

A Message From

District Attorney Spencer B. Merriweather III

All:

We are pleased to be able to look back over a very productive year. To be sure, the past year has provided its fair share of challenges. Nevertheless, I am very proud that your community's prosecutors have continued to forge ahead in service of justice and public safety. Mecklenburg County continues to develop into one of the largest and busiest jurisdictions in the country. Consistent with recent trends, tens of thousands of people decided within the past 12 months to make our county the place for them to live, work, and raise a family. With that growth comes more complex public safety demands with a direct impact on victims and neighborhoods.



Though the needs of our community persistently increase, we continue our battle to uphold the law in our courts with largely the same staffing levels and resources we did a decade ago. In the coming year, we will have to identify innovations that will better enable us to do more with less. We all know that when justice and public safety agencies are under-resourced, it is the public that suffers the most. Still, even with resource limitations, we will not give up on our fight to advance justice and lift the voice of victims, families, and neighborhoods. We remain grateful to you, the residents of this county, for placing your trust in our work.

Sincerely,

Spence B. Menweather III

Spencer B. Merriweather III
District Attorney

In Remembrance

As a new year begins, we reflect on the heroic sacrifice of those law enforcement officers—Joshua Eyer, Samuel Poloche, William "Alden" Elliott, and Thomas Weeks—who gave their lives in service on April 29th. Their dedication and courage will be forever remembered, and we remain profoundly grateful for their ultimate sacrifice to protect our community. In their memory, we are reminded to find hope in those who make our community safer and stronger each day.



Mission &

Introduction

District Attorney Spencer B. Merriweather III provides this annual report to the public as part of his ongoing commitment to communicate openly the work he and his prosecutors do on behalf of our community. This report offers a look back at 2024 and an opportunity to learn about each prosecutorial team, local initiatives, the office's community outreach and more. The District Attorney's Office represents the State of North Carolina and prosecutes crimes and traffic offenses that occur in the State's 26th Prosecutorial District, which covers

Mecklenburg County and includes Charlotte, Mint Hill, Matthews, Pineville, Huntersville, Cornelius and Davidson. The office prosecutes approximately 11,000 felonies and more than 80,000 misdemeanor and traffic offenses every year. Each day, the District Attorney's Office seeks to live out our mission: Entrusted with the confidence of the State and of the people of our County, we are to seek justice and to pursue outcomes that provide a safe and vibrant community where every person can live in peace.

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The Homicide Team

The Homicide Team seeks justice for victims and their families by prosecuting Mecklenburg County's most violent offenders. The Assistant District Attorneys (ADAs) on this team prosecute cases of murder, manslaughter, and felony death by vehicle. The Homicide Team also reviews all fatal officer-involved shootings. An ADA regularly attends the Charlotte-Mecklenburg Police Department Homicide Support Group to meet with victims' loved ones and answer their questions about the criminal justice system.

In the last three fiscal years, the Homicide Team has adjudicated an average of 123 homicide cases per year, a 53% increase in homicide case adjudication, compared with a similar duration a decade ago. This comes despite an increase in incoming homicide cases as well as an enormous increase in the amount of digital evidence prosecutors must review in each of these cases. In the three fiscal years prior to 2017, an average of 90 homicide cases were filed in Mecklenburg County Superior Court. Since then, an average of 122 homicide cases have been filed during each fiscal year - an increase of 36 percent.

The Homicide Team called 13 defendants for trial in 2024. In May, prosecutors tried Dwayne Evans for the 2018 shooting death of his roommate, Eric Spells. A jury found him guilty, and he was sentenced to life in prison without the possibility of parole.

Derek Ward was tried for the rape and murder of his cousin, 23-year-old Brittini Ward. He was found guilty as charged and also sentenced to life in prison without the possibility of parole.

Four more were found guilty and sentenced to life in prison without the possibility of parole.

A jury found Dareem Gaskin guilty of second-degree murder for the 2020 murder of Deante Brown. He was sentenced to a minimum of 23 years in prison. Three other defendants pled guilty before the conclusion of their trials. The team also reviewed six officer-involved shootings.

The Felony Crimes Team

The Felony Crimes Team prosecutes property crimes, financial crimes, drug offenses and, other general, non-violent felonies.

The Felony Crimes Team tried 20 defendants in 2024. Danin Nouanthanuvanh was tried for embezzling from a Charlotte Buddhist temple. From 2013 and 2018, while serving as a vice-chair of the temple, Nouanthanuvanh embezzled over \$298,000. After a week-long trial, a jury returned a guilty verdict, and Nouanthanuvanh was sentenced to 5-7 years in prison and ordered to pay \$298,576 in restitution to the temple.

With fentanyl remaining as a deadly and prevalent drug in Mecklenburg County and across the country, prosecutors worked hard in 2024 to take drug traffickers off of the streets.

Investigators with the Cornelius Police Department executed search warrants at the home of

Tina Alexander in January and June 2023. Officers seized over 1,000 fentanyl pills, methamphetamine, and marijuana during those searches. Over the course of their investigation, detectives learned that Alexander was selling fentanyl pills for \$10 each and single doses of methamphetamine for \$5 each. In July, she pled guilty and will spend at least seven years in prison.

In the prosecution of drug crimes, the Felony Crimes Team targets drug traffickers while seeking treatment for people experiencing substance use disorder or addiction.

The Mecklenburg County S.T.E.P. Program has six treatment courts in Mecklenburg County. In fiscal year 2024, they served 171 clients in four criminal courts, and had a retention rate of 98%, a sobriety rate of 75%, and a recidivism rate of just 13%.

Retail Theft

As concerns with retail theft grow, our office continues to work with businesses to determine effective responses. Last year, prosecutors in our office met with executives from nearly a dozen retailers to discuss frequent defendants and prosecution strategies. We routinely work with our law enforcement partners to focus on repeat offenders.

In July, Raheem Foster pled guilty to two counts of felony larceny from a merchant. He was sentenced to 16-29 months in prison, was ordered to pay \$3835.87 in restitution, and he was banned from the Target on Metropolitan Avenue.

Travis Cuthbertson was convicted for habitual larceny along with 10 counts of felony larceny. He was sentenced to two concurrent sentences of 15-27 months in prison and ordered to pay restitution to multiple retailers.



Public Safety in Center City

While attorneys and staff in the DA's Office have dedicated their careers to ensuring a full measure of justice and accountability where every neighborhood can exist in peace, Uptown Charlotte is distinct. It serves as our community's living room, where we welcome visitors to our home. Our backyard, where we relax and celebrate with family and friends. Our home office, where the work that we do fuels the region, the nation, and the world.

DA Merriweather serves on the Center City Public Safety Working Group formed early in 2024 with the goal of creating a collective vision that emphasizes a safe and a vibrant Uptown Charlotte in which all people may live and thrive. The group includes representatives from the public, private, corporate, not-for-profit, public safety, medical and academic sectors. In January, prosecutors with the Felony Crimes Team met with nearly 100 members of Uptown's 4th Ward community to discuss our Office's work, hear the residents' concerns, and determine how we can best meet their neighborhood needs through trial prioritization.

Our Office has engaged in the following ways to ensure a vibrant and peaceful Uptown community:

- Enhanced coordination with our police partners, specifically CMPD's Central Division, to ensure that limited prosecution resources can still prioritize accountability for repeat offenders.
- Engaged more systemically with center city merchants and security personnel to ensure we have the most current information about public safety challenges that they are facing, particularly in reference to defendants who have pending court cases.
- Enhanced efforts to work with the business community to secure trial participation of those who witnessed or were victimized by crime.
- Exploring courthouse innovations to confront the challenges of the unhoused in Uptown.

The Felony Special Victims Team

Since DA Merriweather established the Felony Special Victims team in 2017, the team has prosecuted felony cases of domestic violence, sexual assault, child abuse, and human trafficking. In 2024, they tried 23 cases.

Dennis Pegues took advantage of a position of trust and sexually assaulted one survivor multiple times beginning when she was 7 years old. Pegues also assaulted a second survivor who was 15 years old at the time. She was babysitting one evening at the home where Pegues lived with the first survivor. When he returned to the home, Pegues gave the second survivor a ride home. He asked her if she wanted to get paid for babysitting. She said she did, and he then took her to a strange house where he took her to a bedroom and raped her.

In September, he was tried and found guilty of multiple counts of rape and sentenced to at least 68 years in prison.

Serial rapist, LJ Bertha, was sentenced in June to life in prison plus 33 years after a jury found him guilty of multiple cold case rapes from over 30 years ago. In both cases, serological testing was done at the time to confirm the presence of semen. DNA testing conducted in 2023 confirmed Bertha as the suspect in both cases. Bertha previously served 20 years in prison for a rape he committed in 1996.

In both trials, all of the survivors courageously testified and helped prosecutors ensure justice and protect the community. In May, Safe Alliance's Emily Barnhardt presented members of the Special Victims Team with their "Most Engaged Sexual Assault Response Team (SART) Community Partner" award from the 2024 Walk a Mile event



Advancing the Mission Through Partnerships

ADA Leslie Stephens led a training session last spring at the Atrium Health Child Abuse Symposium to an audience of physicians, physician assistants, nurse practitioners, registered nurses, social workers, law enforcement officers and other healthcare providers. The training focused on child abuse prosecution and, specifically, expert testimony within child abuse prosecutions. Expert testimony is often needed by our health care professionals who treat children who have been physically or sexually abused in our trials to educate juries on how child abuse may appear during a medical exam.

Last summer, ADA Terra Varnes presented on Criminal Profiling in a session for high school students attending True Crime Camp at UNC Charlotte. The students learned lessons in victimology while studying a specific case through the presentation. These True Crime Camp sessions, which the DA's office participates in every summer, are always educational as well as an enjoyable experience for both presenter and students.

Throughout the year, ADA Varnes and ADA Caroline Massagee both presented to groups of Sexual Assault Nurse Examiners (SANE) for Atrium Health providers. SANE nurses are nurses who have received special training to conduct sexual assault evidentiary exams for rape victims in the United States and are specially trained in the medical, psychological, and forensic examination of a sexual assault victim.

ADA Varnes spoke with a group from Atrium Health about the laws of "mandatory reporting." Mandatory reporting is the legal requirement to report suspected or known cases of abuse or neglect. The Atrium providers were looking for guidance on how to respond to patient concerns and fulfill their duties.

ADA Massagee trained multiple classes as part of their requirement for SANE certification. The presentations focused on adult and child sex crimes and their collateral crimes like kidnapping. There was also a practical portion in which attendees were given an opportunity to testify as an expert in a mock trial scenario.

The Umbrella Center

Much progress was made in 2024 on The Umbrella Center, our County's first family justice center. When it opens in 2026, The Umbrella Center will bring prosecutors, police, advocates, and other service providers together under one roof, which will allow victims to access resources more easily and increase their likelihood of engaging in prosecution of sexual assault, domestic violence, child abuse, elder abuse, and human trafficking. ADAs and staff from the DA's Felony and Misdemeanor Special Victims Teams expect to have a permanent presence at the Umbrella Center.

DA Merriweather joined community partners throughout the year at funding announcements. To date, nearly \$30 million dollars have been contributed to the \$42 million project.

As they prepare for the opening of The Umbrella Center, members of the DA's Felony Special Victims Team attended multiple conferences to hear from experts in the fields of domestic violence, child abuse, sexual assault, and elder abuse. They also heard from survivors who spoke about the challenges they faced as they sought help while progressing through their own experiences with domestic violence. They spoke about the difficulties of traveling from one service provider to the next while seeking help; some facilities would be closed leading to lost time at work and stalling the progress of their case and recovery.

Our staff members also had the opportunity to tour <u>One Safe Place</u>, a Family Justice Center in San Diego County. After touring the facility ADA Stephanie Ramdat said, "They thought of everything. I couldn't get over that their FJC was connected to the hospital system. The room designated for sexual assault exams has a shower attached to it, allowing victims to maintain their privacy. There were boutiques for donated clothes, so it feels like a shopping experience. It's the gold standard for victim care."

Understanding Strangulation Laws

In October, ADA Samantha Pendergrass, along with law enforcement partners, hosted three training sessions for people who work in the medical, law enforcement, and legal fields. The sessions focused on North Carolina's strangulation laws.

Strangulation is one of the most lethal forms of domestic abuse, and research shows that it may be a significant predictor of future lethal violence. Under current North Carolina law, the prohibition on strangulation does not specifically include acts of suffocation (means of breathing restriction other than pressure to the throat), as other states do, and NC law requires a display of physical injury, which often is not apparent for hours and sometimes even days—after the offense. In our state, Assault by Strangulation (a Class H felony) carries a maximum punishment of 39 months in prison, but, depending on a person's criminal conviction history, such offenders can often be sentenced to a term of probation. As awareness of the inherent dangerousness of strangulation increases, we are hopeful that policymakers will look to expand legal prohibitions on strangulation and enhance penalties for commission of these acts.



The Violent Crimes Team

The Violent Crimes Team prosecutes some of Mecklenburg County's most violent offenses. The team handles cases such as robbery, felony assault, and discharging a firearm into occupied property.

One such case was that of Shelton Smith, who a jury found guilty of attempted murder for firing at CMPD officers during a foot pursuit in 2021. Smith was previously tried for the incident in 2022, but the jury was unable to reach a unanimous verdict on some of the charges, resulting in a mistrial. The Violent Crimes Team retried the case which resulted in the jury's guilty verdict and a minimum sentence of 27 years

in prison. In total, the Violent Crimes Team took 23 cases to trial in 2024.

On June 18, 2021, a lineman for Duke Energy was working on power lines when Sammy Garcia and a codefendant attempted to rob him as he walked back to his truck. The victim gave them his cell phone and a can of tobacco. When Garcia realized that the victim did not have anything else to give, he shot the victim in the face. Last October, Garcia pled guilty and was sentenced to at least a decade in prison. His co-defendant was previously convicted on charges stemming from this incident.



In the spring of 2020, Sheldon Reid and an accomplice held employees of a Charlotte video arcade at gunpoint and robbed them of a large amount of cash. Last March, Reid was tried and convicted for the robbery and will spend at least five years in prison. His accomplice had previously pled guilty in connection with the crimes.

The Habitual Felon Team

The Habitual Felon Team prosecutes a wide range of felony offenses including burglaries, larcenies, drug trafficking, and violent crimes. All of these cases share a common thread: they were perpetrated by habitual offenders who do harm to the community.

To qualify for prosecution as a habitual felon under North Carolina law, a defendant must have accrued at least three prior felony convictions, with no overlap between offenses and convictions, before committing another felony. By law, a habitual felon conviction requires tougher penalties for repeat offenders—whether they've stolen property, dealt drugs, or engaged in violence. The Habitual Felon Team focuses on these defendants. To determine how to proceed in these cases, Habitual Felon Team prosecutors work together to evaluate each case individually and weigh each defendant's criminal record and the threat that he or she poses to the community.

Lakevis Maloye, a habitual felon with previous convictions for firearm and drug charges, was tried in January for an assault with a deadly weapon charge stemming from an altercation at a convenience store in May 2022. The jury found him guilty and he will spend at least a decade in prison.

In September 2023, Stephen Montgomery shot a man who was jogging in the SouthPark area. The victim was struck in the calf and hand. A car that was passing by was also hit by the gunfire; no one in the vehicle was harmed. Montgomery had previously been convicted of possession of a firearm by a convicted felon as well as multiple larceny and breaking or entering charges. In December, he pled guilty to the SouthPark shooting and was sentenced to 10-13 years in prison.

Demont Forte, a habitual felon with previous convictions for voluntary manslaughter, possession with intent to sell and deliver cocaine, and being a habitual felon, was tried in April for two counts of assault on a female, false imprisonment, and fleeing to elude arrest in a motor vehicle. Forte brutally beat the victim in front of a convenience store and punched the good Samaritan who tried to intervene in the face, knocking her to the ground. He later led officers on a high-speed chase through a neighborhood, crashed his car, and continued to flee on foot. The jury found Forte guilty, and a judge sentenced him to 78-106 months in prison.

Community Outreach

Attending meetings hosted by neighborhood associations, church groups, civic organizations and more, the District Attorney's Office continued its commitment to create an open dialogue with residents of Mecklenburg County about the criminal justice system. District Attorney Spencer Merriweather led discussions at neighborhood meetings, churches, and educational institutions across our community. Prosecutors also attended community meetings throughout Mecklenburg County.

More than 60 prosecutors were invited to attend 31 National Night Out events across
Mecklenburg County in August. Our staff look forward to these events



each year and appreciate the chance to talk with local residents about the work we do in and out of court.

Members of our staff also volunteer at local events and non-profits. In the spring, members of our support staff packed boxes of food for senior citizens and sorted non-food products at Second Harvest Food Bank. Staff members also visited Dress for Success Charlotte, where they sorted clothing donations for those in need.

Our Office also continues to engage with students to learn about the issues facing them and to educate them about the criminal justice system and the work our office does. Our Exploring program had the largest class in its history, which culminated in a mock trial that utilized two

separate courtrooms due to the class size. In partnership with Mecklenburg County Council, Boy Scouts of America, the District Attorney's



Exploring program is for high school students interested in learning more about legal careers and the criminal justice system.

In November, DA Merriweather visited a forensics class at Charlotte Christian School to discuss evidence and the complexities of prosecuting cases. He also joined defense attorney Charles Murdter on UNC Charlotte's campus in the spring to discuss ethics in the justice system.

To request a prosecutor to speak at a community meeting, event or school, please visit the District Attorney's website at www.charmeckda.com.



The Juvenile Team

The prosecutors of the Juvenile Team work both to hold young people accountable for their actions and to connect them to treatment and other community resources that steer the most vulnerable youth out of the criminal justice system.

The purpose of juvenile court is rehabilitation, and that requires services for young people. We continue to emphasize the need for a local juvenile detention center. Currently, those juveniles who require detention are housed outside of the county, making it more difficult to ensure their appearance for court dates and hindering the ability of family members to visit them.

While it is a grave decision to place a juvenile in detention status - a decision ultimately made by a judge - often, due to the frequency or severity of violent behavior, it can be the only option to keep the community and the juveniles themselves safe.

In December, legislation went into effect that mandates 16 and 17 year olds charged with class E felonies and higher will have such cases originate in our Superior Court (adult court). Under the previous 2019 law, even violent crime charges against 16 and 17 year olds began in juvenile court, which could complicate the courts' capacity to hold the most violent offenders accountable. For young offenders, the DA's Office takes seriously its obligation to consider thoughtfully which cases we will ask a judge or grand jury to transfer to adult court. DA Merriweather continues to advocate for expanded accountability options in our juvenile justice system when young people commit violent crime.



District Court and Appeals Teams

With an inventory of approximately 80,000 cases per year, the Misdemeanor Team, which prosecutes all traffic citations and misdemeanor crimes that occur in Mecklenburg County, has the highest caseload of any prosecution team in the District Attorney's Office.

The Misdemeanor Team leads a number of courts designed to advance cases to trial to satisfy the constitutional rights of both defendants and victims, and to offer extrajudicial solutions to common conflicts. For instance, private Warrant Court provides an opportunity for mediation between parties involved in privately-initiated, non-violent cases. Similarly, we consistently staff Recovery Courts that help to connect those suffering from mental illness or substance use disorder to the treatment they need to sustain good health.

The Misdemeanor Special Victims Team prosecutes misdemeanor offenses that are connected with domestic violence, as well as crimes such as sexual battery, misdemeanor child abuse, and stalking. These attorneys and staff represent the front lines of a trauma-informed practice that attempts to hold offenders accountable before their acts develop into something that presents a greater threat to human life

The Misdemeanor Appeals Team prosecutes cases in which a defendant was convicted of a misdemeanor offense in District Court and then appeals his or her conviction to Superior Court for a jury trial, as allowed under North Carolina law.





DA presents awards for outstanding service

In December, the District Attorney's Office hosted its annual awards ceremony to recognize individuals who have provided outstanding service to the community. The awards are presented to victims or witnesses who make a difference in the outcome of a case, law enforcement who go above and beyond the call of duty, and District Attorney's Office employees who work outside of the courtroom to better Mecklenburg County.

Above and Beyond Citizen Award: Rhamonda Blackmon - Bree was born in violence. Recently, Ms. Harris was provides reading comprehension 2016 to a mother who wouldn't care for her. Rhamonda Blackmon, a friend of Bree's mother, took her in and raised her for several years when her biological Harris met the complainant mother demanded Bree back, cutting off contact with Ms. Blackmon. Later that year, detectives informed Ms. Blackmon that Bree had been severely abused by her biological mother. Ultimately, she was convicted of felony child abuse. When DSS contacted Ms. Blackmon, she signed up to adopt Bree with no hesitation. Since then, she's ensured Bree receives all the care and support she needs.

The Above and Beyond Law **Enforcement Award: Det. Michael Melendez** - Detective Michael Melendez ill and passed out. Ms. Harris is a 24-year veteran of the Charlotte-Mecklenburg Police Department. He worked tirelessly with the DA's Special Victims Team this year, sometimes going back and forth between two trials, while assisting in preparation for other cases going to trial the next month. He is a professional who does thorough and excellent detective work. He will answer the phone on vacation from a fishing boat. He assigns himself to cases from his old unit to help see them through to trial.

It's impossible to overstate how 'above and beyond' committed Detective Melendez is to the work of making our community safer from perpetrators of rape and sexual assault.

Community Leadership Award: Lindsay Harris - Ms. Harris has served as an Outreach Assistant and Intern and Volunteer Coordinator for Safe Alliance victims of intimate partner process of obtaining a Domestic Violence Protection Order. Ms. outside the courtroom. The survivor was pregnant and, in addition to having to navigate the complexities of the process, she was also experiencing symptoms of pregnancy. Ms. Harris sat with her **Bryan Crocker Award: Assistant** until it was time for her to testify, then she brought the victim into the courtroom where Ms. Harris noticed something was off. A mother herself, she noticed subtle signs that the woman was struggling. The survivor stated she reach into her own pocket to make called an ambulance, got water for needed. A certified financial coach, her, and remained with her on the ambulance ride, comforting her through what was surely one of the for their financial future. ADA is a kind person who does not shy away from uncomfortable situations where she can make a difference.

Bryan Crocker Award: Janice Oates -Janice Oates is a member of the DA's support staff who works with the Violent Crimes Team. She volunteers with the Greater Enrichment Program of Charlotte, which serves at-risk elementary-aged children in the community by providing a quality after-school enrichment program. She calls the children she serves, 'her babies' and keeps up with the kids she's seen come through the since August 2023. She works with program. She also works with a local group called The Villagers that accompanying a client through the tutoring for children. Several years ago, her dedication to children led her to write a children's book titled The Bubble Lady. She has been a bright light at the end of the tunnel to many children who may be experiencing personal hardships at home.

District Attorney Robyn Withrow -For over two decades, from building maintenance to managing staff while still handling case law, ADA Robyn Withrow has never ceased to put this office first. She has been known to was having acute pain and became sure people who had to interact with the court system had what they she will help anyone who may be seeking advice on how to better plan worst days of the woman's life. She Withrow also volunteers to represent our office at expunction clinics twice a year and leads a regular session of the DA's Exploring program. She is always giving of herself and has consistently gone above and beyond the scope of her job description to serve any and everyone, no matter

who they may be. She is a servant

leader to her core.

