

From: David Poston:

Date: February 14, 2021 2:32 PM

To: NC Attorney General Josh Stein: Leslie Cooley-Dismukes (SBI)
Cc: Suzan McKinney Parris, Dante Murphy, Willie McIntosh, Beverly Justice
Bcc: Robert A. Williams

Subject: REQUEST FOR ASSISTANCE

Mr. Attorney General:

My name is David Poston. I am a North Carolina licensed private investigator and a licensed polygraphist. My office is in Shelby. Just for background, prior to becoming a private investigator I spent 20 years in national security and foreign intelligence via the National Security Agency/United States Naval Security Group and then 22 years in law enforcement.

I am contacting you on behalf of my client, Ms. Suzan McKinney Parris. Ms. Parris asked me to get the attached materials into your hands. I believe Reverend Dante Murphy already contacted you about this matter and requested that you initiate an SBI investigation.

Briefly, on May 23, 2019 Ms. Parris' 13-year-old special needs son, Dustin, was assaulted by a teacher's assistant, resulting in a severe laceration to Dustin's head. Although not entirely relevant Dustin has been diagnosed with Severe Autism, Attention Deficit Hyperactivity Disorder (ADHD), Oppositional Defiant Disorder (ODD), Obsessive-Compulsive Disorder (OCD), Mental Retardation (MR) AKA Mentally Challenged, PICA (eating disorder), Childhood Disintegrative Disorder (CDD) and Dustin cannot speak.

The incident was allegedly investigated twice, once by a Shelby PD uniform officer, whose wife was the HR director for the schools and is believed to have interfered with the investigations, and then by a detective. Both times the case was closed prosecution declined. The first investigation only took one day. The second took about five weeks. The reason the Assistant District Attorney (ADA) declined to prosecute after the first investigation was never given to Ms. Parris. Due to the excuse the detective gave Ms. Parris for why the ADA declined to prosecute after the second investigation, Ms. Parris and others believe that either the investigations were mishandled, the assistant district attorney (ADA) was not given all the information, the ADA was negligent in carrying out her duties, it was an intentional coverup or a combination of any or all of the above.

Although not directly related to Ms. Parris' case, during public participation I recently spoke about the assault at a local Board of Education (BOE) meeting. When I used the name of the Shelby police officer that allegedly did the initial investigation the board chairperson told me I could not use anyone's names. I pointed out that the name was a matter of public record but the chair told me I still could not use anyone's name. He later apologized in an email stating it was a rule he made at the beginning of his term and forgot to outline the rules prior to public participation.

Believing the chair's rule to be inappropriate I contacted the North Carolina School of government and asked if a speaker in an open meeting could be prohibited in using someone's name. I have cut and pasted the reply:

As to your specific questions:

Can the chair unilaterally make a rule to prohibit the use of someone's name in an open meeting. NO

Can the board vote to prohibit the use of someone's name in an open meeting? NO

Can there be a prohibition of the use of a public figure's name, or any other name for that matter, in an open meeting? NO

I would appreciate an opinion from the AG's office on whether the use of names can be prohibited during an open meeting. I am familiar with the open meetings law but I cannot find language that speaks specifically to the use of someone's name.

In addition to the assault on Ms. Parris' son, I recently spoke to the mother of a special needs child that told me prior to the assault on Dustin her daughter was also assaulted by the same teacher's assistant. The mother said an eyewitness, a nurse, told her about the assault but that witness was afraid to come forward for fear of losing her job. According to this mother, the principal, the same principal at the time of the assault on Dustin, told her he looked into it and the assault never occurred. Like Dustin, this special needs child is severely autistic and nonverbal. I was recently informed of yet another assault on a child by this same teacher's assistant subsequent to the assault on Dustin but I have not been able to verify that. To everyone's shock, that teacher's assistant is still employed at the Shelby school for special needs children.

Because of the public records law, the local police chief has refused to provide Ms. Parris with the investigation reports. Since so far as the local police department is concerned the issue is closed and since the school board has shown no interest whatsoever in pursuing the matter, Ms. Parris requested that I ask you to have someone from your office look into this matter so that she can have closure and if there is wrongdoing, those responsible are held accountable. I do not know what the second detective told the ADA nor do I know factually what the ADA based her decision not to prosecute on. I do know, however, the

reasons the detective gave to Ms. Parris for the ADA not prosecuting are invalid. According to that detective, the ADA declined to prosecute for two reasons. First, Dustin was displaying behavioral issues. That excuse is totally bogus as displaying behavioral issues is what autistic children sometimes do. The second excuse was that the detective could not prove the teacher intended to harm Dustin. I'm sure I do not have to explain why that excuse is bogus.

Just so you will know, at the request of Ms. Parris, who was in attendance, I provided the same information contained in the attachments to this email to the BOE chairperson, Mr. Robert Queen and to the recently retained BOE attorney, Mr. Jonathan Sink during a closed door meeting on Monday, February 8. After the closed-door session, the board reported they took no action.

Mr. Attorney General, on behalf of Ms. Parris, I most fervently appeal to your sense of righteousness and justice! Please do not let this go unchecked! Please direct an investigation to be initiated so this mother can have closure. Ms. Parris and Dustin deserve answers and those answers will not be forthcoming unless you intercede.

My contact information is on page one of the attached preliminary summary. Please contact me with any questions. If you wish to contact Ms. Parris she is copied on this email and her telephone number is 704-477-5038

Very respectfully,

David E Poston

Editor's Note: Please Note that Mr. Poston also reported to the Attorney General that other children at North Shelby School had been assaulted by this same teacher.

The Investigative Report that was attached to this email to the NC Attorney Governor and many others on Facebook and other communications is attached as follows:

Note that Paragraph 2 of the first page describes what I believe to be abuse and torture of the autistic child by the North Shelby School Principal. Also Note that the last Paragraph of Mr. Poston's investigative report claims the information in his investigative is TRUE according to the best of his knowledge, **I also believe it is true.**

(Text in Blue is investigator's commentary.)

TRUTH VERIFICATION, LLC
INVESTIGATIONS AND POLYGRAPH SERVICES
330 South Lafayette St

Shelby, North Carolina 28150

OFFICE: 704-868-6374

veritasverifico@gmail.com

www.truthverification.net

Case #2020-0133

Client: Ms. Suzan McKinney Parris

Via Parents Against Bullying

On May 23, 2019 around 1:00 PM, Suzan Parris received a call from North Shelby School Principal Mark Patrick informing Ms. Parris that her 13-year-old son Dustin had injured his head on the playground and in school nurse Linda Byrd's opinion Dustin's injury required stitches. **Rather than call 911 and have the Emergency Medical Services (EMS) respond, Mr. Patrick told Ms. Parris that she needed to go to the school and look at the wound.** Ms. Parris told Mr. Patrick if the nurse believed her son needed stitches to take him to the emergency room because she was 30 minutes away. **Instead of calling EMS as Ms. Parris requested, Mr. Patrick told Ms. Parris her son was safe and he and the nurse would stay with him until Ms. Parris arrived.**

When Ms. Parris arrived, she immediately realized her son needed staples to close his head wound. At that point Ms. Parris' son had been restrained both mechanically and physically for approximately 30 minutes. He was restrained mechanically via his specially constructed desk designed to confine him to the desk and physically by Mr. Patrick who was standing behind Dustin and reaching over him to hold Dustin's hands down. Due to his injury and him being restrained for such an extended time period, Dustin was extremely agitated. Ms. Parris advised the principal to call 911 as it would be impossible for her to transport him safely **while trying to control the bleeding** and his behavior because due to his agitated state, he would require sedation. Due to his Autism, Dustin does not like anyone touching him and anyone acquainted with

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Dustin knows that, yet this principal **needlessly** and **negligently** physically restrained Dustin thus exacerbating Dustin's agitation.

If Mr. Patrick had called EMS as Ms. Parris had requested her son could have been sedated and transported within minutes instead of him being restrained for a half hour.

Assistant principal Nancy Nations called 911. EMS responded and evaluated Dustin. At the direction of the Emergency Room (ER) physician EMS sedated Dustin with a double dose of Ativan and then transported Dustin to the ER. When Dustin and Ms. Parris arrived at the ER Dustin was further sedated with an injection of Versade (Midazolam)

Prior to leaving for the ER Ms. Parris asked Dustin's teacher, Amber Anderson, what happened. Ms. Anderson told Ms. Parris that Dustin got mad, started hitting his head on the playground and accidentally hit a drainpipe just at the right angle. (That was a bald face lie.) Ms. Parris asked all those standing around where Dustin's protective helmet that is supposed to be available to him at all times was. No one could look at her nor did anyone answer her question.

May 24, 2019, Ms. Parris met with Principal Patrick. Ms. Parris presented Principal Patrick with a list of questions and concerns. Mr. Patrick wrote down Ms. Parris' questions and concerns and said he would add hers to the list he had already made. **Mr. Patrick told Ms. Parris that the school had already started an internal investigation.** Ms. Parris asked Mr. Patrick if he could share any information about what happened and he responded that he could not as the investigation had just started. The questions that Ms. Parris gave to Mr. Patrick included:

What set Dustin off to the point that he started hitting his head?

How long was he hitting his head before someone tried to stop him?

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How did they try to stop him?

Where was his protective helmet?

Who was handling my son during this ordeal?

How long did this ordeal last?

Did anyone step in to help?

I have a concern about how Latosa handled Dustin in front of me. When Mark Patrick and I agreed that he was calm enough to be transported, she should have opened the door immediately instead of laying demands!! Was she nervous because I was there? Was she nervous because of all the people watching? Is this how she normally handles my son? Is she escalating Dustin's behaviors? Does she need more training?

When Ms. Parris asked Mr. Patrick to release Dustin from his confinement Latosa Wilburn made a sign to Dustin stating if he did this, whatever the sign indicated, he could come out. Since Ms. Parris was present and had already requested that Dustin be

released from confinement Ms. Wilburn's interjection was entirely inappropriate. That is what the above paragraph pertains to.

Ms. Parris voiced her concern and extreme displeasure that Dustin's protective helmet was not available and from that point forward it needed to be. Mr. Patrick assured Ms. Parris that Dustin's helmet would be available at all times.

For 14 days Ms. Parris repeatedly asked Principal Patrick for information. Mr. Patrick kept telling Ms. Parris it would be a few more days because **human resources (HR) was investigating also**. Ms. Parris asked why HR was involved. Mr. Patrick responded it was because Dustin was "**seriously injured**" and Dustin was not wearing his protective helmet as required by the Individualized Education Plan (IEP) and the Behavioral Intervention Plan (BIP)

Principal Patrick informed Ms. Parris that he, Dr. Nellie Aspel and HR were all involved in the ongoing investigation.

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When by June 5th Mr. Patrick had not provided any information whatsoever, Ms. Parris sent an email to Dr. Steven Fisher, Superintendent of Cleveland County Schools (CCS), Dr. Nellie Aspel,

Exceptional Children's Director of CCS, Shearra Miller, Chairman of the Cleveland County Board of Education (CCBOE), Phillip Glover, CCBOE board member and Mark Patrick asking for a response to her questions and concerns given to Mr. Patrick on May 24. Dr Fisher responded at 10:41 PM that night. Dr. Fisher provided lip service in the form of thanking Mr. Parris for reaching out and telling Ms. Parris he passed her concerns along to Mrs. Miller, CCBOE Chairperson, earlier that day. Dr. Fisher informed Ms. Parris the contact information he had for her was an old number. He asked Ms. Parris to call him directly the following day. In that Ms. Parris has retained the same telephone number for the past fifteen years she was highly suspicious of Dr. Fisher's statement.

Twenty-one (21) days after Dustin's injury Dr. Fisher informed Ms. Parris that Dustin was trying to run out of the playground and that a teacher's assistant (TA) **thought he was going to turn** so she went to stop him and they collided and he fell backwards, striking his head.

This is now the second lie told to Ms. Parris about what happened to her son. Ms. Parris voiced her concerns to principal Patrick on May 24th. It should not have taken an email to prompt anyone to action nor should it have taken 21 days for Dr. Fisher to respond.

Dr. Fisher told Ms. Parris depending on what angle the incident was viewed from, it might look like the TA pushed Dustin and that is how he hit his head. Ms. Parris told Dr. Fisher this was the first time she heard the word pushed and asked what he meant. Ms. Parris told Dr. Fisher what Dustin's teacher told her about how it happened and now he is telling her something different. Dr. Fisher told Ms. Parris that he would look into it further and get back to her. Ms. Parris asked Dr. Fisher if Dr.

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Aspel had investigated the incident and Dr. Fisher replied that she had. Ms. Parris asked Dr. Fisher to have Dr. Aspel to call her.

The following day, now twenty-three (23) days after Dustin was assaulted, Dr. Aspel and Wendy Fitch, the lead Psychologists for the school, had a conference call with Ms. Parris. Dr. Aspel told Ms. Parris that another class was leaving the playground and **Dustin wanted to leave with them because his class had been outside too long.** (Since Dustin is non-verbal and his knowledge of sign language was extremely limited, how would Dr. Aspel know that is what was in Dustin's mind and what/who determined Dustin's class had been on the playground too long?) A TA stood between Dustin and the gate. Dr. Aspel said Dustin started rolling on the ground being silly. Dr. Aspel said the TA that blocked his exit had recently undergone surgery and was **medically prohibited from putting her hands on anyone.** That is when TA Latosa Wilburn went to handle Dustin. According to Dr. Aspel, Dustin tried to bite Ms. Wilburn and when he did Ms. Wilburn threw up her hands to protect herself and depending where you were on the playground it looked like she pushed him. Dr. Aspel went on to explain however, that is not when Dustin hit his head. Dr. Aspel said that Dustin then started rolling around on the ground and when Dustin was on his belly he would pat the ground and when he was on his back he would hit his head on the ground and that is when he accidentally hit his head on the pipe. (This is now the third lie told to Ms. Parris. This third lie is a combination of the first and second lies.) **Dr. Aspel told Ms. Parris that two of the teacher assistants in Dustin's class that day should not have been in the classroom because of their recent surgeries and the prohibition of them going hands on with any of the children. Dr. Aspel assured Ms. Parris that situation would never happen again.**

During the conference call Dr. Aspel told Ms. Parris that the incident had been reported to law enforcement. That was Ms. Parris' first knowledge of law enforcement

involvement. **Without further explanation, Dr. Aspel told Ms. Parris the police agreed with the**

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school that there was nothing else to do. Ms. Parris, still thinking Dustin's injury was an accident, felt relieved that the police had investigated but told Dr. Aspel she should have been informed. Ms.

Parris asked Dr. Aspel if Ms. Wilburn had been allowed to remain in the classroom during the investigation. Dr. Aspel replied that she had been but that Ms. Wilburn had been given specific instructions to not deal with Dustin.

According to Ms. Parris Dustin had been injured twice prior to this incident. Once, he broke his arm and another time he scratched his face very badly. Law enforcement was not notified in either of those instances so why now? And if this was all an accident caused by Dustin himself, why was Ms. Wilburn given instructions to not deal with Dustin? I can understand the school conducting an internal investigation but why involve law enforcement over an accident, especially after a broken arm not being reported to them?

On August 14 Ms. Parris met with Mr. Patrick, Ms. Nancy Nations and Ms. Wendy Fitch. At that meeting Ms. Parris learned that Dustin's teacher and two teacher assistants had terminated their employment and Ms. Wilburn had been reassigned to a different class. A newly hired teacher and a then current North Shelby School teacher assistant had been assigned to Dustin's class along with a substitute teacher. However, that still left Dustin's class short two persons and the new faces left no one Dustin or his classmates were familiar with. Keep in mind, due to the severities of their disabilities Dustin's class required four persons. Still not knowing the truth about Dustin's injury, Ms. Parris asked Mr. Patrick if Ms. Wilburn had done nothing wrong why couldn't she remain in Dustin's class to maintain at least some continuity. Mr. Patrick replied, "Oh no, we just can't do that." Ms. Parris

described the look on Mr. Patrick's face as "horror" and the look on Ms. Fitch's face as "aggravated." Ms. Parris stated that Ms. Fitch normally had a smile and calming look about her so Ms. Parris was curious as to Ms. Fitch's expression when she asked why Ms. Wilburn couldn't

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remain in Dustin's class. When Ms. Parris emphasized that Dustin's class was the most challenging in the entire county and the need for someone the children were familiar with for continuity, Mr. Patrick

repeated his earlier statement that Ms. Wilburn would not be permitted back in Dustin's classroom. Ms. Parris knew that Ms. Wilburn had worked with Dustin during the summer

and once again, still believing the lie that Dustin's injury was an accident, she asked again why Ms. Wilburn could not be reassigned to Dustin's class but all Mr. Patrick would say was they could not do that. [At that point Ms. Parris became suspicious that she was not being told the truth.](#)

On August 24, 2019, Ms. Parris requested a closed-door meeting with the CCBOE to voice her concerns about how Dustin's injury was handled. On September 23, 2019 Ms. Parris was granted her request and had that meeting. The CCBOE board members in attendance were: **Shearra Miller, Richard Hooker, Phillip Glover, Roger Harris, Coleman Hunt, Dena Green, Jo Boggs, Jeff Jones, and Danny Blanton. Dr. Fisher** and a few other people also attended. Ms. Parris does not recall who the others were. After explaining her concerns, the only question that anyone asked was by Roger Harris. Roger Harris asked if Dustin was okay.

[It is inconceivable that the board members did not know the truth about what happened to Dustin at the hands of Ms. Wilburn yet not one person spoke a word.](#)

At the close of the meeting Ms. Parris informed the board that she was going to the police department to find more information. Ms. Parris had learned by then that the police officer that investigated the incident was the husband of the CCS HR supervisor and she felt it was a conflict of interest. Ms. Parris said the board disagreed.

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On September 11th, Ms. Parris went to Mr. Patrick's office and asked him to connect her with Officer Wampler so she could get a copy of the police report. Ms. Parris had previously gone to the Shelby Police Department to request a copy of the report but she was told she needed

to speak to Officer Wampler. Mr. Patrick sent Officer Wampler an email with Ms. Parris' request. Ms. Parris was copied on the email.

On September 11th, Officer Wampler emailed the case number to Ms. Parris with instructions on how to obtain his report.

On September 12th, Ms. Parris emailed Officer Wampler advising him she got a copy of the police report but at the bottom of the second page the narrative said to "see supplement for further." The person Ms. Parris spoke with at the police department told her that she could not give Ms. Parris the supplement because it wasn't public

information but to talk to Officer Wampler because he could give her a copy if he wanted too. Ms. Parris emailed Officer Wampler requesting a copy of the supplement and if he could not provide it to her to please explain why not.

On September 13th, Officer Wampler emailed Ms. Parris stating he was informed by his supervisor Sergeant Shannon Porter the supplement is not available to the public and if Ms. Parris had any questions to contact Sergeant Porter.

When Ms. Parris was finally able to talk to Sergeant Porter it was via telephone. Ms. Parris expressed her concern of a possible conflict of interest and questioned if the investigation had been properly conducted in that Officer Wampler's spouse was, and still is, the HR director for the school system. Ms. Parris asked if Officer Wampler had interviewed the teachers that were on the playground at the time of the incident.

Sergeant Porter stated that Officer Wampler had interviewed eight teachers that were present. **It was during that conversation Ms.**

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Parris learned the school had not reported the incident to law enforcement until May 29 and that Officer Wampler had opened the case, conducted his investigation, and closed the case as prosecution declined all in the same day, May 30. When Ms. Parris informed Sergeant Porter the school had not provided her with any information whatsoever for twenty-one (21) days Sergeant Porter stopped Ms. Parris and told her that **she needed to go to the police department and request an investigation to be initiated.** Ms. Parris said to Sergeant Porter that she thought it had already been investigated. **Sergeant Porter replied it needed to be investigated by a detective.** Sergeant Porter then stated to Ms. Parris, "We were all stunned that you didn't come down here immediately." Since Ms. Parris was informed Dustin's injury was an accident, and since she understood it had already been investigated, she did not understand Sergeant Porter's statement. **That is when Sergeant Porter told her she had received falsified information, that Dustin's injury was not an accident.** At that point Ms. Parris asked Sergeant Porter what the report stated. Sergeant Porter told Ms. Parris she needed to go to the police department and talk to him.

The following morning Ms. Parris and Brett Parris, Dustin's father, met with Sergeant Porter at the Shelby Police Department. Although Sergeant Porter would not give Ms. Parris a copy of the report, he did tell her what the report stated. It was then for the first time Ms. Parris learned the truth about her son's injury; **it was not an accident as she had been told.** According to Officer Wampler's report, there were at least eight eyewitnesses. According to several eyewitnesses, because the teacher that prevented

Dustin from leaving the playground was prohibited from physically restraining him due to her surgery, Latosa Wilburn moved to intervene physically. At that time Dustin attempted to

bite Ms. Wilburn. Ms. Wilburn was overheard to say, **“If you bite me, I’ll bite you back and clock out.” At least four of the eyewitnesses**

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stated that Dustin was on his knees, a sign of submission, when Ms. Wilburn put her hand on Dustin’s forehead and pushed him backwards, causing him to hit his head on the protruding pipe. Ms. Parris asked Sergeant Porter why she had not been informed of this.

Sergeant Porter told her the school told Officer Wampler that she was in fact aware of what actually happened and she was okay with it. It was at that point Sergeant Porter had Ms. Parris sign a document requesting that a detective investigate the incident.

Other than the fact that it is inconceivable that Officer Wampler would not contact Ms. Parris to confirm the school’s statement that she was okay with the circumstances as related to him, unless of course he was directed to close the case as quickly and quietly as possible, which is very possibly what happened, it is incomprehensible that a mother would have to request a law enforcement agency to investigate what they knew was a probable crime.

Ms. Parris met with Shelby Police Department Detective Danielle Brown in mid-October. Ms. Parris was taken to an interview room where the meeting was video and audio recorded. Ms. Parris related to Detective Brown what she had been told up to that point about her son’s injury. Detective Brown asked Ms. Parris what she wanted done. **What an absolute absurd, and unprofessional question!**

Ms. Parris told Detective Brown that she wanted the truth about what happened to her son. Ms. Parris told Detective Brown that what she learned from Office Wampler’s report was very bad. Detective Brown agreed that the information in Officer Wampler’s report was “really bad.” According to Ms. Parris, Detective Brown had her sign another document so Detective Brown could open an investigation.

WHAT NONSENSE that the mother of an assault victim would have to now sign two documents asking law enforcement to do what they are chartered to do, INVESTIGATE.

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After **five-six weeks** of “investigating” Detective Brown had Ms. Parris come to the police department to explain her findings. **Detective Brown told Ms. Parris that Ms. Wilburn admitted to grabbing Dustin’s face**

and telling him if he bit her, she would bite him back and clock out. Detective Brown told Ms. Parris that even though Ms. Wilburn should

not have said that to Dustin, just like his helmet not being available, it was a school issue and **not criminal.**

It is beyond comprehension that this detective does not know that the unwanted touching of another constitutes assault. Or perhaps she does know and is counting on Ms. Paris just taking her at her word.

Detective Brown confirmed that Dustin was sitting on his knees at the time of the incident and that four staff members did in fact see Ms. Wilburn push Dustin.

Detective Brown explained to Ms. Parris that the burden of proof falls upon the state and because Dustin was **displaying behavioral issues** a good lawyer could swing that either way. **Detective Brown told Ms. Parris that had Dustin not tried to bite Ms. Wilburn, Ms. Wilburn would have been charged.** Detective Brown then made one of the most absurd statements I have ever heard a detective make. Detective Brown told Ms. Parris she asked everyone she interviewed if they thought Ms. Wilburn intended to hurt Dustin and **MOST** of them said no. **To ask someone’s opinion of what someone else did or did not intend to do is absolute nonsense.** Detective Brown went on to explain to Ms. Parris that another reason Ms. Wilburn was not charged is because Detective Brown could not prove Ms. Wilburn intended to hurt Dustin.

Once again, I must point out the ignorance or intentional deception of Detective Brown. Intent to harm is not an element of the crime of assault.

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Detective Brown told Ms. Parris about two additional allegations of misconduct toward Dustin. Detective Brown said one teacher’s assistant said she saw another teacher’s assistant kick Dustin while he was on the ground. Another person told Detective Brown that she saw Ms. Wilburn push Dustin into another teacher prior to Dustin going to his knees.

According to Detective Brown she discounted those allegations because only one person each made them and with all the people on the playground others should have seen it too. It is unknown whether

Detective Brown even asked anyone else about what these two individuals told her they saw. Detective Brown told Ms. Parris she presented the case to an ADA and that she, Detective Brown, and the ADA agreed there was nothing they could do.

Since when does a detective have a say whether a prosecutor can bring charges or not? And in what world is this not an assault inflicting serious injury and a probable cover up.

In accordance with the Behavioral Intervention Plan the school must keep a daily behavioral log for Dustin. For the day of the assault the only notation on Dustin's log is "GOOD DAY." I find it absolutely astounding that on the day this child was assaulted by a teacher and suffered, to quote the principal, a "serious injury" that whoever filled out the sheet wrote "Good Day." Additionally, in accordance with the log guidelines, if in fact Dustin's injury was self-inflicted as Ms. McKinney was first told and if Dustin was aggressive toward staff, the log should have been noted with self-injury and aggression, but it is not.

As a side note, Detective Brown is allegedly the same Shelby Police Department detective that was assigned to investigate an allegation of a teacher's sexual misconduct with a student at Turning Point Academy. Allegedly, Detective Brown reported that the allegation was false, that there was no misconduct on the part of the teacher. Cleveland County Sheriff's Office Special Victims Detective Matthew Sadler conducted an investigation regarding the same allegations and found there was in fact

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sexual misconduct on the part of the teacher and charged her criminally. Whether it was incompetence or an intentional coverup on the part of Detective Brown is unknown and no misconduct on her part is suggested. It is, however, troublesome that this same detective would fail to find misconduct when an investigator from a different agency did and now this detective is giving a very invalid excuse as to why the assistant district attorney (ADA) declined to prosecute a very obvious crime. It is of course entirely possible that the ADA did make that

decision and for those reasons. It also just as possible that detective Brown did not present all of the facts to the ADA. That should be investigated further.

This report is incomplete and based on a preliminary investigation. The information is true and accurate to the best of the investigators knowledge and based on information provided to the investigator. Any conflicting information should immediately be brought to the attention of Truth Verification, LLC Investigations and Polygraph Services for further analysis and conflict resolution. [Blue print is investigator commentary.](#)

Respectfully submitted,

David E Poston

David E Poston

President

Truth Verification, LLC

Investigations and Polygraph Services