A brutal death in an NC jail leads to a six-figure settlement. What went wrong? In Cleveland County Jail??? $90 Million hidden in County Budget for NEW Court and Jail facilities!! Report, History, arguendo and conclusions by Robert A. Williams

The Shelby Star recently (this past week) copied an article from the Raleigh News & Observer titled **"A brutal death in a NC jail leads to a six-figure settlement."** The facts are:

- the NC Jail noted in the article is the **Cleveland County Jail**!
- The Six figures are actually $347,500 for the first death (of Jeffery Todd Dunn)
- The Second death mentioned in the article (Archie McNeilly, Jr.) settled for $303,000.
- The N&O article only notes two deaths in the Cleveland County Jail.
- A third death in the Cleveland County Jail was not mentioned, although that third death was more egregious that the two deaths that were mentioned.

The link to that N&O Article as copied by the Shelby Star are shown at the end of this article: Never mind the fact that the Shelby Star has discontinued reporting on the news in Shelby and Cleveland County-and have moved completely to Gaston

County.

As noted in the N&O article Jeffery Todd Dunn was found dead in a “Holding Cell” at the Cleveland County Courthouse with another inmate awaiting court hearings. Sheriff’s Office policies are that such prisoners are supposed to be checked on a regular basis, but the “Observation Window” for that particular cell had been seriously cracked for a long period (without repair) of time such that those inspections were impossible to be made.

Per MY Sources and NOT included in the N&O and Shelby Star article reprints, the female jailer assigned to maintain the watch over that particular cell on that particular day of the brutal murder of Drum by a second inmate in that same cell was NOT reprimanded, but, instead, was later promoted. The Settlement agreed to by County Manager Brian Epley and Deputy Cleveland County Attorney Martha Thompson stated that Cleveland County did NOT Admit to any wrongdoing in this situation. In fact, this is exactly what the N&O article stated:

“Cleveland County Manager Brian Epley and Deputy County Attorney Martha Thompson confirmed the settlement and the amount to be paid. It does not require (Sheriff) Norman or current and former employees to admit liability, they said.”

It should be noted, right here and NOW, that the standard “Lawyer” procedures for lawsuits against Cleveland County, the Cleveland County Schools, Cleveland Community College and the City of Shelby is to delay and obstruct at every point in the legal process-No matter that that tactic is explicitly prohibited by Rule 11 of the North Carolina Rules of Civil Procedure as well as Rule 11 of the Federal Rules of Civil Procedure. When and if those bad and illegal tactics do not wear down the Plaintiffs that file the lawsuits, the next thing to do is to offer very small amounts to “Settle” the lawsuits. If that also does not work, the amounts offered to

“settle” the lawsuits are increased just a little at a time. Always intending to “Settle” the lawsuit instead of going to a Jury Trial where a Jury would find the county agency at fault and ORDER very large amounts to be paid to the plaintiff. It is likely that the beating to death of Jeffery Todd Dunn in the Cleveland County Jail would have caused a Jury to order payments of over $1 Million. For the pain and suffering, as well as “Punitive Damages,” usually three times the jury award, as a punishment for not doing what was necessary to prevent the death in the first place. Like fix that cracked glass in the cell door.

However, Note that this kind of statements of “Settlements” ALWAYS say exactly these same things. Is it no wonder that history keeps on repeating itself in Cleveland County when NOBODY is ever held accountable for their acts of wrongdoing and negligence?? In this case it is obvious that the County Manager as well as the County Commissioners were negligent in NOT sending in a Maintenance and Repair crew to timely FIX that cracked cell window!! That death of Jeffrey Todd Dunn was entirely preventable with the minimum amount of accountability and due diligence by the County.

It is the same with the second death mentioned in the N&O Article of Archie McNeilly, Jr. McNeilly died of “Renal failure.” Not a cause of a sudden death, but caused by the long term, slow and painful effect of Cleveland County Manager Brian Epley and the Commissioners not seeing to it that jail inmates are provided adequate medical treatment while in the Cleveland County jail.

However, besides the TWO deaths in the Cleveland County Jail noted in this particular article, there was a THIRD and 10 times move egregious, yet preventable, death of a Cleveland County Jail inmate that tops these two deaths by miles and miles. The Death of a young black man, Tyrese Odums who died in the Cleveland County Jail-prior to both deaths of Jeffery Todd Dunn and Archie McNeilly, Jr.

Editor's Note: Please note that this part of this article is from MY very own memories. I remember this as it happened and when it happened. Before Facebook and on-line blogs. A cursory review of google did not turn up anything under the Death of Tyrese Odums. Perhaps I am off a bit on the name or the spelling. But, folks like Sheriff Alan Norman and others will certainly remember the details of this portion (and the other portions too) of this article better than I can. As I recall, Sheriff Dan Crawford was in office when this happened. This is what I remember happening:

Tyrese Odums was a young black man who was arrested and held in the Cleveland County Jail. As I recall, the jail's healthcare provider was the Cleveland County Health Department, but was in some sort of transition to other health care providers that was being arranged by the Cleveland County Manager and staff.

While in confinement in the Cleveland County Jail, young Tyrese Odums began to complain of abdominal pain. Then, over days, the complaints became more and more intense. The jailors and jail staff either did not listen of only gave Odums Pepto-Bismol or other such medications.

Odums cries became screams. Then continuous screams. Other inmates that were allowed contacts with their families, requested that their family members go home and call into the 911 system or to the County or **somebody** that a jail inmate-Tyrese Odums-was deathly ill and needed emergency medical assistance IMMEDIATELY. Yet nothing happened immediately or even soon thereafter. Finally, arrangements were made to take Tyrese Odums to the Shelby Hospital Emergency Room. Where Odums died shortly thereafter. An autopsy indicated that Tyrese Odums had developed appendicitis, that without antibiotics or any other appropriate treatment, the appendix finally burst. Which caused severe internal infection and pain, causing Odums' body to "rot" from the inside-out, which ultimately killed Tyrese Odums.

As I recall, lawyers swarmed over the Odums family seeking to file a lawsuit against Cleveland County for the neglect and wrongful death if Tyrese Odums. As Odums was young and had his whole life ahead of him, it was speculated that a lawsuit would bring over $1 Million to the Odums family and would demand changes at both the County and the Sheriff's Office to prevent such as this from ever happening again.

Also, as I recall, the Odums family accepted a big civil rights attorney firm out of Atlanta to file the lawsuit and bring justice to the death of Tyrese Odums. But the lawyers opted to make quick bucks for themselves and settled the lawsuit quickly. The Odums family got little justice, neither Cleveland County or the Sheriff's Office acknowledged any fault, liability or accountability and nobody was found negligent or disciplined. As is the case also, with the two more dead bodies.

And, believe it or not, there is more.

An inmate in the Mecklenburg County Jail (Charlotte) had a case almost identical to Tyrese Odums in the Cleveland County Jail. An appendicitis attack leading to a burst appendix, leading to a fatal infection and eventually to the death of the inmate. That death is expected to result in a lawsuit. Let's pay attention and see what happens in that case. Stay tuned for that.

My prediction is that case in Charlotte will NOT be easily settled for almost nothing like the Tyrese Odums case mentioned in this article and the Jeffery Dunn and Archie McNeilly cases noted in the N&O articles.

So, what is Cleveland County, Commissioners and County Manager, doing to make things better down at the jail and the Courthouse. Are they finally going to "fix" that cracked window in that holding cell??? Spend a hundred dollars or two to fix a problem it took an inmate's beating death to remind

them???

Oh nooo!!! That is the NOT the Cleveland County way. In stead of being on the up and up, County officials almost always have to go the “sneaky” way and spend tons of money. Like a total of $90 million for a new Courthouse, DA and Jail “Campus.”

“Hey Williams” you say. “How did you find out about that? That is enough to build four new high-schools in Cleveland County!!”

My reply is, I read it hidden deep in new County Budget approved by the Commissioners back in June, 2021. The budget with the big tax increase in it. The Commissioners are going to spend $35 Million on Phase 1 and the other $55 Million in Phase II. Go to the Cleveland County website and look up the 2021-2022 Budget and start reading. I am not going to tell you chapter and verse. Or the page numbers. You can look up the details for yourself. Or go to a Commissioner’s Meeting and ask the commissions about it. Tell them that Robert A. Williams sent you. They are likely to tell you that I “made this all up.” They do that a lot, when confronted with the truth!!!

As far as the aging schools in Cleveland County, that will be covered in a separate article. I don’t think your “Heart Medications” are strong enough for all this good news-all at the same time.

Read the Raleigh News & Observer article (Copied by the Shelby Star).