

**SUMMARY MINUTES FOR THE  
POLICE COMMUNITY RELATIONS COMMITTEE**

May 10, 2016  
Greenville, NC

Chairperson Diane Kulik called the Police Community Relations Committee meeting to order at 6:30 p.m., at The City Hall Building (City Council Chambers), 200 West 5<sup>th</sup> Street, Greenville, NC 27834.

Chairperson Diane Kulik asked for a motion for approval of the May 10, 2016 agenda.

Motion: Mr. Gregory Barrett  
Second: Mr. Jermaine McNair

The agenda was unanimously approved by the committee.

**APPROVAL OF THE MINUTES:**

Chairperson Diane Kulik asked for a motion for approval of the April 12, 2016 minutes.

Motion: Mr. Tim Webster  
Second: Mr. Gregory Barrett

The minutes were unanimously approved by the committee.

**INTRODUCTION OF COMMITTEE MEMBERS / ROLL CALL:**

Chairperson Diane Kulik asked each member and staff to introduce themselves and let everyone know which district they represented.

**COMMITTEE MEMBERS PRESENT:**

Diane Kulik; Chairperson, At-Large	Jermaine McNair; Mayoral
Tim Webster, Vice Chair; District 5	
Gregory Barrett; District 1	

**COMMITTEE MEMBERS ABSENT:**

Lennard Naipaul; District 2	
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**CITY STAFF MEMBERS PRESENT:**

Ted Sauls, Deputy Chief of Police; Bill Little, Assistant Attorney; Sylvia Horne, Administrative Staff Support Specialist; Sgt. Joe Friday, Focused Deterrence Unit; Devinder Culver, Community Project Coordinator; Sgt. Rudolph Oxendine, Center City Unit; Officer Jonathan Smith, Housing Authority Unit; Officer Samuel Paldino, Center City Unit.

**COUNCIL MEMBERS PRESENT:**

Kandie Smith, District 1, Mayor Pro-Tem

**OTHERS:**

Citizens

## **NEW BUSINESS:**

Chairperson Diane Kulik introduced herself and thanked everyone for coming out to the meeting. She then called a short business meeting to order following the May 10<sup>th</sup> agenda and asked each police officer, city staff, and council member to introduce themselves. She then passed out handouts from the table before the speaker presented their presentations.

### **Guest Speaker Sgt. Joe Friday**

#### **Topic: What is involved in conducting a criminal investigation and how a Detective gets assigned to the investigation.**

Sgt. Friday thanked the PCRC committee members for having the police department to come out and speak with them regarding what is involved with conducting a criminal investigation and how a Detective gets assigned to a criminal case. Sgt. Friday stated generally speaking a Detective will either respond to a crime scene; if it's at night and he/she is coming from his/her home and he or she has been called out or he/she may be working in the office late and he/she goes out. Or the next business day the detectives come in the morning he may get an email stating that he/she will be assigned to work the case. As a supervisor in the major crime unit, there is a checklist used that involves several different steps. Sgt. Friday stated when a detective arrives at a crime scene, some of the first things a Detective have to make sure:

- In order to protect the investigation, the detectives have to ask him or herself is the crime scene secure
- Are officers stationed around to keep the crime scene pure and cleaned
- Are the officers not allowing people in and out of the crime scene
- Does the detectives have a crime log
- Miranda rights
- Is medical E.M S called and on the scene
- Is the ID technician called
- Are latent prints found
- Are photographs taken
- Is all the physical evidence collected
- Is a Shift ID report completed and attached
- Is a gunshot residue tests administered
- Is a rape kit completed
- Is evident send to SBI Lab
- Is the evidence and lock up
- Has area residents been contacted
- Search warrant
- Has contacted me with the victim(s)
- Interview(s) conducted
- Process explained to the victim(s)
- Contact number(s) taken
- Statement(s) taken
- Witnesses names, addresses, phone numbers obtained
- Witnesses interviewed
- Investigation report completed

- Warrant (s) obtained
- Composite(s) is made
- Mug books viewed
- Photographic lineup made
- Interrogation(s) conducted
- News release
- Follow up supplement completed
- N.C. I. C. entry made
- D.A.'s Conference
- 911 calls
- Telephone recording
- Witnesses subpoena
- Blood alcohol content

Sgt. Friday discussed a lot of the actions listed above. He went into short details for a lot of the actions. This is just a few actions from the investigation checklist. There are many more actions.

Sgt. Friday stated that a criminal investigation has to be very thorough and a very methodical process. Sgt. Friday stated he majored in archaeology in college and he found that the parallel between archaeology and a crime scene investigation are very similar.

Sgt. Friday stated that no two cases are alike. Every single case is different and every single case will take an officer down a different path they have not been before. Sgt. Friday stated that he could not dictate how a case is going to proceed. He stated he had to follow the case and follow where it took him. He stated that it would be wonderful to say "yes" it only takes a week or two weeks to conduct an investigation. Sgt. Friday held up a (thick) file case to show the citizens how much documentation was inserted into the file. It was an example of a man and his girlfriend dancing at a local night club. The man accidentally backed up and stepped onto the foot of another man. The other man was intoxicated and punched the other guy in the face and broke out his teeth, knocked him out, the guy fell back on the floor and fractured his skull. Sgt. Friday stated that the case sounded cut and dry. The case started on March 22, 2009 and the case did not close until July, 2009. That's how long the case took due to the interviews, typed verbatim notes, medical records, criminal history conferences with the district attorney's, notes, photographs, telephone conversations. A Detective will have to make at least three copies of everything. One for the prosecution, one for the defense, and one for themselves.

Sgt. Joe Friday stated that in a major crime case the investigations unit will pull together a team of detectives and distributed job responsibilities. Sgt. Friday stated that the investigations unit has specialized personnel who are trained in technical surveillance aspects of investigation. The detective can go back and look at computer records. Whereas other detectives may be called on to conduct interviews. Sgt. Friday emphasized that no two cases are exactly alike; they never are. He stated he always tells people, he always want to treat people fair, but he cannot treat everyone the same. He stated the same does not work because every circumstance is different.

Sgt. Friday discussed the process of an arrest. He always asked himself the question, is he doing what he needs to do to protect that person's rights? Did he follow all the

procedures for advising them of Miranda warnings? Is he recording his interviews, is he keeping the command staff informed. Sgt. Friday stated that you cannot assume anything with a case. He stated that you can't dictate where a case goes, and you can't make assumptions and you have to remain bias. You have to make sure that you are following all the procedures correctly. You have to ask yourself are you doing your case in the fairest and most thorough way.

Sgt. Friday informed the citizens that a case never stops being investigated until the final verdict is read, and the sentence is handed down and the book is closed on the case.

Sgt. Friday allotted time for questions to the citizens. The citizens asked Sgt. Friday several questions.

### **Guest Speaker Mrs. Kimberly Robb, District Attorney**

#### **Topic: An Inside Look into the justice system and sentencing. What is a Prosecutor? Charges to convictions process explained**

Mrs. Robb introduced herself and thanked everyone for coming out to the meeting. She wanted to share with the citizens a brief overview of what to expect from the District Attorney's office.

Mrs. Kimberly Robb began discussing a PowerPoint presentation on: **An inside look into the justice system and sentencing. What is a Prosecutor? Charges to convictions process explained.**

What is a Prosecutor? Kimberly S Robb, District Attorney, Pitt County

Who am I? (Mrs. Kimberly Robb).....she is a

- SMU 1985 Political Science grad
- University of Texas School of Law 1988
- DA's office from 1991-2016
- One of 44 Elected DA's in the State
- President-Elect of Elected DA's

American Bar Association

“The duty of the prosecutor is to seek justice, not merely to convict”

The District Attorney is a Constitutional Officer

- Elected to 4 year terms
- Prosecutorial District
- Pitt County
- Non Partisan ballot

The District Attorney GS 7A - 61

- Prepare Trial Dockets

- Prosecute All Criminals
- Prosecute All Traffic Offenses
- Represent the State in Juvenile Cases-Criminal
- Advise Law Enforcement Officers
- Full Time Cannot Engage in Private Practice

#### Assistant District Attorneys GS 7A - 63

- Appointed by the DA
- Serves at the DA's pleasure
- Takes the same oath of office as the DA
- Duties are assigned by the DA
- Full-Time cannot engage in private practice

#### 3 – A Prosecutorial District

My office consists of:

12 Assistant District Attorneys-SAUSA, Regional Traffic Safety ADA, Financial Crimes Prosecutor

6 Support Staff

6 Victim Advocates

1 Investigator/1 Jail inmate coordinator

State v. Best 280 N.C. 413, 186 S.E. 2d 1 (1972)

“The proper role of the DA is conviction of the guilty, acquittal of the innocent, punishment of the guilty appropriate to the circumstances in the interest of the future protection of society. . . . the prosecuting attorney is not required to be, and should not be, neutral. He is not the judge, but the advocate of the State’s interest.”

#### 3.8 Special Responsibilities of a Prosecutor Rules of Professional Conduct

- Discretion in determining charges
- Refrain from prosecuting charges that the prosecutor knows are not supported by probable cause
- Make timely disclosure to the defense of all evidence and information required to be disclosed
- Refrain from making extrajudicial comments that have a substantial likelihood of heightened public condemnation of the accused
- Obligation to seek JUSTICE

#### District Attorneys

- Represent the State of North Carolina
  - Assist the victim through the criminal process
- Discretion in determining charges-consider past history in charges: Violent Habitual Felon, Habitual Felon, Habitual Larceny, Habitual B&E

#### Defense Attorneys

- Represent their client “zealously within the bounds of the law”
- May argue innocence, even when they know their client is GUILTY
- Hired gun for the client
  - To get him off if he can or
  - To get as little punishment as possible
- It is NOT their job to seek the Truth

3-A Prosecutorial District

2014

1246 Driving While Impaired cases disposed

3-A Prosecutorial District: FY2015 Superior Court  
FY2015 Superior Court

Cases filed – 3,310  
Disposed – 4,421  
Pending felonies as of 6/3/15 – 1,833  
Jury Trial with Guilty Verdict – 64  
Jury Trial with Not Guilty Verdict – 24  
Jury Trial with Guilty Plea before Verdict – 1  
Guilty Plea to Lesser Offense – 414  
Guilty Plea No Contest – 1,862  
Deferred Prosecution – 28  
Dismissal with Leave – 39  
Dismissal without Leave – 1,547  
Other - 442

Suggested Bond Amounts – Set by Senior Resident Superior Court Judge

Type of Offense	Maximum Punishment	Suggested Secured Bond
Misdemeanor Class 3	20 days	Written Promise
Misdemeanor Class 2	60 days	\$100-\$1,000
Misdemeanor Class 1	120 days	\$100-\$2,000
Misdemeanor Class A1	150 days	\$1,000-\$3,000
DWI	36 months	\$1,000-\$3,000, \$5,000 minimum if other DWI pending
Felony Class H and I	24 months Class I 39 months Class H	\$3,000-\$10,000
Felony Class F and G	47 months Class G 59 months Class F	\$10,000-\$25,000

<b>Felony Class E</b>	<b>88 months Class E</b>	<b>\$25,000-\$50,000</b>
<b>Type of Offense</b>	<b>Maximum Punishment</b>	<b>Suggested Secured Bond</b>
<b>Felony Class C and D</b>	<b>204 months Class D 231 months Class C</b>	<b>\$50,000-\$200,000</b>
<b>Felony Class B1 and B2</b>	<b>484 months Class B2 Life w/out Parole Class B1</b>	<b>\$200,000-\$500,000 B2 \$500,000-1,500,000 B1</b>
<b>Felony Class A</b>	<b>Life w/out Parole or Death</b>	<b>No Bond (unless set by judge)</b>
<b>Drug Trafficking Class H</b>	<b>25 min to 39 months max</b>	<b>\$50,000-\$100,000</b>
<b>Drug Trafficking Class G</b>	<b>25 min to 51 months max</b>	<b>\$50,000-\$200,000</b>
<b>Drug Trafficking Class F</b>	<b>70 min to 93 months max</b>	<b>\$50,000-\$200,000</b>
<b>Drug Trafficking Class E</b>	<b>90 min to 120 months max</b>	<b>\$50,000-\$200,000</b>
<b>Drug Trafficking Class D</b>	<b>175 min to 222 months max</b>	<b>\$200,000-\$500,000</b>
<b>Drug Trafficking Class C</b>	<b>225 min to 282 months max</b>	<b>\$500,000-\$1,500,000</b>

### Jury Trial

- Who gets to be a juror?
- Both State and Defendant CAN put on evidence
- Jurors generally decide the facts.
- Judge sentences Defendant

**FELONY PUNISHMENT CHART  
PRIOR RECORD LEVEL**

	I	II	III	IV	V	VI	
	0-1 Pt	2-5 Pts	6-9 Pts	10-13 Pts	14-17 Pts	18+ Pts	
<b>A</b>	Death or Life Without Parole						
	Defendant Under 18 at Time of Offense: Life With or Without Parole						
<b>B1</b>	A	A	A	A	A	A	<b>DISPOSITION</b> <i>Aggravated Range</i>
	240 - 300	276 - 345	317 - 397	365 - 456	<i>Life Without Parole</i>	<i>Life Without Parole</i>	
	<b>192 - 240</b>	<b>221 - 276</b>	<b>254 - 317</b>	<b>292 - 365</b>	<b>336 - 420</b>	<b>386 - 483</b>	
<b>B2</b>	A	A	A	A	A	A	<i>Mitigated Range</i>
	157 - 196	180 - 225	207 - 258	238 - 297	273 - 342	314 - 393	
	<b>125 - 157</b>	<b>144 - 180</b>	<b>165 - 207</b>	<b>190 - 238</b>	<b>219 - 273</b>	<b>251 - 314</b>	
<b>C</b>	A	A	A	A	A	A	
	73 - 92	83 - 104	96 - 120	110 - 138	127 - 159	146 - 182	
	<b>58 - 73</b>	<b>67 - 83</b>	<b>77 - 96</b>	<b>88 - 110</b>	<b>101 - 127</b>	<b>117 - 146</b>	
<b>D</b>	A	A	A	A	A	A	
	64 - 80	73 - 92	84 - 105	97 - 121	111 - 139	128 - 160	
	<b>51 - 64</b>	<b>59 - 73</b>	<b>67 - 84</b>	<b>78 - 97</b>	<b>89 - 111</b>	<b>103 - 128</b>	
<b>E</b>	I/A	I/A	A	A	A	A	
	25 - 31	29 - 36	33 - 41	38 - 48	44 - 55	50 - 63	
	<b>20 - 25</b>	<b>23 - 29</b>	<b>26 - 33</b>	<b>30 - 38</b>	<b>35 - 44</b>	<b>40 - 50</b>	
<b>F</b>	I/A	I/A	I/A	A	A	A	
	16 - 20	19 - 23	21 - 27	25 - 31	28 - 36	33 - 41	
	<b>13 - 16</b>	<b>15 - 19</b>	<b>17 - 21</b>	<b>20 - 25</b>	<b>23 - 28</b>	<b>26 - 33</b>	
<b>G</b>	I/A	I/A	I/A	I/A	A	A	
	13 - 16	14 - 18	17 - 21	19 - 24	22 - 27	25 - 31	
	<b>10 - 13</b>	<b>12 - 14</b>	<b>13 - 17</b>	<b>15 - 19</b>	<b>17 - 22</b>	<b>20 - 25</b>	
<b>H</b>	C/I/A	I/A	I/A	I/A	I/A	A	
	6 - 8	8 - 10	10 - 12	11 - 14	15 - 19	20 - 25	
	<b>5 - 6</b>	<b>6 - 8</b>	<b>8 - 10</b>	<b>9 - 11</b>	<b>12 - 15</b>	<b>16 - 20</b>	
<b>I</b>	C	C/I	I	I/A	I/A	I/A	
	6 - 8	6 - 8	6 - 8	8 - 10	9 - 11	10 - 12	
	<b>4 - 6</b>	<b>4 - 6</b>	<b>5 - 6</b>	<b>6 - 8</b>	<b>7 - 9</b>	<b>8 - 10</b>	
	3 - 4	3 - 4	4 - 5	4 - 6	5 - 7	6 - 8	

A – Active Punishment      I – Intermediate Punishment      C – Community Punishment  
 Numbers shown are in months and represent the range of minimum sentences

Revised: 09-09-13



3 – A Prosecutorial District  
Ms. Robb stated that she was:

Especially proud of the following programs:

- Drug Court: We helped people stop their dependency on drugs and alcohol.
- Truancy Program: Keeping kids in school keeps them out of trouble.
- Our Child Advocacy Center: We assisted abused and neglected children
- Domestic Violence Unit: We protected abused men, women and children.
- Driving School: We educated people on the dangers of aggressive driving.
- Traffic Safety Initiatives: Drunk Drivers lost their licenses, keeping our streets safer.
- Elder Abuse Project: We prosecuted defendants who abused or stole from our senior citizens.
- Focused Deterrence Program: We fast-tracked the prosecution of violent gang members with pending felonies
- Specialized Probation Court: We prosecute individuals who have violated their probation in front of the same Superior Court judge each week

### **Robert Traver**

“The DA is inevitably in daily collision with life at its most elemental level. He is like the intern on an ambulance call: He is constantly witnessing the naked emotions of his people – raw, unbuttoned and bleeding . . . By virtue of his job the DA is the keeper of the public conscience.”

### Your District Attorney Contact Information

Kimberly S. Robb  
100 W. 3rd Street  
Greenville, NC  
(252)695-7200  
Kimberly.S.Robb@nccourts.org

### Public Expression and Questions

The citizens asked several questions, and made comments and concerns regarding convictions, bonds, arrests, justice, charges, judges, punishment, and felonies.

Chairperson Diane Kulik ask for a motion to adjourn the meeting.

Motion: Mr. Tim Webster  
Second: Mr. Gregory Barrett

The next meeting is on June 14, 2016. Meeting place will be announced at a later date.

ADJOURN – 8:10 p.m.

Respectfully submitted,

Sylvia Horne

