

# Grant Update

## A Summary of Grant Activity

Governor's Crime Commission

NC Criminal Justice Analysis Center

### Project Tsunami

A tsunami is a seismic event that creates a huge wave that, when it strikes land, wipes the landscape clean. In the case of Project Tsunami, it is a series of actions created when a group, such as police departments, sheriff's offices, district attorneys and other law enforcement agencies, rapidly eradicate criminals and cleanse the area to ensure safe streets and neighborhoods. It was designed to sweep drug traffickers out of communities and prevent them from continuing to erode society with a steady supply of illegal drugs. This is an aggressive campaign aimed at significantly crippling the drug trade in southeastern North Carolina.

#### *The Problem*

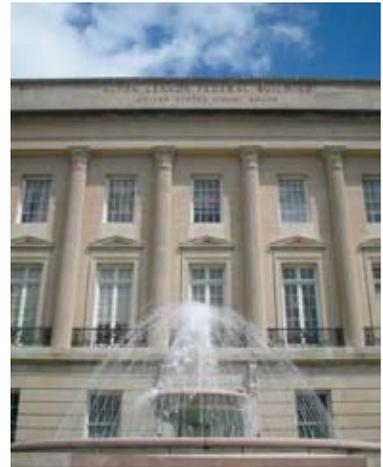
Drug trafficking activity in North Carolina has increased over the past several years. With this increased drug traffic activity comes an increase in deaths due to drug overdose. Drug traffickers bring in hard drugs such as heroin and distribute it among the population using drug dealers and illegal organizations, which include individuals of all races to aid in distribution. Currently there are five organizations under investigation. These groups are responsible for large scale importation of heroin, cocaine and the manufacturing of methamphetamine. All of the suppliers for these traffickers lie outside North Carolina.<sup>1</sup>

#### *The Grant*

Currently there are no full time federal prosecutors in southeastern North Carolina. Federal indictment and prosecution of known traffickers is necessary in order to have a real and substantial impact on the regional drug market. Having a state prosecutor who is dually sworn in Federal Court and working directly with federal prosecutors based in Raleigh would enable the state to move more effectively and aggressively to prosecute drug traffickers. At the time of the grant application the two county districts in southeastern North Carolina (New Hanover County and Pender County) had 2,060 pending felony drug cases. Approximately one third of documented drug activities are directly related to individuals involved in nine known illegal organizations. A federal indictment is needed in order to put these groups out of business. The dually sworn prosecutor will focus exclusively on drug cases and will have the authority to review, screen, and indict federally as needed. This level of aggressive prosecution will have a significant impact on the availability of hard drugs such as heroin. After the first 90 days of this project, six defendants have either pled guilty or signed guilty pleas in federal court.

#### *Why a Dually Sworn Prosecutor?*

In 2007, 24,746 offenders were sentenced in U.S. District Courts nationwide for drug trafficking offenses.<sup>2</sup> According to 2007 Uniform Crime Reporting statistics compiled by the State Bureau of Investigation, 38,713 adults and 4,081 juveniles



*The New Hanover County Federal Courthouse, above, and the old New Hanover County Courthouse, below.*



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## Grant Update: Project Tsunami

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were arrested for drug offenses in North Carolina in 2007, an eight percent increase in adult arrests and a 10 percent increase in juvenile arrests from 2006. In 2007, drug offenses accounted for 8.2 percent of all arrests in North Carolina.<sup>3</sup> To battle this growing epidemic, New Hanover and Pender counties used grant funds to create a dually sworn prosecutor. This prosecutor has access to federal recourses that are not available to state prosecutors and, as a result, will be more effective in prosecuting drug-related cases. A state prosecutor with the power to utilize federal indictments has given these counties an upper hand against the war on drugs.



*The Pender County Courthouse in Burgaw.*

### ***Goals and Objectives***

The basic objectives of the grant were to enhance the prosecution of drug cases by combining the resources of state and federal prosecutors in one dually sworn prosecutor. By working together, the state and federal government are able to coordinate their efforts to reduce drug trafficking and avoid the duplication of work. In addition to being able to prosecute a drug trafficker for breaking North Carolina law, the dually sworn attorney will have the ability to add federal charges against the offender. This puts drug traffickers on the “horns of a dilemma.”<sup>4</sup> They have to decide how to defend themselves between two alternatives: either against the powers of the state prosecutor or the powers of the federal prosecutor; against the minimum sentencing guidelines of the state or the minimum sentencing guidelines of the federal government; either plea early to state charges or face a federal indictment.

*“This program demonstrates what can be accomplished when state and federal authorities combine their limited resources to rid the community of its most violent and dangerous drug dealers.”*

*— Benjamin David  
District Attorney for  
New Hanover County*

In the long run, this program will reduce the supply of drugs into the southeastern part of North Carolina and hopefully help to reduce the demand for drugs and intervene in the lives of those already affected. The primary purpose of this grant is to federally prosecute illegal organizations, indict significant drug dealers, reduce the supply of illegal narcotics and decrease the amount of overdoses caused by narcotics by making them less available for purchase. These functions are made possible through the cooperation and coordination between the United States Attorney’s Office for the Eastern District of North Carolina, the District Attorney for the Fifth Judicial District and the North Carolina Governor’s Crime Commission. An unexpected result of Project Tsunami is the early pleas by individuals that fear the aggressive prosecution and minimum sentencing requirements that follow a federal indictment. (Early pleading was not an initial intent of this project).

### ***Accomplishments***

As a result of this project, 52 defendants have been sent to state or federal prison for a total of 623 years imprisonment — or an average of 12 years per person. Twenty-four defendants are currently waiting to be sentenced. Many defendants are also pleading at earlier stages in state cases to avoid the possibility of federal indictment. Due to the coordination between agencies and local law enforcement, nine validated gang members have been investigated and charged as a result of this project and three homicides have been solved. A written protocol between all agencies has been established. The prosecutor made training available to all agencies at the Organized Crime Drug Enforcement Task Force conference and the North Carolina District Attorneys’ Association on Drug Prosecutions conference.

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***Awards and Recognition***

The work accomplished as a result of the project resulted in an award for Operation Monarch<sup>5</sup>, the name given to the Federal Case handled by Tim Severo, the prosecutor working this grant. It was selected for the award based on the investigation and prosecution that led to successful convictions. By the numbers: over 100 kilos of powder cocaine<sup>6</sup>, over 30 kilos of crack cocaine, over 80 kilos of methamphetamine, over two kilos of heroin, \$312,000 in cash and \$500,000 in assets were seized. This project has been an overwhelming success. Every agency is in agreement that it works and works well. It is now being duplicated in other parts of the state. Operation Monarch was recognized by the United States Attorney as the narcotic case of the year for the Eastern District of North Carolina.

*"For those people who continue to traffic in narcotics, and those associated with violent gangs, they will come to know this program, and will come to know the terrible swift sword with the federal prosecutions."*

*— Tim Severo  
New Hanover County  
District Attorney*

Another successful project was entitled *Seven Day Ground*<sup>7</sup>. State and federal prosecutors say the program funded by a \$200,000 grant from the NC Governor's Crime Commission dismantled two major drug supply lines in New Hanover county that originated in Atlanta and Houston. The program enabled a two-year undercover investigation that kept 300 kilos of cocaine and heroin – worth an estimated \$6.6 million – off the streets and resulted in sentences for 11 drug dealers totaling 1,861 months – or 155 years.<sup>8</sup>

***Project Summary***

This project prioritizes cases involving sophisticated drug conspiracies and high level trafficking, as well as violent street corner dealers, for prosecution by coordinating state and federal agencies involved in drug interdiction. Through a Governor's Crime Commission grant, Severo, a prosecutor for the New Hanover County District Attorney's Office, has been assigned to prosecute federal Organized Crime Drug Enforcement Task Force matters. An objective of this project is to enhance the investigation and prosecution of known drug dealers and to reduce offenses locally. This project allows District Attorney Tim Severo to follow leads and cases outside the state which is essential since all sources do not originate in North Carolina.

***Endnotes***

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- <sup>1</sup> [http://www.justice.gov/dea/pubs/state\\_factsheets/northcarolina.html](http://www.justice.gov/dea/pubs/state_factsheets/northcarolina.html)
- <sup>2</sup> *Sourcebook of Criminal Justice Statistics Online*. Retrieved March 4, 2007, from <http://www.albany.edu/sourcebook/pdf/t5392007.pdf>
- <sup>3</sup> *Crime in North Carolina — 2007*, State Bureau of Investigation. Retrieved March 4, 2007, from <http://sbi2.jus.state.nc.us/crp/public/2007/ASR/2007%20Annual%20Summary%20.pdf>
- <sup>4</sup> A military term used to describe combined arms: the full integration of arms in such a way that in order to counteract one, the enemy must become more vulnerable to another. We pose the enemy not just with a problem, but with a dilemma or a no win situation
- <sup>5</sup> The award was presented on April 18, 2008.
- <sup>6</sup> The estimated street value was approximately 2.2 million dollars.
- <sup>7</sup> An additional operation funded through the Tsunami Grant.
- <sup>8</sup> Charbonneau, Mike (Reporter). (2009, January 12). WRAL-TV [Television broadcast]. Raleigh, NC: WRAL-TV. <http://www.wral.com/news/local/story/4295590/>

# Project Tsunami

## GRANT SUMMARY

Area Served: New Hanover and Pender Counties

Implementing Agency: New Hanover County District Attorney's Office

Project Director: Lillian Salcines Bright, Assistant District Attorney

Funding: Total Federal: \$ 127,168.14

Overview: Project Tsunami was established to enhance prosecution of drug dealers and drug traffickers in southeastern North Carolina and beyond its borders to help reduce offenses locally as well as aggressively pursuing drug traffickers' supply sources.

- Objectives:
- To enhance prosecution in drug cases by assigning a dually sworn prosecutor to handle both state and federal cases from the district.
  - To establish a written protocol between the law enforcement agencies and the District Attorney's Office that coordinates all efforts being made to investigate and charge drug defendants.
  - To work with state, local and federal agencies assigned to drug cases in the district so that efforts are not duplicated.

- Accomplishments:
- Project Tsunami has enabled operations that have led to successful convictions of known drug traffickers. Popular operations include Operation Seven Day Ground and Operation Monarch.
  - Operation Monarch resulted in successful convictions that brought in over 100 kilos of powder cocaine, over 30 kilos of crack cocaine, over 80 kilos of methamphetamine and over two kilos of heroin
  - Operation Seven Day Ground enabled a two-year undercover investigation that kept 300 kilos of cocaine and heroin, worth an estimated \$6.6 million, off the streets and got sentences for 11 drug dealers totaling 1,861 months or 155 years in jail time
  - A written protocol has been established between the law enforcement agencies and the District Attorney's office to coordinate all efforts being made to investigate and charge drug defendants.
  - Organized Crime Drug Enforcement Task Force training has been established and is provided to agencies by the prosecutor.
  - Community outreach services are provided throughout the area. Grant participants speak at or serve with programs relating to at risk youth, the gang task force, and the methamphetamine response group.