [03:30:26](#) I heard her.
- Rep. Cervania: [03:30:31](#) All were in respect of your leadership.
- Rep. Jones, Chair: [03:30:33](#) You are recognized.
- Rep. Cervania: [03:30:35](#) Thank you, sir. So, thank you so much, Chief Patterson, for being here. As my work in the community, be it an elected official or not, we've been very honored for your service here in Raleigh and now in Charlotte.
- Ms. Patterson: [03:30:49](#) Thank you.
- Rep. Cervania: [03:30:52](#) Both areas are very difficult, right? And we're in a time where it was earlier said, law enforcement has been... We want to support you. We know a majority of our budgets are dedicated to public safety. And so, I think we all are in agreement. Representative Cunningham mentioned ACORNS and we have been in direct benefit of that, but these things cost money, and you already have a large vacancy rate. So, my question is, what amount of funding would you need to get at least closer to the fulfilling of vacancy rate? And then in addition to that, when they get to a certain point that they can get that CIT training, how much would you need?
- Ms. Patterson: [03:31:55](#) So Madam Representative, I don't know if I can give you a number. What I can tell you is what I would like to see. If we are able to give a 10% increase in pay for our officers, I think that makes them more competitive. I think large police agencies deal with a situation where surrounding agencies, so smaller municipalities, are able to fund their police departments better in that sense. I experienced it in Raleigh. We've seen it here in Charlotte as well. And so, when we increase the rate of pay, they increase their rate of pay. And so, we're going back and forth. I think to partly eliminate that, if we had, say, a 10% increase in our pay and those take-home cars, like I talked about, I think that really makes us more competitive with those around us. It becomes a point where other agencies probably cannot exceed that.
- [03:32:49](#) So, that would help us. I can't put a price tag on it. We haven't done the research completely to see how much that number is going to be, but I just put it out as food for thought for this body to be thinking about when you do the budget, when you start

making budget considerations, if we'll look particularly for our larger agencies, and certainly we want to help all police. We want zero vacancies across the board because we want our communities safe. I understand that fully, but I think our larger agencies are the ones who are seeing the crunch or we're seeing these larger vacancy rates. So, whatever the General Assembly could do to provide some extra funding, I think would be wonderful.

[03:33:24](#)

One other thing I would also say is we talked earlier about the juvenile detention facility. I think that we should have one in Mecklenburg County. We are the largest county in... Well, maybe Wake County's a little bit larger than us, but we have a large population that could be served from that. I think that's something else too working with the state. We're willing to do that, to open up that facility to help for our juveniles to get the care that they need and to be in a place where they have family and they have support networks.

Rep. Cervania:

[03:33:54](#)

Follow up, Chair.

Rep. Jones, Chair:

[03:33:54](#)

You're recognized.

Rep. Cervania:

[03:33:55](#)

Thank you, sir. I want to ask you about the presence of ICE. I think most people misconceive that most people want people safe. They want people to have due diligence when it comes to their justice, right? But what we were seeing here, and you can affirm this, especially in Charlotte, that the best probably approach would maybe be that Border Patrol and ICE being collaboration with all of you when it comes to being able to comply to the detaining inquiries, correct? Were you informed that people would be coming in ICE or CBP and if not, it's been a continuum. Have there been efforts to work together to make sure that compliance is maximized in your responsibility as chief?

Ms. Patterson:

[03:35:06](#)

Yes, ma'am. So, I was not in the seat when Operation Charlotte's Web came to Charlotte. I know that Chief Jennings was in communication. I don't know whether he received any information beforehand. What I would tell you, moving forward, what I would love to see is the cooperation and the relationship we have with our federal partners is extraordinary. We work very closely with the FBI, HSI, ATF, all the three letter agencies very well. And our primary goal among all these

agencies is violent crime reduction. So, if ICE and Border Patrol want to work on violent crime reduction and taking in violent felons, we are willing to work with them on that. I think that we all want the same thing when it comes to that. So, we would be willing to work with them if they wanted to come in and collaborate with us, give us a list of targets. We do that kind of work anyway with our federal partners, so expanding it to them would be nothing different.

- Rep. Cervania: [03:36:01](#) Just quick follow up.
- Rep. Jones, Chair: [03:36:03](#) You're recognized.
- Rep. Cervania: [03:36:04](#) So is it not happening currently with these other two agencies?
- Ms. Patterson: [03:36:10](#) Well, ICE does operations all the time in Charlotte, and if they're working with violent criminals, we're working with them. That's not an issue at all for us. But I think the clarification that needs to be made is that CMPD and local municipalities do not enforce immigration laws because those are mostly civil and administrative, and we enforce criminal law.
- Rep. Cervania: [03:36:31](#) Thank you. Thank you, ma'am. Thank you, Chair.
- Rep. Jones, Chair: [03:36:35](#) Representative Hawkins, you did raise your hand. You're recognized.
- Rep. Hawkins: [03:36:37](#) Thank you. Representative Cervania asked the question—one of my questions—I was going to ask. I'll ask this one directed to the city manager. And what kind of partnerships, because it takes... I think you mentioned it takes community partnerships to get this done. Nobody does this in a vacuum, and so all of you can answer it if you like, but in the private sector, what sort of partnerships have been pulled together to make sure that we're keeping the community safe? Because we know that Uptown Charlotte is a business hub, a place that people... Well, there's a lot of foot traffic for people who are coming in and out of the city. And so it would be good for, I think, this committee to hear not only how you're working within your own agencies, both in law enforcement, but also with the private sector and then for you, Chief, with CMS, the school system on juveniles, like how you're all working together to make sure that you're preventing crime, but then also addressing crime.

Mr. Jones: [03:37:39](#) Thank you for the question. I'll start off by also recognizing that we have a number of members from the Mecklenburg delegation here today, as well as members from city council, as well as members from the business community. And it's spot on with what you just said. I can go back to last July where we had an issue with the crime in Uptown. So, being able to sit with the table around the table with their business partners, and it's not just our business partners, but the DA was at the table. The county was at the table. We had some of our not for-profits at the table, and we wanted a rapid response because what was happening: Even if the data may suggest something different, if you don't feel safe, you're not safe. So, being able to have that type of collaboration around the table really ended up in having some additional initiatives that we had from CMPD, but not just CMPD.

[03:38:36](#) And I think it's important, I'll take a big step back. In 2020, the mayor and the council pulled together the community to talk about just violence in general. And so, it wasn't just paying cops, which is extremely important and police officers was extremely important, but we strengthened our ordinances to deter crime. We made investments in the unhoused, we made investments in youth, we made investments in violence intervention and violence interruption, which the state has also partnered with us in that. We've made investments in infrastructure, things like lighting is just so important when it comes to safety. But maybe most importantly, we looked at emerging collaborative efforts. When I mentioned earlier, the civil crash investigators, that's something that the general assembly approved. We appreciate that. What that allowed us to do is 38% of the crashes were actually investigated by civilians, and that's freeing up time for police officers to be back on the street with crime fighting.

[03:39:39](#) So that's kind of, as Chief Patterson talked about crime being down, and sometimes folks are scratching their heads with that. It's all of these initiatives and the partnerships, not only with the General Assembly, but also with the private sector and the community that I think is driving some of these results that's extremely important.

Rep. Hawkins: [03:40:00](#) Thank you.

Rep. Jones, Chair: [03:40:03](#) Representative Quick. Represent Hawkins, are you?

- Rep Hawkins: [03:40:05](#) I'm finished.
- Rep. Jones, Chair: [03:40:05](#) Oh, I'm sorry, go ahead.
- Ms. Patterson: [03:40:06](#) Yes, Representative Hawkins, you asked about our collaboration with Charlotte-Mecklenburg Schools. We are very fortunate that the chief of that agency used to be a CMPD officer. He's retired and he's gone over there. So, you know the relationship is strong. He communicates with us on a daily basis. We work very closely. If there are programmatic things that they're trying to do to help reduce juvenile crime, we're on board with it. We work very closely together.
- Rep. Jones, Chair: [03:40:35](#) Representative Quick, you're recognized.
- Rep. Quick: [03:40:37](#) Thank you, Mr. Chair. And wanted to say before I got into my remarks and my question, I want to acknowledge the presence of those who represent Mecklenburg County here in the General Assembly: Representative Belk, Representative Logan, and the others who are here. I'm going to miss somebody and there was someone who left.
- Rep. Jones, Chair: [03:40:58](#) You better get Becky.
- Rep. Quick: [03:41:00](#) That's right. That's right. Representative Carney. I'll do it this way. Representative Belk, Representative Carney, Representative Logan, Representative Lopez, and Representative Cotham, and also Representative Cunningham who's on this committee. So, I wanted to acknowledge their presence here this afternoon. We've talked about, and I want to address this to Madam Mayor: Thank you for your presence here this afternoon. I cannot imagine being the mayor of such a big cosmopolitan and growing city where every pothole becomes your pothole and every homicide becomes something that keeps you up at night, I'm sure.
- [03:41:40](#) We talked about public safety today, but I want for you to chime in, Madam Mayor, about roads and transportation in Charlotte. Traffic is an issue, as you know, but then also about the big events that come to Charlotte. Charlotte is an international city that hosts international events. The World Cup has a major preliminary game that's coming up in May of this year. You've hosted the NCAA Final Four. You've got NASCAR races right up the street that impact Charlotte

Mecklenburg. And then every time my New Orleans Saints come to town, I'm down in Charlotte cheering for them. So, let me know-

- Rep. Jones, Chair: [03:42:19](#) Is that an invite to us?
- Rep. Quick: [03:42:25](#) I need all the Saints fans I can get. What impact do these major events have on the city that are both short term when they happen, but also long term and the implications that you have to think about them in advance and after they occur?
- Ms. Lyles: [03:42:39](#) Well, I want to say thank you for even thinking about Charlotte and how we are growing and why we are believing so much in what we do in terms of building out a city that everybody wants to live with. And so, what I would say to you is I could send you Dave Tepper and perhaps that would be okay. And he helped us start out with all of this. I mean, it's just been a... I think what I would say to you is that we are trying very hard to have people come into the community in our city and to be adjustable to things that a lot of people when we're talking about the responsibilities that we have, but we also want people to have the opportunity to thrive and have their kids and the housing and all of that.
- [03:43:27](#) So, we're not perfect by any means, I really want you to know that, and I know that you have our other leaders here, then they can explain some of these things that we have. But I would say that the most important thing to do that we are doing is creating spaces. So, for example, we worked with Tepper Sports to have a new stadium and everybody, it was very difficult. It was a very tough decision, but when we had the gang coming in and it was the last time, and the young man is like, he's all out there and everything, it was not a seat in the house and it was really, really important. Right now, the Hornets are going on an, I think, eight times.
- Speaker 4: [03:44:14](#) Nine.
- Ms. Lyles: [03:44:14](#) Nine?
- Rep. Jones, Chair: [03:44:15](#) Nine.
- Ms. Lyles: [03:44:15](#) Oh, they're up to nine. Sorry. I was... Nine. But looking [inaudible 03:44:21]-

- Rep. Jones, Chair: [03:44:21](#) You're about to get in trouble now.
- Ms. Lyles: [03:44:24](#) I know. I know. But when you think about this, pretty soon one of the things we're going to have, or at least not I'm going to have, but the Hornets are going to give the... What do you call the thing that you wear? No, I'm just joking. The jersey is going to be for Dell...
- Ms. Lyles: [03:44:44](#) Curry. He's going to be given our leadership. We're going to give him the key to the city. And you start doing things like that and then more people come. And they want to be Uptown. And I think the biggest thing that we've done is really focused on safety Uptown to make people feel like they can be comfortable if they go for theater or if they're going for sports, if they're going for whatever reason. We are working really hard to make sure. And this is... I have to just say a couple of things. I did not know Estella very well, but she's now my best friend, because she has the wherewithal to work through some of these tougher issues that we perhaps need to know about. And we're grateful for her presence, and I believe that we have the opportunity to have something that's going to be really strong for what we're going to be able to do and achieve in our city.
- [03:45:42](#) We have 100 people a day coming into the city, 100 people a day, and we have to make sure every one of them comes feeling really like they can be safe. And that's what these two people do for us, and many people in our private sector just step right up to help us do this. And as long as we can carry out that kind of focus, I am sure that we can be proud or make North Carolina proud of who we are, even if it's just a small thing about Charlotte.
- Rep. Quick: [03:46:14](#) Follow-up.
- Rep. Jones, Chair: [03:46:14](#) You're recognized.
- Rep. Quick: [03:46:15](#) Thank you, Mr. Chair. Chief Patterson, I want to direct that question towards you, because I could imagine also that these big events come to Charlotte, pull on your resources, and then how do you mitigate those for the people who live in Charlotte, having police resources, having to take care of World Cup, NCAA Final Four, hopefully one day soon at Super Bowl and those type things?

- Ms. Patterson: [03:46:39](#) Yeah. Super Bowl would be nice in Charlotte. Again, it's a collaboration. When we have big events that we have to staff, we look for off-duty officers to do it. We do not pull our officers that are on the street serving the community. We recognize the importance of having them in place, but we pull from other agencies as well when we can—mutual aid—to come in and help us with these events. I think that you have to be able to rely on your resources that you have. Highway Patrol has been good to us. When we need them to come in and help us with the initiatives and different things, they are available.
- [03:47:11](#) I thank the governor for making resources available to us. When I got in the seat on December 1, he told me, "If you need state resources, they are available to Charlotte." So, I am thankful to have that kind of relationship where we have local, state, and federal assistance kind of thing. But it is taxing to have all the events that we do have in Charlotte. We recognize that. Our officers are tired because they have to work a lot of that, but we try to minimize it by getting other resources to help come in and to fill those gaps where we can.
- Rep. Quick: [03:47:44](#) Final follow up, Mr. Chair?
- Rep. Jones, Chair: [03:47:46](#) You're recognized.
- Rep. Quick: [03:47:46](#) Thank you. So, I'll make it two parts, so it'll just be one question. Do other municipalities around Charlotte help with these events—Monroe and some of the other small areas that may or may not be in Mecklenburg County? And then secondly, what should the General Assembly be thinking about to support Charlotte-Mecklenburg? We have these international events that come in. We benefit from them. We come and we go to the games and those things. Well, what should we be thinking about not only as an entity, as a general assembly, to think about Charlotte and some of the other large counties when you have these large events coming in?
- Mr. Jones: [03:48:24](#) Thank you for the question. And I'll take the latter part first and then Chief Patterson will take the first part. There would be no extension of the Panthers' contract here in Charlotte without the General Assembly allowing us to extend that tax. So, it is a collaboration and a partnership. I think the last data point that I had is 22% of the economic activity that occurs in North Carolina occurs in Mecklenburg County, so we have to have

these partnerships in order to thrive. Between November '24 and November '25, I believe there were 16 projects that were announced in Charlotte-Mecklenburg, and we would not have had those projects without state incentives and local incentives. What we learned is many of these companies, they love the incentives, they love the workforce quality, they love the airport and the quality of life. So, as we grow, I believe the state grows too.

[03:49:36](#)

And so there are these opportunities for us to continue to collaborate with economic development opportunities. And I think what's super, super important as I turn it back over to Chief Patterson, is that—how can we make sure that we're able to do the events? And I'll never forget, a few years ago, we had an MLS game, we had a concert, we had an NFL game, and I think we had maybe the biggest event in golf in the world happening in Charlotte over a weekend. And because of these partnerships and these collaborations, we were able to pull it off, but we can't do it without the partnerships and collaboration.

Ms. Patterson:

[03:50:28](#)

And to answer your question or the first part of that question, Mr. Representative, is that to be fully transparent right now, we don't rely on a lot of mutual aid. It's usually CMPD officers, Mecklenburg County Sheriffs, other agencies that have jurisdiction within Mecklenburg County. However, moving forward, I would like to see our surrounding agencies engage in mutual aid. When we did Dreamville every year here in Raleigh, we had every agency represented, helping out, and we were able to make sure that that event was totally safe where we never had any incidents. I would love to see us do the same thing in Mecklenburg County.

Rep. Jones, Chair:

[03:51:09](#)

Representative Echevarria.

Rep. Echevarria:

[03:51:12](#)

Thank you, Mr. Chair, for a series of questions.

Rep. Jones, Chair:

[03:51:14](#)

You're recognized for a series of questions that go no longer than three minutes.

Rep. Echevarria:

[03:51:17](#)

Yes. Excellent. The first thing I want to say is I live right outside of Charlotte, and we're in a bedroom community. So, my community works and plays in Charlotte, and I am cheering on... I think everyone's cheering on Charlotte. I do have a question

because when we talk about the DEI things, we often talk about opportunities for jobs and contracts, but I'm more focused on the community at large. And right now in Charlotte, in Mecklenburg County, basically, from your data, 60% of the victims of violent crimes are black. And that may have a lot of explanations. However, my question is this. There is a Mayor's Racial Equity Initiative that has \$250 million, \$150 million of private, but there's \$100 million taxpayer dollars in there.

[03:52:12](#)

So, if we're talking about equity and minorities, when we listen to the Chief of Police say that we need raises and funding, my neighbors don't have a funding tree in the backyard and we say funding like it's this abstract thing. What we're really saying is how much more money we want from other people. Being that there's \$100 million in the Mayor's Racial Equity Initiative that is not being used for public safety, how do we balance that out to say, "We want black people safe and well, Hispanics safe and well, white people safe and well, but we're spending \$100 million here while asking why we don't have more money over there."?

Mr. Jones: [03:53:01](#)

May I try first?

Rep. Echevarria: [03:53:03](#)

Please. I don't even have a follow-up. I just want to understand it.

Mr. Jones: [03:53:07](#)

So, thank you for the question, and I believe there's three parts to the answer, and I'll try to go as fast as I can. I want to start off by saying that... Well, thank you for what you said about Charlotte. Thank you. So, Charlotte is a well-managed city by any measure. We're a Triple AAA bond rated city, which means whenever we go out to borrow money, we can get it at the lowest rate. And there's a bunch of criteria around that. We actually have the lowest property rate of any large city in North Carolina with 27.41 [cents] per \$100 of assessed value. And the last seven years, we've only raised the property tax once. We did that in 2025, and the vast majority of that was for public safety. Over that same stretch, when we started to talk about the 13 largest cities in North Carolina, and I won't name them, but three cities have raised property taxes twice, five have raised them three times, two have raised them four times, one has raised them five times, and one raised them six times in that seven-year stretch.

[03:54:11](#)

So, we have this low property tax rate. We have the majority of our money going to public safety, and I think that's just a base level. When we talk about the Mayor's Racial Equity Initiative, where the city comes in is actually the Corridors of Opportunity. And that \$100 million is not \$100 million that's in a bank account somewhere. It is money set aside, and most of it's for infrastructure. And as you think about an infrastructure project, and I know there was some article about money not being spent, but it is allotted for that purpose, whether it's sidewalks, lighting, safety. So, the city's, I guess, part of the Mayor's Racial Equity Initiative was simply the Corridors of Opportunity, which are six areas in our city that have historically been underfunded. And so, we believe that \$100 million is a good investment. Most of it's in infrastructure. And the great news about it, so every dollar that's related to that investment in the Corridors of Opportunity, we were able to get \$1.71 in other investments.

Rep. Echevarria:

[03:55:40](#)

So my question is this for the-

Rep. Jones, Chair:

[03:55:41](#)

Follow up.

Rep. Echevarria:

[03:55:42](#)

Follow-up. Thank you. We know that when a community becomes less safe, the poorer it becomes. And so, when I hear, whether it's Charlotte or anywhere, I'm not picking, I'm just asking, when I hear money is spent in communities that are underfunded and poor, we're really saying in unsafe communities. So, my question is: Is there a way—because we're asking for funding, we're asking for money from other people—is there a way to redirect some of what we're doing or what you're doing to public safety because she has an imminent need? It's not a great thing. Ten percent is going to get them an average of about \$340 extra a month before insurance and before retirement. So, is there a way to say to the community, "We are focused on your safety because we are focused on your prosperity." An extra road is not going to make us safer, and when the business gets there and it's unsafe, the business is leaving.

Mr. Jones:

[03:56:55](#)

I totally agree, and that's why I started off with where we are with this very low property tax rate. The last time we went to... Well, the last time the Council raised the property tax, again, first time in the seven-year period was 2025, and it was for public safety. So, it seems very clear that our community is willing to make investments in public safety. If we had to stretch

ourselves a bit and go back and ask the residents about priorities, public safety is there.

- Rep. Echevarria: [03:57:34](#) Thank you very much. I love Charlotte. I'm looking forward to you all doing well, so that the surrounding counties will also do well, and I yield. Thank you.
- Rep. Jones, Chair: [03:57:47](#) I want to recognize Representative Cunningham, but members, just so you know, at a quarter till I am going to gavel out if you are talking or not. We will be leaving here, respecting of their time, so they can get back to Charlotte. Representative Cunningham.
- Rep. Cunningham: [03:57:59](#) Thank you, Mr. Chair, Chief Patterson. Ooh, I got an echo. So, I'm going to talk about a particular place in Charlotte, and that's I-85 at Sugar Creek Corridor, because I live right off of that area. What are the triggers-
- Rep. Jones, Chair: [03:58:20](#) I did not cut you off.
- Rep. Cunningham: [03:58:20](#) What are the triggers that make federal come in off of the interstate? I know it's several of them.
- Ms. Patterson: [03:58:28](#) Yes.
- Rep. Cunningham: [03:58:28](#) Is it human trafficking?
- Ms. Patterson: [03:58:32](#) Well, so, I-85 and Sugar Creek, it's an interesting area. For years, we have had incidents of, yes, human traffic, like you're saying, prostitution, drug sales, that kind of thing. We work with our federal partners, if we see there's a nexus where there is drug trafficking or offenses where we can bring in our federal partners to help us to clean that up and work with it, we do that. I know that there's been a lot of city funds that have been dedicated to try to quote, unquote, "clean up that area." It is a challenged area for us in our community, and I know that we are trying to do a little bit more. I don't have all that in front of me today, but that's certainly something that we can research and get more information to you.
- Rep. Cunningham: [03:59:12](#) Okay. The second question was this, the cameras up there, is it 200, 300, 400 cameras up there? Do you know?
- Ms. Patterson: [03:59:21](#) I do not have that number. I am so sorry.

- Rep. Cunningham: [03:59:23](#) I know there's some cameras up there. We just don't have enough officers that can capture everything. This question is going to be to Mayor Viola Lyles. Madam Mayor, so the impact of the hotels, some of the negative hotels in that area right off of Sugar Creek, I see some changes happening, but I'm not sure if they're moving fast enough up there in that area. We're currently housing homeless children in some of the hotels in that very area, which I would say would be one of the worst areas for those children to be housed in, is a hotel up there right off of I-85 where all this activity is going on. Have we looked at some other options for the displaced homeless children and families that have children, but they don't have anywhere to live?
- Ms. Lyles: [04:00:20](#) Yes. I really appreciate you bringing that to everyone's attention because we have been working very hard, working with the County. And as we talk about how we do things together and work together, we know that we have homelessness, and we know that these kids are not being able to go to school steadily and to be in a safe environment. And so, I think that what we've been working with the county to build a system out so that we can have this done. And I believe what we want to do is make sure that we have bedrooms for all of the families as well, but as Estella has said, or the chief has said, that has been an area that is kind of dark. You just can't get enough light in there to get people to say, "I want to be in this community. I'm open to it." So, we're working with the county and providing more of that information and trying to get a program going on for housing our homeless people.
- Rep. Cunningham: [04:01:30](#) Thank you, but will you send me what you all are doing so I can kind of look at it? Thank you, Mayor, and thank you, Mr. Chair.
- Rep. Jones, Chair: [04:01:37](#) Yes, ma'am. As you may notice, House members have ADD. We try to stay on one topic, but we're so excited to talk to all of you all. But quickly, Chief Patterson, to kind of wrap it up with you, I thought you might want to take an opportunity to talk about Operation Safe Season before we part today.
- Ms. Patterson: [04:01:54](#) Yeah. Mr. Chair, thank you so much for that. I told you when I got in the seat on December 1, by that weekend, we were already kicking off an initiative because I wanted to make sure that our residents and our citizens see that we care about public safety, that I care about reducing violent crimes. So, we kicked

off Operation Safe Season two weekends in a row, December 5 and also December 12. And in that short period of time, again, we brought all these partners together. We made 437 traffic stops. The troopers made the most of those. I'll just say that. 438 citations, 54 arrests, 34 illegally possessed firearms taken off our streets in Uptown Charlotte, which is wonderful for us. And from some of those arrests, we had federal indictments. Our US Attorney took some of those cases. And I said, "We just can't focus on the Uptown. Every resident in Charlotte needs to feel safe."

[04:02:44](#)

So, I told my team, I said, "Let's expand that." And so, we did with Queen City Safe, which we kicked off last weekend... two weekends ago rather. And in that operation, we were looking in North Charlotte around that I-85 corridor, and we made 133 traffic stops, 51 citations, 17 arrests, 14 illegal firearms seized, two vehicles seized, and over \$1,400 in narcotics was taken off our streets. These are the kind of initiatives that I'm about and that we're going to continue to do throughout our city. Many people say we got to focus on the Uptown because that's the epicenter and I agree, but every single resident in our community needs to feel safe, and I'm going to make sure that they feel safe.

Rep. Jones, Chair: [04:03:22](#)

So, we assume that you're going to have some more of these initiatives?

Ms. Patterson: [04:03:24](#)

Yes, sir. That's the plan.

Rep. Jones, Chair: [04:03:26](#)

Well, on behalf of this General Assembly, we want to thank you for being here today. And I want you to know something. You have a very robust delegation in your county. One of our most senior members who has always been a lifeline for me when I got something to ask, a former trooper, a healthcare worker. So, you've got a robust delegation. As Majority Leader, all the citizens are my district now, so you've got a friend in my office. Anything that you need, please reach out to us, let us help you. Mayor-

Ms. Patterson: [04:03:52](#)

Thank you, Mr. Chair.

Rep. Jones, Chair: [04:03:52](#)

... it is always good to see you. You light up a room that you always walk in. It's been a while, but thank you for being here today.

- Ms. Lyles: [04:03:57](#) Thank you.
- Rep. Jones, Chair: [04:03:57](#) We're going to wrap up very quickly. We just want to run over a few things, let folks have a couple questions. You guys are going to have an awesome opportunity here with the Military Games coming very soon. So, I just want to ask you'll have some of the globe's strongest people in the world coming, what is the plan to welcome them and protect them when they're getting here? And it's always good to have a Jones in the house, so Mayor or Mr. Jones, either one.
- Ms. Lyles: [04:04:23](#) The military part-
- Rep. Jones, Chair: [04:04:25](#) Turn your mic on, please. Thank you, Mayor.
- Ms. Lyles: [04:04:28](#) I really... I'm just so thrilled about the Military Games coming in. This has been something that the Belk family has wanted to do for so long and now it's coming in. I'm more worried about how we're going to get enough people to speak enough English or whatever the other languages are going to be.
- Rep. Jones, Chair: [04:04:45](#) They tell me these new AirPods do it like that, so I'm going to have to get me a pair of those.
- Ms. Lyles: [04:04:49](#) Yeah. I think you better go ahead because there'll probably be a run on the store for them. But I think, Marcus, you wanted to explain some of the things that we're working through?
- Mr. Jones: [04:04:56](#) Thank you, Mayor. And I thank you, Mr. Chair, for the question. We're super excited about it. It's first time in the United States. So, we are, I guess, the leading edge or the bleeding edge, I don't know how to say it, but we are excited. We're working with our partners to put on something that's really, really exciting that everybody can be proud of.
- Rep. Jones, Chair: [04:05:21](#) We're looking forward to it, and we're expecting you to shine brightly for us. Now, Mr. Jones. There are just a couple questions. Everything's been easy so far. And these are just... Not pointing fingers, not making accusations. We want to help figure out how to help you. Some time back in '25, the City Council approved \$3.4 million for a marketing campaign for CATS, is that correct?
- Mr. Jones: [04:05:51](#) That's correct.

- Rep. Jones, Chair: [04:05:53](#) I'm asking from this side, do you think that's the most efficient use of the \$3.4 million, rather than more guns, more cops, more authority to help there?
- Mr. Jones: [04:06:06](#) Thank you, Mr. Chair. What I will say is CATS has an extensive budget, and there has been a great deal of increased investment in safety. This was or is a marketing media strategy that has always been a part of CATS' operations. The timing of it seems like it's in place of spending for safety, but spending for safety has actually increased over the past several years with CATS.
- Rep. Jones, Chair: [04:06:43](#) Here's where I'm at. I want Charlotte making national news for the World Games, the Military Games, not for what it's made national news for.
- Mr. Jones: [04:06:51](#) Fair.
- Rep. Jones, Chair: [04:06:53](#) I want that city to be the shining gem of North Carolina that I know it can be. It's a beautiful city, leading edge on a lot of things. Some things we don't want to lead on. We're here to help you. We need to make sure that the funding is going in the correct way. Like you said, it might have been just coincidence that it hit at the same time, but it looked kind of bad. You will admit to that.
- Mr. Jones: [04:07:14](#) Absolutely.
- Rep. Jones, Chair: [04:07:15](#) But we don't want you making national news for the wrong reasons. You've got a chief that looks like she's on the ground burning it down to do the right things, getting everybody in place. You've got a mayor that's certainly dedicated. Sounds like to me you are as well, but we want to make sure that you're spending properly. And that invitation's open to you as well, that we did the chief, to the mayor, to work with us, to work with you. Again, you've got a robust delegation. I'm sure they'll come to your office if you ask and work with you and I will as well.
- Mr. Jones: [04:07:43](#) Thank you.
- Rep. Jones, Chair: [04:07:44](#) Are there any questions, further questions for the Mayor or for Mr. Jones? Of course, has to be one, Representative Ager.

- Rep. Ager: [04:07:54](#) It's not quarter till yet, so...
- Rep. Jones, Chair: [04:07:57](#) I was trying to beat my time.
- Rep. Ager: [04:07:59](#) Thank you, Mr. Chair.
- Rep. Jones, Chair: [04:08:00](#) Mr. Quick's got a date or something.
- Rep. Ager: [04:08:02](#) Thank you, Mr. Chair. And I just have a quick statement and really no question, if that's all right. So, we began this proceeding talking about incompetence, and I'll just tell you, I really didn't see it today. I really appreciate you all being here, both from the county and from the city. I just didn't see any evidence that the leadership and public safety officials in Mecklenburg County are incompetent, so thank you for that. In fact, in Charlotte, violent crime, we're seeing it's down significantly. I think we heard 29% down year over year here. Recently, homicides are falling, juvenile crime is trending down. And this reflects real progress driven by local officials like you all and law enforcement working tirelessly for the community, so thank you for that.
- [04:08:52](#) The reality is that crime does persist, and we've seen it. We see it with the Iryna Zarutka case. I spent a lot of my military career in Ukraine, and so that one hit especially hard because I know lots of folks that have come over during that war period. And it's not true just in Charlotte, it's true everywhere. I think if you look statistically, you're more likely to be a victim of violent crime if you live in Shelby or Salisbury or Robeson County or Vance County or Anson County. I think that's all true, but we see more horrendous crimes in this state than we really should. And that's something that I think, as a legislature, we ought to be paying attention to, and that's what this is about. But we started talking about incompetence, and I do think there are some things we can do here in the legislature that we haven't done.
- [04:09:49](#) And it starts with passing a budget that will sufficiently fund our public defender offices, a budget that will hire enough ADAs in Mecklenburg County—but really across the state—a budget that will focus sufficient resources on needed mental health services, and a budget that will sufficiently resource our jails and pay our correction official officers enough to hire and retain staff. And then also deal with vacancies in our state law

House Select Committee on Oversight and Reform Hearing, February 9, 2026
Charlotte and Mecklenburg County
District Attorney Spencer Merriweather
Mecklenburg County Sheriff Garry McFadden
Charlotte-Mecklenburg Police Department Chief Estella Patterson
Mayor Vi Lyles
City Manager Marcus Jones

enforcement agencies, which every state law enforcement agency that I talk to always talks about their vacancies. And so, when we talk about taking care of public safety, that seems like that's something that we really ought to focus on. And I believe in accountability. I grew up in the military world. I believe that we should really look at ourselves in the mirror and lead by example by passing a budget that sufficiently floats resources, public safety across the state. So, thank you all very much for coming.

Rep. Jones, Chair: [04:10:46](#)

Well, with that, I would like to close with thank you for being here today. I disagree with my colleague. I think the city is doing a good job, and it's going to get better. I think in your county, you've got some issues, got some serious issues. As far as the budget, the House has that robust budget, and we just hope our Senate colleagues will come around and help us pass that budget. And I think you would be pleasantly surprised how good our budget looks. I wish you safe travels back. Thank you for being with us today. And with that, committee is adjourned.