



BUTTE COUNTY DISTRICT ATTORNEY



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PRESS RELEASE

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Two Armed Gang Members Plead After Peeing In Public.

A 19-year-old and a 20-year-old plead guilty yesterday in Butte County Superior Court to possessing loaded firearms for gang purposes. The guns were discovered after officers contacted the men for urinating on the side of a building.

Butte County District Attorney Mike Ramsey announced today that Harley Allen Bennett, 19, and Nicholas Kenneth Cruse, 20, both of Oroville, entered pleas of no contest to charges they possessed loaded weapons and did so in association with a criminal street gang. Bennett also plead to the allegation that he possessed psilocybin mushrooms for sale. Both defendants will have a "strike" on their records because the gun charge with the gang enhancement is considered a serious felony under the California Three Strikes law. With the strike on their records, if convicted of a felony in the future, any resulting sentence would be doubled. Sentencing on both is scheduled on June 8, 2011. Both face upwards of seven years in prison.

On February 19, 2011, at approximately 11:00 p.m., Chico Police officers noticed a young male urinating on the side of a Park Avenue market. The officers saw him get into a nearby SUV and they stopped the vehicle for the urinating in public violation. Bennett and Cruse were back seat passengers in the SUV. Cruse was searched pursuant to conditions of his misdemeanor theft probation. Located under Cruse's seat was a bag which contained a loaded .32 caliber semiautomatic pistol and gang clothing. Cruse claimed ownership of the gun. Bennett smelled of marijuana and admitted he possessed marijuana. A search of Bennett's pockets revealed a loaded .38 caliber revolver and two bags containing psilocybin mushrooms. Bennett admitted the gun was his and that he would have sold the mushrooms if the opportunity presented itself. Both defendants admitted participation in a criminal street gang and were wearing items of clothing consistent with membership.

DA Ramsey said, "With the stakes so high in our effort to eradicate gang activity, we are fortunate to have alert, well-trained Chico officers willing to investigate anything out of the ordinary. Their attentiveness paid huge dividends in this case resulting in two gang guns off of the streets and two dangerous young men facing punishment for their crimes. The DA gang unit in partnership with local law enforcement is committed to holding gang members accountable for the toll they place on our community."