

Charlotte fiber Internet expands — but some homeowners aren't happy

BY YIWEN LU

August 16, 2021

<https://www.charlotteobserver.com/news/local/article253082973.html>

Note: For this story, I received a tip from a homeowner, and I planned and carried out my investigations from there. My editor previously filed a public record request for all complaints related to fiber damage. I cleaned the data from the request, performed statistical analysis and made interactive visualizations. I interviewed individuals named in the story as well as firms — some asked for background interview with me, while some declined the interview or comments. All interactive data visualizations for this story can be found either through the above link (paywall), my [portfolio](#), or the individual link to third-party software under the figures.

It's been years since the much-celebrated arrival of fiber Internet locally gave way to early [neighborhood complaints](#) about ruined yards, [winter nights with no heat](#) due to cut gas lines, and damaged underground pipes.

While there's far less public attention on the issue now, city records and homeowner complaints reviewed by The Charlotte Observer show there's still problems with fiber companies working locally.

In the Shannon Park neighborhood in east Charlotte, homeowner Marlee Murphy was facing a busted pipe and gushing water. The leak, she told the Observer, started on a Friday in late July, in front of a home she owns and rents out.

The damage occurred, Murphy says, as a contractor — working on behalf of Google Fiber — was in the neighborhood to install cables to extend faster Internet service to the area. The contractor dug a hole nearby and was working in the right-of-way strip of land between the street and the home. When the crew saw water pooling above the surface, a pipe in Murphy's yard had already burst.

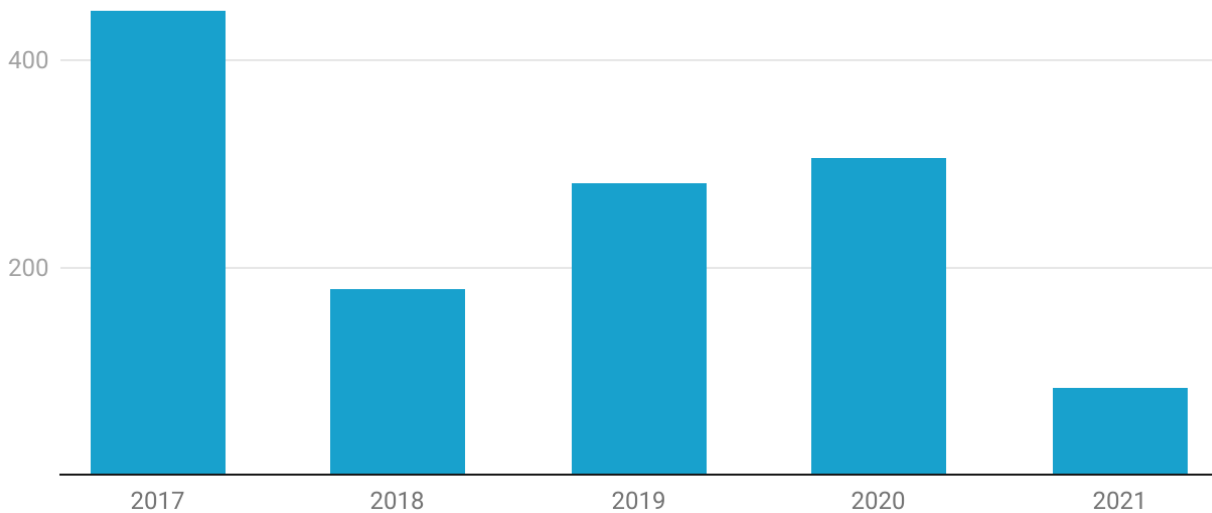
Luckily, one of Murphy's tenants turned off the water on the property. But what happened next, according to Murphy, was anything but good luck.

"We lost water for four days, and we had to pay for \$450 because they just stuck a hole they didn't tell or ask us about — and it wasn't even for improvements," Murphy said.

"This was like, I didn't choose this. I am not going to use this."

Infrastructure damage associated with fiber construction

The number of damage cases to public infrastructure caused by fiber contractors dropped 37% from 2017 to 2020.



Only data prior to April 4, 2021 is included in the 2021 data.

Chart: Yiwen Lu • Source: Charlotte Water • Created with Datawrapper

[Visualization Link](#)

When it comes to private property, there's no official tracking in Charlotte of how often crews cause damage while digging for fiber optic cable installations. Five years ago, there was widespread damage at homes in Highland Creek, in north Charlotte, as Google expanded. As one city official put it: "Retrofitting a community with 21st century infrastructure and technology is tough."

But the pains of construction, many leaders argued, would be [well worth the gains](#) of super-fast Internet service, more competition for consumers, and an expected boost to economic development.

The Observer, in 2016, reported on how frustrated residents in a number of Charlotte neighborhoods flooded the city's 311 service with complaints of damages on their property.

However, the issue also affects public infrastructure — and officials, still years later, are keeping diligent track of how often contractors puncture publicly-owned lines.

In 2019 and 2020, damage to Charlotte Water equipment, mostly underground, by fiber optic contractors happened 281 and 306 times, respectively. The ZIP codes with the

most damages to public infrastructure in recent years were 28269 (including Highland Creek and areas like the Nevin Community, and others along W. Sugar Creek Road); 28277 (including Ballantyne and Piper Glen); and 28216 (including some west Charlotte neighborhoods as well as Mountain Island), according to an analysis of Charlotte Water data by the Observer.

Almost all of the cost to fix the water lines and equipment was recouped from the company responsible for the damage, public records obtained by The Charlotte Observer show.

But in cases where individual homeowners run into problems, it's less clear who is footing the bill.

The contractor Murphy says damaged her water service line offered to make a repair to restore service — but she says she did not trust their response or work after hearing from a plumber she called that the repair job would be more extensive. The plumber quoted her a price of \$450, according to Murphy.

She says the contractor, Hyper Networks working on behalf of Google, refused to reimburse her for the plumber's repair and instead wanted to do the job themselves, at no cost to her. When she wouldn't accept, Murphy says, the contractor offered her \$200 in cash to not file a claim or take her complaint to Google.

But Murphy did complain and she says a Google Fiber manager working in Charlotte recently followed up. It took almost three weeks but she's since been promised she'll be reimbursed in full. A Google representative, she says, told her they'd investigate the contractor's attempt to avoid Google finding out about the problem.

Hyper Network was still working in the neighborhood when an Observer reporter visited recently. A crew member said when property is damaged, the company or Charlotte Water will make repairs. Representatives for Hyper Networks could not be reached for interviews for this story. The company is based in Pineville. A spokesperson initially said someone would be available to comment but later could not be reached by the Observer after several attempts.

In a statement, Google Fiber said, "As we build out our network across Charlotte, Google Fiber strives to be a good neighbor, working to minimize disruptions in neighborhoods and taking complaints seriously. If anyone is experiencing issues, we want to hear from them."

Google runs a 24/7 hotline for issues related to construction: 1-877-454-6959.

Cost of repairs

Public records indicate damage to public infrastructure has generally cost less in recent years compared to when Google first started work in the Charlotte area. However, in 2020, Charlotte Water recorded more incidents of line hits and other problems caused by fiber contractors than in the two years prior. This comes as more fiber competitors have joined the market.

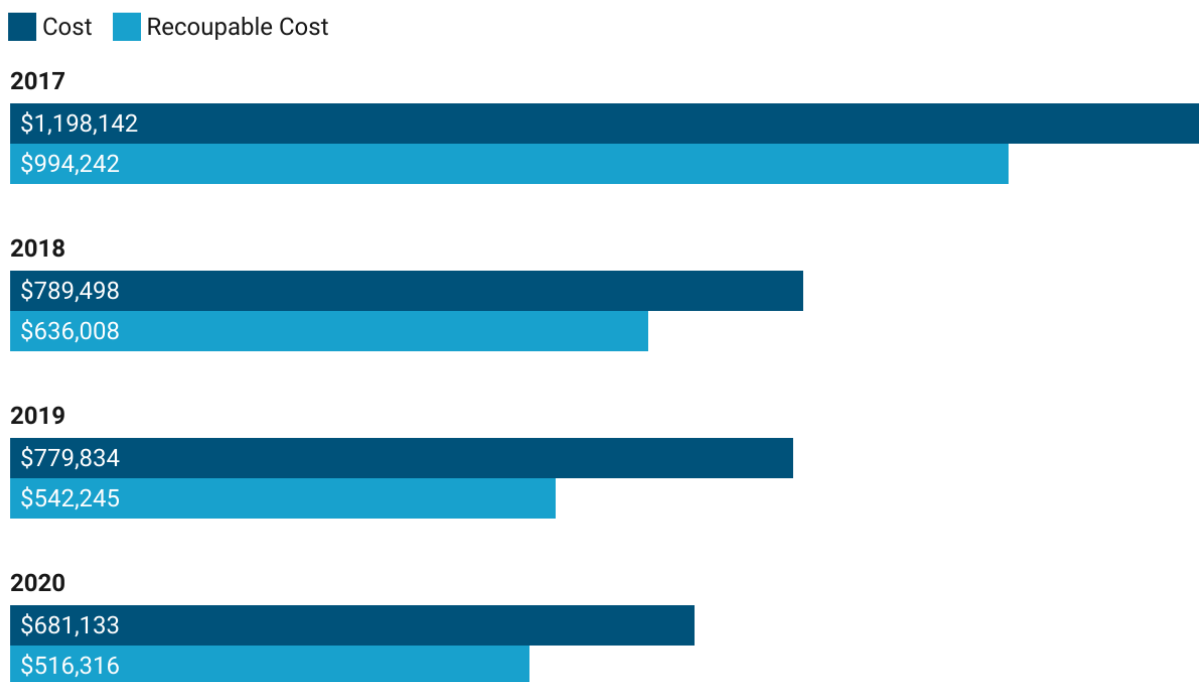
- In 2017, Charlotte Water recorded 448 cases of utility damages with almost \$1.2 million repair cost. Among these damages, most weren't blamed on Google Fiber but instead on contractors for one of Google's largest competitors: AT&T.
- In 2018, Charlotte Water recorded 179 cases, with close to \$790,000 repair cost.
- In 2019, there were 281 cases, with almost \$780,000 repair cost.
- In 2020, 306 cases, with damage cost of approximately \$681,000.

This year, as of April, the city has had over 80 repairs on records.

While Charlotte Water customers will often call 311 first if they see a leak or suspect damage, the water service does not make repairs or take on issues of damage on private property caused by contractors. That means if crews working in the right-of-way to install cable or Internet lines hit water or sewage or gas lines, it could be the homeowner's responsibility to resolve the issue. However, calling 311 can still be a smart move as Charlotte Water workers may be able to help locate water shutoffs to prevent waste and extensive damage.

Cost of utility damages caused by fiber contractors

Total cost associated with damages to utility infrastructure caused by fiber optic contractors was almost \$1.2 million in 2017, the highest number in the past five years. While case number increased from 2018 to 2020, the cost decreased by year.



The recoupable cost is the actual amount reimbursed by fiber contractors. 2021 data is not included in this chart since available data only comprised of records up to April.

Chart: Yiwen Lu • Source: Charlotte Water • Created with Datawrapper

[Visualization link](#)

Horizontal drilling

Online reviews of [construction firms](#) conducting wiring for these companies in Charlotte show complaints about [contractors](#) damaging irrigation systems on lawns. Similar complaints have popped up in other cities where fiber companies are competing. News coverage shows homeowners and city officials are upset with the damages in places like [Raleigh](#) and [Nashville](#).

Subcontractors of fiber companies typically install underground fiber lines through horizontal directional drilling — a method of lateral underground boring that is more time and cost effective than traditional vertical excavations, Charlotte Water spokeswoman Jennifer Frost said. Workers start by drilling a pilot bore on the ground's surface and install the fiber line horizontally until it is pulled out from an exit point.

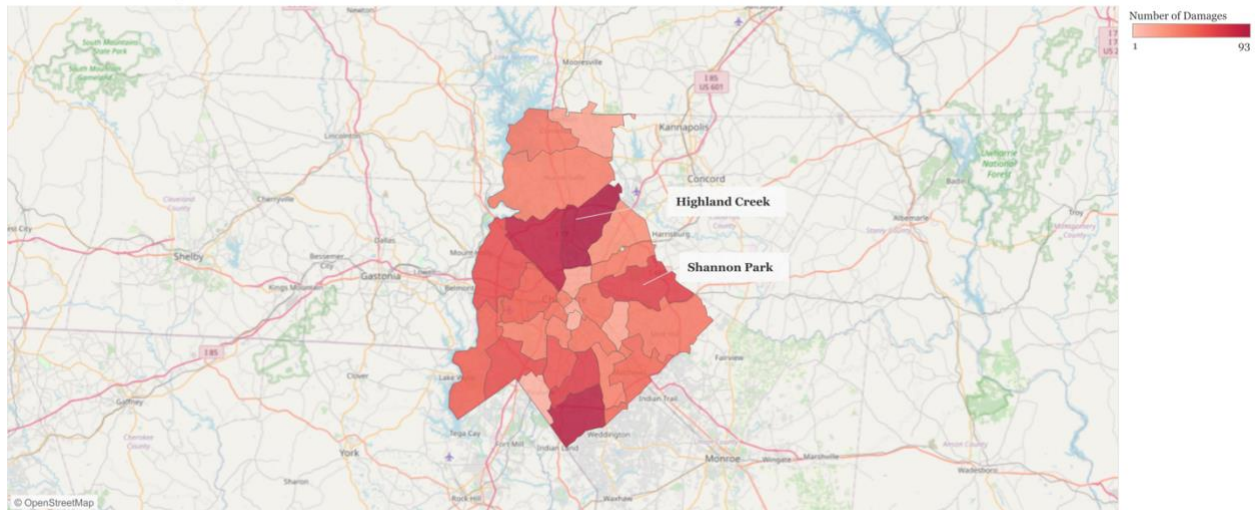
A [report](#) by Occupational Safety and Health Administration pointed out that while the the technique is more time-efficient, it is hard to avoid existing underground utility lines during the installation process due to limited visibility. Essentially, the worker cannot see what else is under the surface while operating a machine that's creating a channel underground.

Utility companies and others who want to dig in the right-of-way are required to take precautions to avoid causing damage. One of the first steps is to use 811 — North Carolina's call-before-you-dig phone line. This process notifies other utility companies of work in the area and representatives use flags and paint to conspicuously mark where equipment — like telecommunication lines and water or sewer pipes — are buried. It appears fiber contractors are filing required right-of-way permit requests as well as using 811 but even with underground utilities marked, drilling can be less precise and result in damage.

Frost says Charlotte Water has noticed that most fiber contractors commence work seemingly expecting there will be damage to property. Typically, a door hanger notice is placed at each home that explains the construction and gives a number for complaints. But reimbursement isn't simple. Frost had the issue herself — once she had to pay \$500 and call a plumber to fix the water line that was hit by a Google Fiber subcontractor during the drilling process. After multiple attempts of calling the number she was given, she said, the work “never got it completed.”

“It was a nightmare,” she said, “It was just so cumbersome trying to get in touch with them and go through their process ... It got to a point where it wasn't worth it.” Murphy says she's concerned that some Charlotte residents could be taken advantage of — particularly those renters or homeowners on fixed-incomes who can't afford an emergency plumber bill and would have to rely on a fiber contractor's repair on their property.

Over 1,300 damages to public utility infrastructure caused by fiber optic contractors in Mecklenburg County from January 2017 to April 2021



The above map shows the recorded damages to Charlotte Water's infrastructure caused by fiber optic contractors working in the jurisdiction over the past five years, grouped by ZIP code to indicate where the incidents took place.
Source: Charlotte Water / By Yiyen Lu

[Visualization Link](#)

Meanwhile, representatives for telecommunication workers have raised concerns about the quality of installations, like those in Charlotte, that use subcontractors.

A 2020 [report](#) by Communication Workers of America, which represents AT&T workers, found that AT&T has used more than 700 subcontractors in the construction and maintenance process of its network. Over 96% of 1,500 AT&T technicians surveyed for the reported said that works performed by subcontractors caused quality issues, since they were paid by the projects instead of by hourly wage.

“AT&T contractors have a track record of causing accidents that damage utilities, public property and private homes across the country,” CWA wrote in the report.

In a statement to the Observer, AT&AT wrote, “for construction projects, we work closely with local city staff to fully comply with permitting procedures. Additionally, utilities are marked before we or our contractors begin work.”

AnSCO & Associates, a major contractor for AT&T fiber projects locally, did not respond to the Observer's request for comments.

From 2017 to 2020, almost 50% of damages were associated with AT&T, followed by Piedmont Natural Gas

Among all fiber optic contractors and subcontractors, the companies that caused the most damages to public infrastructure in the Charlotte region are AT&T, Piedmont, Duke Energy, Spectrum, AnSCO & Associates, and Google Fiber.

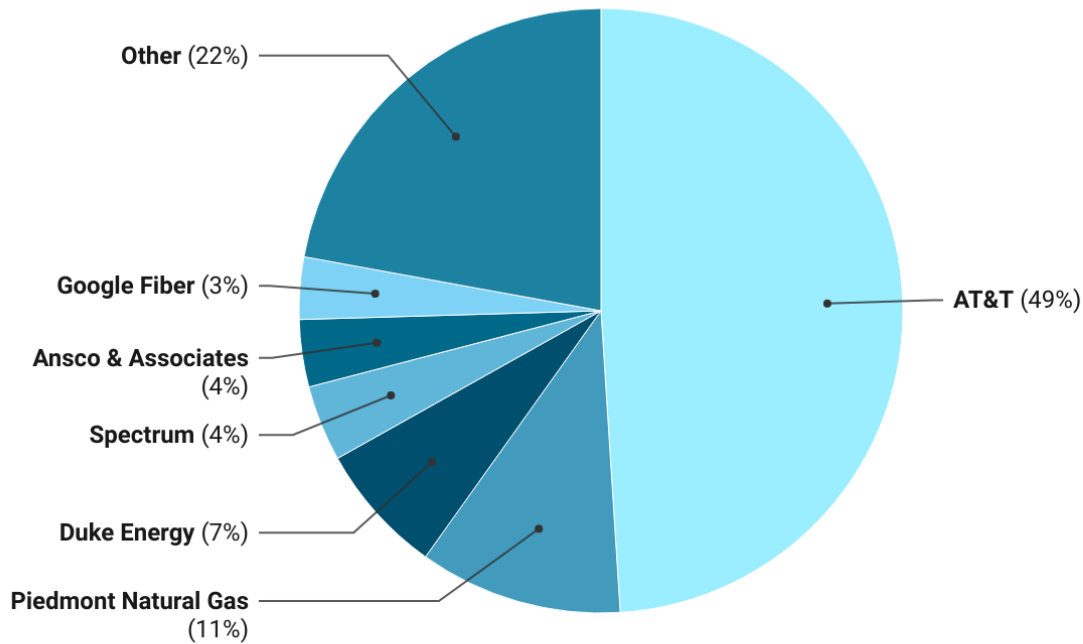


Chart: Yiwen Lu • Source: Charlotte Water • Created with Datawrapper

[Visualization Link](#)

Fiber Internet limited in Charlotte

Google Fiber’s arrival in Charlotte changed the landscape of internet companies’ competition in the city — as well as the amount of damage they caused, Frost said.

“Google Fiber announced its [fiber network] and all the competitors tend to match it,” she said, “there is a huge difference before Google and after Google.”

Google Fiber [arrived](#) in Charlotte in July 2016. Long before its official launch, the company had announced that the construction process would be “disruptive”, but stressed the long-term benefits of brand-new fiber-optic network that “sets the stage for the next 20 to 30 years,” the Observer reported in January 2015.

The hope for the city-wide high-speed internet never come to realization. After the company started its service in Highland Creek in 2016, Google Fiber abruptly halted its expansion plan throughout the U.S., “likely due to the high costs,” [CNET reported](#).

Charlotte is one of the 16 metro areas with Google Fiber services. But within the city, it is still [not accessible to all neighborhoods](#). The company mainly serves apartment communities instead of single-family homes, since it is more efficient to wire hundreds of homes in the same building instead of hundreds of standalone houses, Axios Charlotte [reported](#).

The company told Axios Charlotte in 2018 that it chose to improve services in areas that it was already available, instead of moving to new neighborhoods. Recently, the company announced that it would end its cable TV services for all Charlotte customers and focus on upgrading customers’ internet, the Observer [reported](#) in July.

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Future of Northlake Mall uncertain amid defaults, debt

BY CATHERINE MUCCIGROSSO AND YIWEN LU

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The future of Northlake Mall, one of Charlotte's biggest retail centers, is unclear after a receiver was appointed because of failure to pay debts, court

documents show. TM Northlake Mall, L.P., defaulted on its property loan in November 2019 and has failed to make debt payments, according to a consent order for appointing a receiver filed last month by Wilmington Trust in Mecklenburg County Court. TM Northlake Mall

is affiliated with Starwood Capital Group, which purchased the mall in 2014.

The documents don't specify how much is owed in rent payments.

Wilmington Trust appointed Spinoso Real Estate Group as receiver for Northlake Mall on behalf of mortgage lender Wells

Fargo, according to court documents.

A receiver is needed to manage, protect, maintain and collect rent, according to the lawsuit. Spinoso, based in Syracuse, New York, can also "advertise and solicit offers to purchase property and borrower's other assets," accord-

ing to court documents.

Three other malls owned by Starwood in Florida, Michigan and Virginia, combined with Northlake, were issued loans for \$725 million in fall 2014, documents show.

Officials with Spinoso and the lawyers for Wilmington Trust did not

respond for comment. Starwood Capital Group could not be reached for comment.

NORTHLAKE HISTORY

Northlake Mall is a two-story, 1.1-million-square-foot shopping center in north Charlotte. It opened in 2005.

Starwood Capital, a private global investment firm, bought the mall in 2014 from original owner Taubman Center Inc. The purchase price was \$248 million, Mecklenburg County property records show.

SEE NORTHLAKE, 4A

Note: For this front-page breaking news piece, I worked with another reporter during the reporting and writing process. I went to the court to review the documents and found necessary information for the case.

Future of Charlotte's Northlake Mall remains uncertain amid loan defaults, growing debt

BY CATHERINE MUCCIGROSSO AND YIWEN LU

JUNE 26, 2021 1:16 PM

The future of Northlake Mall, one of Charlotte's biggest retail centers, is unclear after a receiver was appointed because of failure to pay debts, court documents show.

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Three years ago, Starwood delayed a \$50-million project that would have added more than 200,000 square feet on the 11-acre site next to the mall's entrance. The company said it needed to rethink the plan as "retail continues to evolved."

RETAIL STRUGGLES

Northlake Mall has grappled with other obstacles in recent years.

The mall lost an anchor tenant this year when Dick's sporting goods store relocated to Simon mall Concord Mills, opening there in February.

Like other local malls, including Concord Mills and Carolina Place, there were store closings during the coronavirus pandemic, including Lane Bryant.

Jan Kniffen, a retail consultant and former retail executive, had expected 33% of America's malls to close by 2030 but told CNBC this month, he thinks it will now happen by next year, exacerbated by the uncertainty surrounding anticipated store closures accelerated by the pandemic.

Northlake Mall has more than 140 retailers and restaurants, including Apple, Dillard's, Macy's, Belk and AMC's 14-screen cinema. But many stores remain shuttered, and the mall list only 115 stores and restaurants on its directory.

SAFETY INCIDENTS

In addition to financial concerns, Northlake Mall has also faced safety concerns in recent years.

The mall had the highest number of total incidents from 2016 to 2019 compared to other Charlotte malls, with 1,700 non-violent crimes and 17 violent ones, the Observer previously reported.

The latest incident in March was a shooting inside the mall. A juvenile was charged with attempted murder.

1 in 5 Mecklenburg teens missed routine shots last year. They need to catch up, docs say.

BY YIWEN LU

JULY 23, 2021

<https://www.charlotteobserver.com/news/local/article252921563.html>

Note: I pitched and wrote this story myself. The story idea started from a [Washington Post story](#) about a CDC study that shows how childhood vaccination rate dropped during the pandemic. I decided to find a local Charlotte angle for the story, so I requested routine vaccination data from the North Carolina Division of Public Health. In writing the story, I conducted data visualization, and I supplemented those graphs with interviews I conducted with health experts.

The number of adolescents getting routine vaccinations in Mecklenburg County dropped significantly during COVID-19, along with a drop in regular wellness visits statewide, experts say.

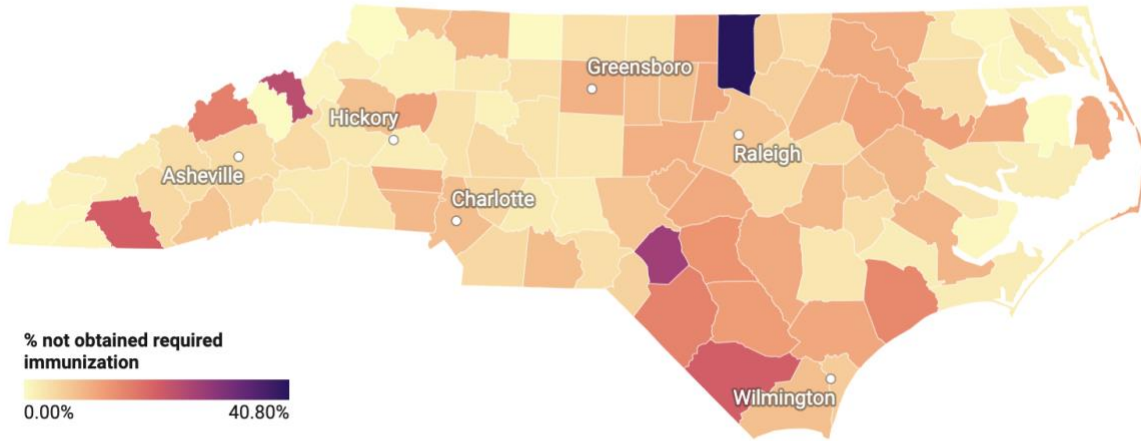
About one in five seventh-graders in the county have missed some required routine immunizations, state data show.

A N.C. Department of Health and Human Services' annual report shows that the percentage of N.C. seventh-graders who had not obtained their required immunizations increased from 7.4% in 2019-2020 to 9.6% in 2020-2021. In Mecklenburg County, the rate increased from 8.1% to 20.6%.

All adolescents enrolled in childcare facilities or schools are required to be vaccinated against certain preventable diseases, including measles, mumps and chickenpox. Vaccination records are checked twice, once before students enter seventh grade and again before university entry.

Percentage of NC 7th Graders without Routine Vaccination in 2019-20

The overall percentage of 7th graders who have not obtained required immunization across North Carolina is 7.4%. In Mecklenburg County, the rate is 8.1%.



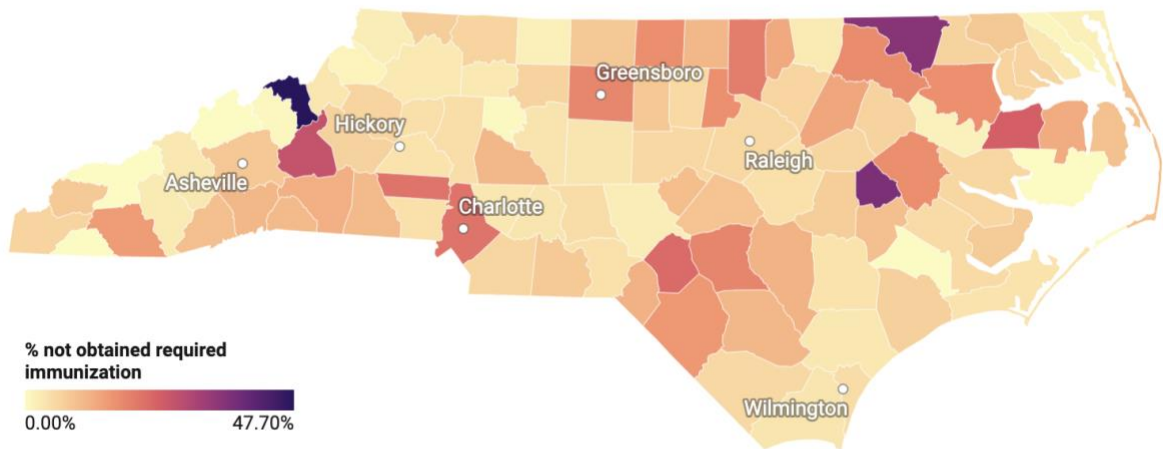
Data included in this map is reported directly by individual schools and is not validated by the North Carolina Immunization Branch. Data also refers solely to the immunization status for meningococcal conjugate and Tdap vaccines, as required for seventh grade entry or by age 12.

Source: North Carolina Annual Seventh Grade Immunization Report Survey • Created with [Datawrapper](#)

[Visualization Link](#)

Percentage of NC 7th Graders without Routine Vaccination in 2020-21

The overall percentage of 7th graders who have not obtained required immunization across North Carolina is 9.6%. In Mecklenburg County, the rate is 20.6%, around 12% increase from the last school year.



Data included in this map is reported directly by individual schools and is not validated by the North Carolina Immunization Branch. Data also refers solely to the immunization status for meningococcal conjugate and Tdap vaccines, as required for seventh grade entry or by age 12.

Source: North Carolina Annual Seventh Grade Immunization Report Survey • [Get the data](#) • Created with [Datawrapper](#)

[Visualization Link](#)

A [federal health report](#) published in May also noted that many children and adolescents nationwide are behind on their shots.

The lag in catch-up vaccinations could pose a “serious public health threat,” especially when schools return to in-person instruction, the Centers for Disease Control and Prevention said in the report.

North Carolina has gradually opened public K-12 schools for in-person instruction [since March](#). DHHS guidelines issued Wednesday said that masks are [no longer required](#) for vaccinated students and faculty in public high schools, since children aged 12 and above, including most seventh-graders, are eligible for COVID-19 vaccines.

The potential risks of not getting routine vaccinations include an increase in both illness and deaths from vaccine-preventable diseases, said Dr. Catherine Ohmstede, a pediatrician at Novant Health.

For example, all N.C. adolescents are required to receive one dose of meningococcal vaccine by age 12, or seventh grade, and a booster dose by age 17 or 12th grade. The vaccine prevents diseases caused by bacteria called *Neisseria meningitidis*, which could lead to [infections](#) of the membranes covering the brain and spinal cord, particularly among younger age groups.

While the infection is rare, the disease can be “very fatal”, Ohmstede said. The CDC [recommends](#) getting vaccines as the best defense against the illness.

In older age groups, whooping cough and chickenpox are among contagious vaccine-preventable diseases, said Dr. Amina Ahmed, an infectious disease physician at Atrium Health. Parents should consider have children getting influenza vaccines, she added, because respiratory diseases like the flu will spread more going into the fall school season.

The CDC also recommends getting vaccinated against human papillomavirus (HPV), which can cause cervical cancer in women and other kinds of cancer among men and women. Ohmstede said that an estimated 80% of people will be infected with the virus at some point in their lifetime. Over 35,000 cases of cancer are caused by HPV each year, CDC said.

While recommended and available, HPV vaccines are not required for adolescents in North Carolina.

“It’s very important for people to remember to get children caught up on those vaccines, especially if you delayed or spaced them out a little bit during the pandemic,” said Ahmed.

'NO REASON TO FEEL UNEASY'

The drop in routine vaccinations is seen across all adolescent age groups, Ohmstede said. She said that families' concern over non-essential visits to healthcare facilities during the pandemic, out of fear of COVID and other health risks, was an important reason for the decrease in vaccination compliance rates.

"We really recommend that children should have a doctor's visit every year, and that visit is to monitor physical development, psychosocial maturation, and observation for both physical and mental wellness," she said.

To relieve patients' anxiety, hospitals since last year have made a priority of cleaning protocols and providing adequate personal protective equipment, Ohmstede said. This year, Novant staff are all vaccinated, and its physician practices have been operating with caution.

"There should be no reason for anybody to feel uneasy going through their annual examinations," Ohmstede said.

She also recommended that parents schedule their children's annual wellness visits as soon as possible. As the school year approaches, healthcare facilities are getting busier, she said.

Last year, students were not asked to complete physical examinations if they wanted to participate in sports – another reason why students did not visit the doctor and get routine vaccinations, Ohmstede said. N.C. schools will require the examinations for the 2021-22 school year.

ROUTINE SHOTS CAN BE TAKEN WITH COVID VACCINES

When teens aged 12-15 became eligible for COVID-19 vaccines in May, concerns were raised over whether COVID vaccines could be taken at the same time as routine vaccinations.

CDC [guidelines](#) issued in May suggested that COVID-19 and other vaccines can be administered without regards to timing — including receiving vaccines on the same day and within 14 days. The center said that data has shown that does not lead to unusual adverse effects.

A full list of required vaccines for adolescents in North Carolina:

- [Diphtheria](#)
- [Hepatitis B](#)
- [Measles](#)
- [Meningococcal](#)
- [Mumps](#)
- [Pertussis](#) (whooping cough)
- [Polio](#)
- [Rubella](#)
- [Tetanus](#)
- [Varicella](#) (chickenpox)

These vaccines are recommended by the CDC but not required in the state:

- [Hepatitis A](#)
- [HPV](#)
- [Influenza](#)
- [Pneumococcal Disease](#)

Controversy erupts in Western NC over \$60M school construction near slave graves

“We definitely don’t want to disturb the grave site of African Americans, Native Americans or anyone,” a resident opposing the construction said. “Do any other places put (in) a school to destroy our history in America?”

BY YIWEN LU

AUGUST 14, 2021 06:30 AM

<https://www.charlotteobserver.com/news/politics-government/article252876318.html>

Note: For this story, I spent weeks investigating a tip sent to my editor. I planned a four-stage investigation, including reading through relevant documents, call experts, talk to residents, and lastly ask for comment from the school board officials. I conducted six interviews in addition to email correspondence and wrote the story myself.

In North Carolina’s western-most county, some worry that a school construction project could disturb a nearby abandoned slave cemetery.

What’s more, previous archaeological investigations of the area also yielded Native American artifacts, according to the N.C. Office of State Archaeology. And a Civil War campground may have been in the area where the project is going up too.

The project is led by the Cherokee County School District, in a mountain community several hours west of Charlotte, close to the border of Tennessee and Georgia.

“We definitely don’t want to disturb the grave site of African Americans, Native Americans or anyone,” said Mike Stiles, a county resident opposing the construction. “Do any other places put (in) a school to destroy our history in America?”

School officials emphasized that they are following state guidelines in the design and construction process. They are confident that the development will not disturb any historic artifacts or graves that may be at the site.

In addition, a state archaeological survey indicated that the abandoned slave graves are away from the school development site, a school attorney said during a school board meeting on March 11.

Last year, as part of the school district’s [long-range plan](#), the school board proposed two projects to be completed in phases, costing a combined \$60 million. Both are slated

to sit on the 27.4-acre school property off of U.S. Highway 64, along McCombs Road in Murphy.

The Cherokee County Schools of Innovation, the first part of the plan, is under construction and expected to be finished by the fall of 2022, according to the school board. Next to that campus, the board has proposed building a consolidated high school.

NC recommendations for the board

On March 2, the school board learned from a resident that a former slave graveyard could be on the property that is part of the development for the two schools, according to Superintendent Jeana Conley. The construction of the Schools of Innovation had just begun at the time.

The board immediately stopped construction and contacted the North Carolina Department of Transportation as well as the Office of State Archaeology, to verify whether there was a graveyard or historical artifacts on the site, Conley said. State archaeologists, along with preservation experts, visited the site in early March.

The slave graveyard is on the property where both schools are going up, but does not sit on the part of the site where any construction is to occur, school attorney Dean Shatley said during a board meeting the following week, after the school's initial contact with the OSA.

The same location was excavated in the 1990s prior to NC DOT's US 64 Bypass construction, according to an OSA email sent to the school board from state archaeologist John Mintz in March.

Recommendations for the board

In his email, Mintz detailed recommendations that the school board should consider before proceeding with construction.

Those recommendations included performing an archaeological survey and follow-up excavations on the site. If the district finds archaeological deposits, it should avoid construction surrounding those deposits. OSA also recommended consulting with specialists and tribes close to the area prior to construction.

Previous investigations identified three archaeological sites on the property, according to the email. But none was listed on the [National Register of Historic Places](#), which contains an official list of historic places "worthy of preservation" across the U.S., according to the National Park Service.

One of the sites was determined to potentially be eligible for listing since it “has yielded, or may be likely to yield, information important in history or prehistory,” Mintz wrote.

He said that the site is believed to be property owned by Robert Dale (or R.D.) McCombs and Anne Sudderth McCombs in the 1860s, who enslaved as many as 19 people.

Previous excavations on the site recovered dwellings associated with enslaved individuals, Mintz wrote, as well as Native American artifacts such as carved stone pipe fragments. The email did not reference a cemetery on the McCombs’ property.

And [research](#) in the early 2000s indicated that the Aquohee District Courthouse could have been on the McCombs’ property too, Mintz added. The courthouse was the Cherokee judicial and administrative center during the 1820s and 1830s. However, prior surveys recovered no materials of 19th century Cherokee Indians’ occupation on the property.

OSA representatives did not conduct new excavations or surveys during their site visit in March but based their recommendation on previous survey results.

“There is potential for significant archaeological resources to be present on the property,” Mintz wrote, “particularly in areas that were outside of the area surveyed for the NCDOT US 64 Bypass project.”

As a result, Mintz suggested the school board conduct archaeological surveys on the land that was not previously surveyed by NCDOT. But neither the OSA, nor Mintz in his email, prohibited the school district from continuing with the construction.

The state archaeologist has jurisdiction over proposed undertakings on historical property listed in the national register, according to [NC statutes](#).

The school district does not have the financial capacity to conduct an archaeological survey as recommended by the OSA, Conley said. Architects estimated that it would cost from \$1 million to \$6 million to complete, she told the Observer.

The Observer had asked Mintz for an interview, but that request was forwarded to the NC Department of Natural and Cultural Resources, which responded to the paper’s questions on behalf of Mintz.

‘It’s on the other side’

Within the seven-member school board, members had been divided over whether to move forward with construction since first identifying the abandoned cemetery. In June, the construction resumed.

During the group's March 11 [meeting](#), board attorney Dean Shatley said the McCombs plantation site was not directly interfering with the school's construction.

"What we have learned, thank goodness, is that the abandoned graveyard is on the other side of 64 from our property. So that is a positive thing," Shatley said. The Observer reviewed a [video](#) of the meeting that was posted by local radio station WKRK.

While the OSA had recommended that the board further review the property, Shatley said there was no compelling reason to do so.

The school board also contacted the U.S. Army Corps of Engineers to ensure that all environmental guidelines were being followed, Superintendent Conley said. Construction resumed on June 1, when the Army Corps granted the district clearance to proceed.

While contractors were made aware that construction would need to be paused again for further excavation if they ended up finding artifacts or a burial site, Shatley said during the March 11 meeting that there was a "very small likelihood of that occurring."

While the abandoned graveyard is not on the construction site, there is the possibility of a Civil War campground nearby, school board member James Ellis said during that meeting. OSA confirmed the existence of the campground to [WLOS News 13](#).

Ellis said construction should not continue until the board gains sufficient understanding of the site with further excavation.

"We (might) spend \$25 million on a piece of property that ends up turning into (something that) we can't complete," he said. "I can't imagine the PR — if we get a few weeks, a few months into it — and dig up, what?"

Cherokee County Commissioner Jan Griggs was also concerned that the school board was continuing construction without conducting a ground survey.

"One of my biggest concerns is that we did not take any of the recommendations from the state archaeologist," she told the Observer.

During a [March 15 meeting](#), county commissioners voted to fund the school consolidation plan at a maximum cost of \$40 million; Griggs was one of two no votes. That money has not been allocated to the district yet.

Before that vote, the commissioners had designated \$5 million for the Schools of Innovation, which cost \$20 million in total.

Tribal concerns

The OSA, in its email, also recommended consulting with local tribes prior to construction.

The United Keetoowah Band of Cherokee Indians, Eastern Band of Cherokee Indians and the Catawba Indian Nation are listed in the email as having preservation interests in the property, among others.

Whitney Warrior, director of the Historic Preservation Office at the United Keetoowah Band, expressed the tribe's concern over the potential for Native American remains to be in the property.

While the OSA did not find remains of Black slaves on the site, "that doesn't exclude Native American remains, so we want to check [for] our tribal ancestors that potentially could be ours or any other tribes for that matter," she said in an interview.

"The importance of protection and conservation is high among Native Americans," Warrior said. "It's a part of our history."

Conley said she reached out to Stephan Yerka, an historic preservation specialist with the Eastern Band of Cherokee Indians who was also present at the OSA visit on March 23, for a consultation in June. Yerka did not respond to Conley's request, Conley said.

The Eastern Band is the closest tribe to Cherokee County. It did not respond to multiple requests for comment. The Catawba Indian Nation declined to comment.

Community concerns

Some residents continue to raise concerns over the school system's decision to move forward with the project.

"There's only one family here that had slaves, (which) means that there's only one slave graveyard in this county," Murphy resident Margaret Ackiss said in an interview. "It means that there is one set of people that were brought here involuntarily, who will have no way to memorialize their families."

“What a slap in the face,” she said.

Like Ackiss, fellow resident Stiles believes that the community needs a clear understanding of what is in the area before the school district proceeds.

“If I were them, I would be doing everything possible to make sure that I didn’t get \$50 million in this project and dig up a Native American grave, and now you’d have to shut (down) the whole thing,” he said.

Stiles told the Observer that many other parts of Cherokee County would be better suited for the consolidated school, since the area on McCombs Road was not the center of the county. In addition, residents worry about the extra tax burden.

Defending the project

In an email to the Observer, Conley raised issues with residents’ concerns.

“It may be a coincidence, but the controversy of the property surrounding the Native American history only became relevant once consolidation (of the three high schools) became a reality,” Conley wrote.

“The research indicated that having all CCS high school students on one campus — divided between 3 schools — would be the most cost efficient model,” Conley wrote. “This is when the history of the property suddenly became an issue.”

She stressed that the history of the property — that a plantation along McCombs Road also had potential Native American artifacts — was public knowledge because there had been multiple archaeological excavations on the site.

“In decades, no group or entity has attempted to preserve or further research the property — the DOT even put a highway through the property,” she wrote.

The board worked with architects and tribal leaders before the OSA recommendations, prior to the construction, to incorporate cultural components in its work, Conley added.

Stiles acknowledged that the history of the Native American community on the site has been known in the region, and argued that was why the school needs careful investigation before construction. Residents are drafting a petition for the school board to reconsider its consolidation plan.

“They continue to move forward (while) being defensive instead of working together,” Ackiss said. “I am not opposed to school consolidation. I’m opposed to the way they’re

doing this, and the fact that they're not taking into consideration the communities and how they're affected."

A scientist's future hangs in the balance after another failure of the China Initiative

BY YIWEN LU

July 26, 2021

<https://supchina.com/2021/07/26/a-scientists-future-hangs-in-the-balance-after-another-failure-of-the-china-initiative/>

Note: For this story, I conducted extensive background research, including reading through FBI documents, court cases, and other local reporting, prior to attending press conference and interviewing advocates. I planned and wrote the story myself.

Is a U.S. government program, set up under the banner of national security, simply an excuse for racist ethnic profiling?

When former attorney general Jeff Sessions launched the “China Initiative” in 2018 under the Trump administration, the goal of the Department of Justice (DOJ) program was to identify intellectual property theft trade cases that would “benefit the Chinese state.” Of over **100 cases** listed by the DOJ, almost all are concerned with scientists and scholars of Chinese ethnicity, most of whom are naturalized U.S. citizens.

The unusual emphasis on these so-called “nontraditional collectors” of intelligence — professors, students, and scientists in academic and corporate roles — seems to belie the China Initiative’s stated national security concerns. Going into its third year, the initiative has simply brought more attention to the lack of transparency and accountability within the Federal Bureau of Investigation (FBI) without actually catching any spies.

False charges

In the past two weeks, the DOJ dropped fraud charges against six scientists of Chinese origin in six separate cases under the China Initiative. The DOJ did not explain its reason for the dismissal in any of these cases, but there did not appear to be any evidence for prosecution to proceed.

Among them is Dr. Qing Wang (王擎 Wáng Qíng), a former Cleveland Clinic researcher specializing in heart disease. Wang was born in China and became a U.S. citizen in 2005.

In May 2020, Wang was arrested under false claims and charged with wire fraud. Alleging that Wang was a participant in the Thousand Talents program — a Chinese government project to lure scientific talent back to China — the DOJ accused him of receiving a more than \$3 million grant from the American National Institutes of Health (NIH) while receiving money from the Chinese government. Since 2018, the FBI has been **targeting** attendees of the program to address intellectual property theft threats from China.

The DOJ released a statement on July 15 that the case was dismissed without prejudice, declining to offer further comment on the issue. It has since been removed from the department's list of China Initiative investigations. The aborted investigation led scholar Margaret K. Lewis to write a **piece arguing** that it is “time to end the U.S. Justice Department's China Initiative.” She says, “Like several other cases involving ethnically Chinese researchers under the China Initiative, the authorities appear to have gone far beyond any reasonable remit.”

Then last week, the DOJ **dropped all charges** against Táng Juān 唐娟, a visiting researcher at the University of California, Davis School of Medicine. Her jury trial was set to start on Monday. She had been arrested in July last year for allegedly concealing her military affiliation. She was another victim of the China Initiative.

Wang and Tang are not the first targets of the China Initiative who have been proved to be completely innocent. But no matter the result of the case, the scientists arrested and accused by the program have had to cope with a severe disruption of their careers: Wang and Tang, for example, both lost their jobs.

The first China Initiative trial in deadlock after mistrial

Although many lives have already been disrupted by the China Initiative, the first person accused under it to be put on trial was nanotechnology professor Anming Hu (胡安明 Hú Ānmíng) of the University of Tennessee (UT), Knoxville, in late June. And as you might expect by now, it turns out that there was no real evidence against him.

U.S. District Judge Thomas A. Varlan declared a mistrial after the jury notified him of an **“impasse”** despite a three-day deliberation process.

The DOJ has to decide by July 30 whether to pursue the trial, but many observers said the session that ended in deadlock had already revealed that Hu was falsely prosecuted by federal agents for fraud.

Hu was arrested in February 2020 under three charges of wire fraud and three counts of making false statements. During the litigation process, the government cited the “NASA restriction.” Formally known as the Wolf Amendment, Congress passed the legislation in 2011 prohibiting the National Aeronautics and Space Administration (NASA) from funding research that has ties with the Chinese government and state-affiliated corporations.

The government accused Hu of failing to disclose his ties with a Chinese university when he received a NASA grant.

Hu, who left China over 10 years ago to pursue his doctorate in Canada and later became a Canadian citizen, started to work at UT in 2013. He is an expert in nanotechnology and was an associate professor in the university’s Mechanical, Aerospace, and Biomedical Engineering Department until being fired due to the prosecution.

Shortly before he accepted the post at UT in 2012, Hu was offered a short-term contract to teach and conduct research at Beijing University of Technology that lasted for less than a month, according to Hu’s defense attorney, Phil Lomonaco, at a press briefing after the trial. The university had applied for grants under the Thousand Talents program to fund Hu’s short-term visit. Hu did not directly receive government funds.

Lomonaco said that Hu’s income from Beijing University of Technology does not qualify for conflict of interest under **UT policy**, which defines it as an individual holding more than 5% financial interest in an outside venture that uses their university position to provide an “unfair advantage” to that venture.

As a result, Hu did not list a conflict of interest in 2014 when he completed the UT forms. However, he did disclose his ties to the Beijing university in at least two of the required forms, as well as in email exchanges with the university administrators and a NASA contractor when he applied for the NASA research grant in 2016, **according to Knox News**. In those documents, Hu listed his affiliations, collaborations, and the students he worked with in Beijing. He also sent an email from a professor at Beijing University of Technology to both NASA and UT, which described his collaboration with Hu.

Since then, Hu has completed two projects with the NASA grant.

A bored FBI agent uses Google

In March 2018, FBI agent Kujtim Sadiku came across Hu's name using Google, and found a news release. Written in Chinese, about Hu's short-term contract with Beijing University of Technology, Sadiku used Google to translate the document and "predicted" that Hu was part of the Thousand Talents program. The next month, Sadiku and an agent from the Department of Energy knocked at Hu's door and asked him if he was a member of China's Thousand Talents program, to which Hu said no.

Sadiku then asked if any Chinese institutions had offered Hu speaker opportunities or paid for his seminars, and Hu said that one university in China had invited him to talk. According to an FBI memo obtained by Hu's defense attorney, Sadiku asked Hu to attend the seminar and talk to the FBI about it when he is back. Hu answered that he was too busy and did not attend the seminar.

Lomonaco accused the FBI agent of attempting to recruit Hu as a spy based on that conversation. When he first told the agent about his research under the NASA grant, Sadiku did not say anything about it, Lomonaco said. But for a year and nine months after that initial encounter, Sadiku conducted a formal economic espionage probe, investigating Hu and his family, and spying on Hu and his son, then a freshman at UT.

In July, August, and September 2019, the FBI showed PowerPoint presentations to UT administrators about their investigation of Hu, which were "replete with inaccuracies and lies," such as allegations of Hu's ties to the Chinese military, according to Lomonaco. After failing to find direct evidence of Hu's Chinese government links, the FBI shifted its focus to the NASA grant that he had applied for years after his contract with the university in Beijing. Specifically, the FBI accused Hu of intentionally not disclosing his work at the Beijing university in a single annual form submitted to UT. Federal prosecutor Matthew McKenzie said that Hu avoided mentioning his work in order to receive the grant.

However, the rules prohibit only employees of the Chinese government and China's state-affiliated corporations — Hu was and is neither, said Lomonaco.

"He is an innocent person who got his job taken away and his life ruined," Lomonaco said.

Hu was released from jail and put under house arrest a few weeks after his arrest last February. During the time when he was confined in his house, Hu's work visa expired, at which point UT stopped paying him. Hu's wife, Ivy Yang, had to work alone in Canada to support the family.

"Despite suffering from type 2 diabetes and needing regular medical care, Anming was not allowed to see a doctor or even get some fresh air at the deck of his home for almost a year. Only in February 2021, with the help of our attorney and my request for

his basic human rights, was he permitted to go to the deck,” said Yang during a press conference hosted by the Tennessee Chinese American Alliance during the trial.

Yang and Hu’s oldest son left UT and returned to Canada, out of fear he would no longer be able to pursue his studies in computer science in the U.S. Their younger son, a senior in high school when Hu was arrested, ended up dropping a few classes.

“How can I explain this [to] them? How can they process and understand the injustice that their father is facing? How can I address the trauma they are experiencing? What can I do to face something that is so much larger than me?” Yang asked.

In a press briefing held by Asian Americans Advancing Justice | AAJC after the trial, Hu said that he would continue fighting for his innocence and keep pursuing his research and green card application, which was terminated as his work visa expired during the house arrest.

A rogue government program causes a brain drain

Advocacy organizations and local politicians have demanded the DOJ drop the charges against Hu. On June 17, shortly after Hu’s trial, Congressman Ted W. Lieu (D-CA), Congressman Mondaire Jones (D-NY), and Congresswoman Pramila Jayapal (D-WA) wrote a public letter to DOJ Inspector General Michael Horowitz. The letter urges him to launch an investigation into FBI misconduct and reconsider the purpose of the China initiative.

In their **letter**, the congresspeople specifically ask, “Did racial or ethnic profiling occur in this case?” and “Does the China initiative put untoward pressure on FBI agents or Department of Justice prosecutors to engage in racial or ethnic profiling?”

It is important to draw the line between Asian Americans or people of Asian descent and the Chinese Communist Party, and that’s the purpose of a government investigation into the FBI initiative, Lieu said during a webinar held by advocacy organizations last month.

“The China Initiative is premised explicitly on the theory that there is ethnic affinity, and thus a propensity on the part of people of Chinese descent — even if [they are] United States citizens or Canadian citizens — who act in violation of American law for the benefit of Beijing,” said Frank Wu, a law professor and the president of Queens College at the City University of New York.

The FBI has more than **2,000 investigations** that could be linked back to China. Many are concerned with grant fraud, false statements, and undisclosed research affiliations with the Chinese government — but those charged could easily be results of small clerical errors, sloppy paperwork, or changing standards of disclosure.

“Even when they fail to identify what is sought, economic espionage committed by agents of the People’s Republic of China government, they continue on because they need to produce statistical accomplishments for the program,” said former FBI agent and Brennan Center fellow Michael German during a press briefing held last month.

When the China Initiative becomes a numbers game, he continued, the attention is distracted from national security: “Diverting cases to fit statistical accomplishments for a specific program can cause more harm to our national security than it resolves.”

One of those effects is a brain drain: The China Initiative is ironically helping the Chinese state to a long-sought goal: recruiting overseas talent back to China.

In 2017, the FBI and NIH started a 17-month investigation of the employees at Houston’s MD Anderson Cancer Center, aiming to identify China-related economic espionage. The FBI accessed the network accounts of 23 employees, and a few researchers of Chinese ethnicity were put on leave or under video surveillance. One of the affected researchers was an award-winning epistemologist and **naturalized U.S. citizen, Xifeng Wu** (吴息风 Wú Xīfèng). The investigation caused Wu to return to China, where he has been playing a major role in COVID-19 treatment research.

“The only thing we’ve lost to China is our investment in Xifeng Wu,” Lynn Goldman, dean of the Milken School of Public Health at George Washington University, **told Bloomberg**.

Meanwhile, Professor Hu Anming’s future is in the balance: The DOJ has until the end of this week to decide whether to continue pursuing its apparently baseless case against him.

NC Gov. Cooper could ease mask mandate in schools soon in wake of CDC changes

BY YIWEN LU AND T. KEUNG HUI

UPDATED JULY 14, 2021 06:51 AM

<https://www.charlotteobserver.com/news/coronavirus/article252750418.html>

Note: Reporting for this story allows me to understand how cross-city outlets can collaborate with each other on breaking news coverage. I wrote the shell for the story based on previous coverage before attending the press briefing; when presenting at the press briefing in-person, I sent my colleagues relevant quotes. We made sure that the story could be published within an hour of the press briefing end.

CONCORD

Gov. Roy Cooper said on Tuesday that he expects to issue a new recommendation for masks in schools soon.

“I want our schools to go back in the fall as normal as possible,” he said in a stop at a vaccination site in a Cabarrus County high school Tuesday.

On Friday, updated federal Centers for Disease Control and Prevention guidelines [recommended masking](#) in schools for individuals who are not fully vaccinated for COVID-19. That means that people who are fully vaccinated would not need to wear masks in schools according to CDC guidelines.

No elementary school students — children under 12 — have received COVID-19 vaccinations yet.

North Carolina guidelines still require masks in schools, but that could change. Cooper said his staff is reviewing the new CDC guidelines and will be making recommendations for schools soon. But he said he doesn't have a timeline for issuing that new guideline.

State health officials are working with the State Board of Education and talking with educators about the return to school in the fall, Cooper said at his stop at Northwest Cabarrus High.

Some N.C. school districts are already tackling the mask issue, not waiting for the state to act. That included the Union County and Rowan-Salisbury school boards voting this week to make face covering optional in schools.

CDC GUIDANCE

Cooper said it's important for students to get as much in-person education as possible.

Previously, the CDC guidance made no distinction over mask-wearing between vaccinated or unvaccinated people in school. The new language removed the recommended precautionary measures for vaccinated individuals.

Cooper cited the prior CDC language to justify [universal face covering requirement](#) at all K-12 public and private schools, while the mandate was [lifted](#) in most other settings as vaccination rate increased. The mandate in school was extended to the end of July as of last month.

The CDC also said that schools should work with local public health departments to adjust social distancing and mask-wearing policies, contingent on the possibility of COVID-19 transmission and vaccine coverage in the local community.

The Observer [reported](#) on Monday that 50% of Mecklenburg County residents have received at least one COVID-19 shot, reaching a milestone in vaccination goals. However, health experts said that reaching herd immunity is unlikely.

And in Cabarrus County, where Cooper stopped Tuesday afternoon, 42% of residents have gotten at least one COVID-19 shot, according to state numbers.

SLOW PROGRESS ON VACCINES

The state is still making progress in COVID-19 vaccinations, Cooper said Tuesday — but it's slowed.

He urged all North Carolinians to get the shots as soon as possible, especially as cases of the more contagious delta variant of COVID-19 have increased.

“Vaccines are our way out of this,” Cooper said. “When you look at the fact that we have a delta variant, more than 99% of the people who are getting sick or dying now are not vaccinated.

“Almost every single death is preventable. If you haven't been vaccinated please go and do it.”

LOOSENING RESTRICTIONS

On Tuesday night, the Union County school board unanimously voted to make face coverings optional for everyone in schools, on school buses and during athletics and extracurricular events. That change in the state's sixth-largest school district would go into effect Aug. 1.

And the Rowan-Salisbury school board [voted 5-2](#) for making face covering optional in schools on Monday. That change goes into effect immediately.

Under the plan, students and staff are not required to show vaccination cards, while they can choose whether to wear masks at schools.

The motion was made by board member Travis Allen, who cited vaccine availability and families freedom of choice for making the change. Allen said he hoped the district would become a "trendsetter" and "give courage" to other school boards to make masks optional.

Allen said he was willing to risk facing criminal misdemeanor charges for defying the mask mandate in order to take a stand on the issue.

"Where do we draw the line?" Allen said at the meeting. "It's masks today and vaccinations today. What's it tomorrow?"

"If they can make your child wear a mask at school, or a teacher wear a mask and dictate they can't have a public education unless they do, I think they can attempt anything."

During the meeting, attorney Ken Soo warned the board that the motion could violate North Carolina's [public health toolkit](#).

A toolkit issued by NC Department of Health and Human Services requires all schools to make face covering mandatory for staff and students in K-12 schools. Liability, however, is "very unlikely", Soo said.

Cooper's [executive order](#), which requires public schools to follow the toolkit, will expire on July 30.

MORE CHANGES

Other school districts and private schools in North Carolina have recently announced optional mask-wearing policy, the News & Observer reported.

Among them, Thales Academy, which operates private schools across North Carolina, recently announced that it would make face masks optional for next school year. The Harnett County school board lifted the mask mandate for its summer school program.

North Carolina is one of 10 states that still require masks in schools, the News & Observer reported. Eight states, including South Carolina, banned local districts from requiring face coverings in schools.

Last month, a bill for N.C. schools to remove mask mandates was put on hold.

North Carolina's Senate Bill 173, nicknamed "Free the Smiles Act", was [passed in the House](#) but rejected in the Senate. Legislators are working on a new compromise bill.

Observer reporter Hannah Smoot contributed to this report

24 years ago, he brought Juneteenth to Charlotte. Today, he wants to see unity.

<https://www.charlotteobserver.com/news/local/article252216848.html>

BY YIWEN LU

UPDATED JUNE 18, 2021 05:51 PM

Note: This feature story was printed on the front page of The Observer on June 19 (Juneteenth) of the 2021. A PDF version of the page is included.

When Pape Ndiaye first arrived in Charlotte in 1997, the Juneteenth celebration was nowhere to be found in the city. So he started the Juneteenth Festival of the Carolinas on Thomas Avenue – which he calls the birthplace of all Juneteenth celebrations in the Carolinas.

Ndiaye runs the House of Africa gallery in Plaza Midwood, where he held the festival for the first seven years and returned a few years ago after moving it to Independence Park. For over two decades, the festival has brought artists, musicians, and vendors from around the world to Charlotte. To Ndiaye, that speaks to the significance of Juneteenth: a time for the community to share with each other in the spirit of freedom, unity and togetherness.

“My grandmother used to say that when you travel, you need to get the direction,” Ndiaye said. “Culture and heritage are the only directions that can help you move forward.”

PATH TO AFRICAN CULTURE

Ndiaye, a native of Senegal, arrived in the U.S. not knowing Juneteenth’s history. As he traveled around, he saw it being celebrated in a lot of different places — but not Charlotte. That’s when he started to host the festival with the help of friends, including Pride Magazine publisher Dee Dixon, and the late Marilyn Turner, the first chairperson of the festival who served from 1997 to 2006.

This year, the festival will be a four-day celebration, featuring events such as a peaceful march, fashion show, Juneteenth prayer and youth camp. As Ndiaye was busy preparing for the festival in the gallery on Friday, 62-year-old Dwayne Gross stopped by. He moved to Charlotte from New York when Ndiaye started the festival and has been actively involved in it since. To Gross, Ndiaye introduced him to a new world of his own descent.

“Africans in America had the whole slavery thing and all that, but there wasn’t a lot of cultural aspect going on,” he said. “Pape [Ndiaye] was giving you a different perspective on our culture. He would tell stories, the history of the masks, and people were really attracted to them.”

Gross grew up during the Malcolm X and Black Panther era. “We didn’t know about Africa and where we came from, and that just wasn’t our original country.”

But the longing to learn about his ancestors has always intrigued him. In kindergarten, Gross said, James Baldwin once came to speak at his class. “I remember him telling us that you are more than what they tell you. You come from kings and queens, and you come from kingdoms — I never forgot that.”

Ndiaye – and the Juneteenth Festival – for many offered the closest route for the Charlotte community to form a connection with Africa. Khadim Soung, a fashion designer who lives in Dakar, Senegal, flew to Charlotte this summer to help Ndiaye with the fashion ceremony during the festival. In a venue next to House of Africa, artistically designed Senegalese Boubous, a type of traditional light garment clothing in Senegal, were displayed over the chairs and desks.

A HISTORY UNFOLDED

The community in turn has helped Ndiaye to turn the festival into today’s scale. Historian and activist Makheru Bradley met Ndiaye as a customer at House of Africa, and they soon became friends as the festival started in Charlotte. For 24 years, he helped Ndiaye document the festival’s history, including talking to media, engaging in public speaking and writing about Juneteenth history.

In Charlotte, Bradley said, the history of Juneteenth is a process of discovering. He used the 1921 Tulsa Race Massacre of Black residents, homes and businesses in Tulsa, Oklahoma as an example. “A very small group of historians discovered the information and put it out, then spread it to other people. It eventually spread to the masses and became something that is recognized and popular,” he said.

Juneteenth was the same. Charlotte’s festival started with fewer than 100, and gradually grew to today’s scale, where it attracts more than 20,000 from around the city and state every year. During the festival’s first few years, many came to ask Ndiaye about Juneteenth. Not anymore, he said.

FEDERAL RECOGNITION IS NOT ENOUGH

On Thursday, two days before this year’s Juneteenth, President Joe Biden signed legislation to make Juneteenth a federal holiday.

Bradley said that the move is the result of the growing awareness that pushes for reparations for African Americans and responses to the murder of George Floyd last year. However, he also said that acknowledgment is only one part of the process towards reparation. “Acknowledgment without repairing the damage that was done — to restore people to the original unimpaired condition — just becomes an isolated entity if it’s not with other positive processes towards reparation,” Bradley said.

“We didn’t need federal recognition to start celebrating Juneteenth. ... This was a product of the agency of African people, an act of self-determination. We decided that this was something we were going to do.”

A HOME OF UNITY

After two decades of living and running House of Africa in Charlotte, Ndiaye calls the city his second home. At this year’s Juneteenth Festival, he wants to use arts and education to show the community power of unity and togetherness.

“I wasn’t born and raised in America, and I’m not part of the American culture. But at Charlotte, I feel like I am part of this community,” he said. “Like I say all the time, Juneteenth is not just an African American holiday, but it is a part of American history.”

Juneteenth Festival of the Carolinas events span from Thursday to Sunday. The opening ceremony was held on the evening of Friday followed by a drum circle. On Saturday, the day of Juneteenth, participants will join each other at 9 a.m. for the Juneteenth Freedom & Unity March, a peaceful march from Grady Cole Center on Kings Drive to House of Africa on Thomas Avenue.

Today in **Xtra Golf**

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The U.S. Open rolls on with big names like Phil Mickelson just trying to make the cut.



In today's paper **SPORTS:** North Carolina A&T's success at the NCAA outdoor track and field championships was no surprise to the Aggies. **8A**

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Special prosecutor clears cops in Mooresville shooting

BY MICHAEL GORDON
migordon@charlotteobserver.com

Two Mooresville police officers who fatally shot Chris Craven last summer after they say he pulled a gun — an account

disputed by the dead man's wife — will not face criminal charges, a special prosecutor announced Friday.

In a statement, Randolph County District Attorney Andy Gregson said officers Alexander Arndt and Christopher Novelli

reasonably feared for their lives when they fired dozens of shots with high-powered rifles at Craven during an Aug. 2 confrontation outside his Mooresville home.

"It is clear from all of the evidence that at the time Offi-

cers Arndt and Novelli fired their duty rifles they were presented with an imminent threat of death or serious bodily injury from the actions of Mr. Craven," Gregson said in summarizing the findings of a State Bureau of Investigation report.



Chris Craven

"It is also clear from the evidence that the officer's application of deadly force was reasonable and necessary in response to this threat."

According to Craven's autopsy and an accompanying medical examiner's report, the 38-year-old parts-department employee for Rick Hendrick's NASCAR racing team was hit with at least 15

SEE SHOOTING, 2A



Pape Ndiaye, who runs the House of Africa gallery in Plaza Midwood, started the Juneteenth Festival of the Carolinas in 1997.

Charlotte Juneteenth Festival has helped unify community since 1997

BY YIYEN LU
yilu@charlotteobserver.com

When Pape Ndiaye first arrived in Charlotte in 1997, the Juneteenth celebration was

nowhere to be found in the city. So he started the Juneteenth Festival of the Carolinas on Thomas Avenue — which he calls the birthplace of all Juneteenth celebrations in the Carolinas.

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Ndiaye, a native of Senegal, arrived in the U.S. not knowing Juneteenth's history. As he traveled around, he saw it being celebrated in a lot of different places — but not Charlotte. That's when he started to host the festival with the help of friends, including Pride Magazine publisher Dee Dixon, and the late Marilyn Turner, the first chairperson of the festival who served from 1997 to 2006.

This year, the festival will be a four-day celebration, featuring events such as a peaceful march, fashion show, Juneteenth prayer and youth camp. As Ndiaye was busy preparing for the festival in the gallery on Friday, 62-year-old Dwayne Gross stopped by. He moved to Charlotte from New York when Ndiaye started the festival and has been actively involved in it since. To Gross, Ndiaye introduced him to a new world of his own descent.

"Africans in America had the whole slavery thing and all that, but there wasn't a lot of cultural aspect going on," he said. "Pape [Ndiaye] was giving you a different perspective on our culture. He would tell stories, the history of the masks, and people were really attracted to them."

Gross grew up during the Malcolm X and Black Panther era. "We didn't know about Africa and where we came from, and that just wasn't our

SEE JUNETEENTH, 3A

Charlotte City Council member wants planning director fired

BY ALISON KUZNETZ
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Just days before a fiercely divided City Council is expected to vote on the 2040 Comprehensive Plan, one elected official says he wants to see Charlotte's planning director fired in the wake of his handling of the plan.

Planning director Taiwo Jaiyeoba, in turn, scoffed at that possibility during an exclusive interview Friday with The Charlotte Observer.

"I am not one bit concerned about my job security," said Jaiyeoba, who is also an assist-

ant city manager. Council member Tariq Bokhari is the one calling for Jaiyeoba's dismissal.

Bokhari and other district representatives are opposed to one of the plan's most controversial policies, which would allow multifamily units like duplexes and triplexes to be built in traditionally single-family neighborhoods.

Opponents say this will accelerate gentrification and harm vulnerable residents who are supposed to gain protection through the proposal, while advocates see it as a major step for inclusion and expanding Charlotte's affordable housing stock.



Taiwo Jaiyeoba

"My reputation is intact and my colleagues in the industry respect me very well. ... I don't need to have any second doubt or second-guess myself with what I am doing,"

Jaiyeoba said of the plan's development.

DRAMA BEFORE THE BIG VOTE

The increasing hostilities could likely be a prelude to Monday's zoning meeting when Council votes on adopting the plan.

Mayor Vi Lyles has begged City Council members to stop hurling disparaging remarks at one another and at city employees. Lyles' patience has visibly diminished toward Bokhari in recent weeks.

Bokhari, one of two Republicans on the City Council, has castigated Jaiyeoba at meetings



Tariq Bokhari

for his handling of revisions to the land-use document. The massive plan outlines an equitable strategy for growth and development in Charlotte over the next two decades.

On Thursday, Bokhari took to Twitter to say: "We MUST delay the Comp Plan vote, and as a City we must demand with a unified voice the City Manager fire the City Planner on the grounds of ethical failures."

City Manager Marcus Jones, in a statement posted to the Observer, defended Jaiyeoba.

"I have complete confidence in our Planning Department and our Planning Director Taiwo Jaiyeoba," Jones said. "I have committed to the Mayor and Council to review the ongoing process and identify any areas

SEE DIRECTOR, 2A



CELEBRATING FREEDOM

On June 19, 1865, Union soldiers landed at Galveston, Texas, with news that the Civil War had ended and to enforce the Emancipation

Proclamation. Juneteenth is the commemoration of the day that slavery in the United States



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Mostly cloudy
mostly sunny
partly sunny
hazy sunshine



cloudy

American Airlines extends a popular nonstop tropical flight from CLT airport

Flying on a wide-body Boeing 777, the approximately 10-hour flight is the longest flight departing from Charlotte Douglas International Airport.

BY YIWEN LU

JUNE 14, 2021

<https://www.charlotteobserver.com/news/business/article252023588.html>

Note: The Observer is the only major local outlet covering this new flight extension. I incorporated both American's spokesperson comments and COVID-19 travel information in this story. It ranked first in terms of traffic data at The Observer on the day of publishing and ranked second across all of McClatchy.

American Airlines extended its daily, nonstop flight from Charlotte to Honolulu through Jan. 3, three months more than initially planned.

The flight [launched](#) on May 6 as the first nonstop American flight to the Hawaiian capital from Charlotte, the airline's second-largest hub. It was originally planned to operate seasonally through Sept. 7.

The decision to extend was made in April, one month before the launch of the flight because of high demand. Typically, American's Hawaii flights come from Dallas, Los Angeles, and Phoenix. This year, the carrier launched the CLT-HNL flight in response to consumer interest.

The route was last operated by US Airways before the carrier merged with American in 2013. US Airways suspended the Charlotte-Honolulu flight in 2010 after three months into running it.

A 273-seat Boeing 777-200 has been flying daily from Charlotte Douglas International Airport to Daniel K Inouye International Airport since June 2. Before then, it had operated twice a week for close to a month.

The approximately 10-hour flight is the longest one operating from CLT. This makes Boeing 777-200 a suitable aircraft for the flight, according to American Airlines spokesman Andrew Trull.

Widebody aircraft like Boeing 777 had mostly been used in long, international flights. As global travel suspended during the pandemic, American adjusted its route network, positioning larger aircraft such as Boeing 777s and Boeing 787s on certain domestic

flights. The same aircraft model is used on one seasonal American flight from Phoenix to Hawaii during the summer, from June 3 to Aug. 16.

Visit a Reopening Hawaii

Travelers to Hawaii might soon expect to visit the island without COVID-19 restrictions.

Hawaii Governor David Ige [announced](#) on June 4 that when the state reaches a 60% vaccination rate, fully vaccinated individuals who travel from the U.S. mainland will be able to enter the state without quarantine or a negative COVID-19 test result, provided that they present proof of vaccination.

When Hawaii's vaccination rate hits 70%, the state will lift all travel restrictions.

As of June 9, 54% of the state's residents are fully vaccinated, according to the [Hawaii Department of Health](#).

Currently, the state mandates 10-day quarantine for individuals traveling to the island domestically, including residents and fully vaccinated travelers.

Through Hawaii's [Safe Travels program](#), individuals are able to bypass the quarantine requirements with negative COVID-19 test results from a listed partner within 72 hours of their departure for Hawaii.

