

Rocky Mount's top administrator ignored local law enforcement recommendations for a new **police chief**, instead restarting a costly candidate review process that demonstrates a proclivity for hiring prior associates even at extra expense to taxpayers, and called for a retraction in a recent newspaper article reporting on the situation.

City officials requested the retraction of one sentence in a Dec. 31 year-in-review article in the Telegram headlined "Economic momentum boosts city." That sentence reads: "While a **search** panel recommended Capt. Marty Clay for the top spot, City Manager Rochelle Small-Toney started the job candidate process over again."

Since the outcome of the **search** process isn't public record and the city manager makes the final determination, the newspaper acknowledges Clay may not have been her top choice but stands by its reporting that local law enforcement officials who took part in the process preferred Clay over the other candidates.

Nash County Sheriff Keith Stone participated in the **search**. He declined to talk about specifics of the process, but hailed Clay, a veteran officer, as being more than qualified for the **chief** position.

"I've known Marty Clay since 1987," Stone said. "I've worked with him on numerous investigations and special ops. He would serve the community well as **chief**."

Stone also said Interim **Chief** George Robinson would make an excellent permanent **chief**.

Robinson didn't apply for the position last summer with Clay and other candidates.

"Rocky Mount has so many fine officers that the pick should be from within the department," Stone said.

The **police chief search** included input from Development Associates, an executive **search** firm, which carried a \$20,000 price tag. The city also paid a private investigator for state-required background checks at a total of \$7,500, according to information obtained by the Telegram via a public records request.

"While Developmental Associates provides me with the results of the assessment center process that test the wider range of competencies that the candidate must demonstrate for the **chief of police**, I do not receive recommendations, but rather consider the variety of exercises, interviews, background investigations, one-on-ones and other aspects of the entire **search** process," Small-Toney said.

In December, Small-Toney said she didn't find a permanent **police chief** during the first **search** and reopened the recruitment process.

That's despite former Rocky Mount Interim **Police Chief** Willie Williams recommending Clay for the position.

"Marty Clay is a highly competent candidate," Williams said. "I want a qualified **police chief** and don't care what color he or she is."

Clay is white. Williams, Robinson and most of the **search** panel are black.

While the city's **police** department has historically been helmed by white men, the past two top cops have been black.

Small-Toney, who is black, may have sought out a black **chief**. She has said in the past that the new **police chief** should match the demographics of the city. Rocky Mount's population is 63 percent black.

"As city manager for Rocky Mount, I solely have the responsibility of selecting the candidate which I feel is

most suitable for this position, regardless of gender, age, religion, race and the like," Small-Toney told the Telegram on Friday.

Whether or not race is a factor, Small-Toney is looking to hire a particular candidate, according to search assessors who asked not to be identified.

Small-Toney said she didn't know any of the candidates in the first search. That's assuming she isn't including RMPD officers who applied.

If Small-Toney has her eyes set on a particular candidate for chief, it fits an often-expensive pattern.

Small-Toney hired Landis Faulcon in January 2018 with an annual salary of \$120,000. Faulcon received \$1,000 for rent for the first four months on the job and an ongoing travel allowance of \$204.77 per payday, according to Faulcon's offer letter obtained by the Telegram after a public records request.

Small-Toney and Faulcon have a history together. In 2012, Small-Toney was the city manager for Savannah, Ga. She landed in hot water with the Savannah City Council for awarding high-dollar contracts to consultants without the council's knowledge. Faulcon was listed as receiving \$200,000 over a two-and-a-half-year period to oversee a stalled redevelopment project.

Small-Toney was eventually forced to quit the Savannah job over allegations of fiscal mismanagement, according to news reports.

Small-Toney hired Faulcon in Rocky Mount to be director of the newly-created Department of Community and Business Development.

The city already had an employee serving in a similar role: John Jesso, the city's downtown development manager since May 2014. Jesso left city employment last summer and his lawyers contacted the city about a discrimination complaint.

Small-Toney referred questions about Jesso to City Attorney Jep Rose, who acknowledged lawyers representing Jesso settled a possible discrimination claim with the city after months of negotiation.

"One part of the settlement involved a worker's compensation claim, which had to be approved by the Industrial Commission," Rose said. "The Industrial Commission approved that on Dec. 20, 2018. The settlement has now been concluded and will be reported to the City Council in open session at its next meeting."

Rose said the settlement agreement between Jesso and the city will become a public record after that. Jesso declined to comment on the matter. Often when a party in a dispute refuses to speak to the news media it's due to some form of nondisclosure agreement.

When asked why she hired Faulcon in Rocky Mount, Small-Toney said qualified candidates deserve an opportunity to discuss their past experiences in a non-judgmental environment.

Small-Toney also wanted to hire a third assistant manager during budget talks last year.

The Rocky Mount City Council eventually spiked the request, but city officials with knowledge of the situation said Small-Toney had another prior associate waiting in the wings for the job.

Small-Toney denied rumors she is planning to push out one of her current assistant managers in favor of her choice for the scraped third position.

"Our current assistant city managers are in place and doing a terrific job," Small-Toney said. "There are no plans to make any changes in that area."

As for the chief's search, Williams said he's worked with Development Associates before, and the firm is top notch — but he was very careful not to be involved in the process this time around. Williams also said Damon Williams, a former police chief in Tarboro, was an excellent candidate.

Damon Williams is black. His unsuccessful bid adds to whispers at City Hall that Small-Toney had already made her choice when she hired the consulting firm, convened the assessor panels and held community input sessions last summer.

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KAY Staff Writer, LINDELL JOHN. "Police chief search traverses troubled waters." *Rocky Mount Telegram (NC)*, January 13, 2019: 1. *NewsBank: Cooke Communications*. <https://infoweb.newsbank.com/apps/news/document-view?p=NewsBank&docref=news/170EB9048B282F98>.

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