

South Carolina Deaths in Police Custody

Final Report

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Introduction

This report summarizes findings regarding the on-going effort of research staff at the Department of Criminology and Criminal Justice and the College of Social Work at the University of South Carolina to collect information about persons who died while in police custody during the last three quarters of 2008 and the first quarter of 2009 (April 1, 2008 – March 31, 2009).

As during previous data collection reporting periods, county coroners in South Carolina were contacted to determine whether or not any persons died while in police custody. When a coroner indicated a death occurred meeting the “in custody” criteria, details regarding that death were requested. In addition to contacting coroners, media searches were conducted by research staff to identify deaths that might have gone unreported and to assist coroners in locating case files by providing names and dates of death.

Based on the media searches and information supplied by coroners or their assistants, five eligible deaths in police custody were identified that occurred during the 12-month reporting period.

The research staff also collected information from coroners on five deaths that occurred during the previous 12-month data collection period, but for which the details were pending at the time. CJ11A forms for these deaths were completed and Table 2 in the Appendix provides basic descriptive information regarding these cases.

A summary of the findings begins on page 3. Brief narratives about each incident begin on page 4, and media accounts of deaths begin on page 5. The next section describes the methodology.

Method

As during previous data collection efforts, information on deaths in police custody was obtained by contacting all county coroners' offices in South Carolina (N = 46). We report on deaths that occurred during the second quarter of 2008 through the first quarter of 2009 (April 1 – March 31). Data were collected semiannually for this reporting period. Specifically, county coroners were contacted during October to collect information on deaths that occurred April 1 – September 30 and again during April to collect information on deaths that occurred October 1 – March 31. Coroners or their assistants were contacted by phone, fax, and/or email, and asked whether or not any subjects in their county died while in police custody during the previous six months. If a death appeared to meet the criteria established by the Bureau of Justice Statistics for a death in police custody, the respondent was asked to provide specific details regarding that death. The research staff also obtained information from coroners about several deaths that occurred during the previous 12-month reporting period, but for which information was not yet available due to ongoing investigations (N = 5). Basic descriptive information for these deaths is provided in the Appendix (Table 2).

In addition to contacting coroners' offices, internet searches were conducted to obtain media accounts of deaths. This information was used to assist coroners in identifying eligible cases in their records by providing names and dates, and to identify deaths that may have gone unreported by coroners. If unreported cases were identified, coroners were queried about them and details requested.

Findings

Coroners' offices reported 5 deaths in police custody. The date of death, the proximate cause of death, and basic demographic information are provided in Table 1. Note that information about one death was pending at the time of data collection and is identified with an asterisk. The details regarding this death are based solely on media accounts and thus should be considered preliminary. This information will be verified during the next data collection effort and the details will be provided in a subsequent report.

Table 1: Descriptive Information for Deaths Occurring April 1, 2008 - March 31, 2009

<i>Case</i>	<i>Sex</i>	<i>Race / Ethnicity</i>	<i>Age</i>	<i>Date of Death</i>	<i>County</i>	<i>Proximate Cause</i>
1	Male	Black	57	04-18-08	Georgetown	Shot by police
2	Male	Hispanic	26	04-26-08	Laurens	Shot by 3 rd party
3	Male	White	33	06-17-08	Greenwood	Suicide
*4	Male	Black	27	11-06-08	Charleston	Shot by 3 rd party
5	Male	Black	25	01-23-09	Aiken	Shot by police

Notes: * = information based solely on media accounts.

As Table 1 shows, all of the deaths involved male subjects. Ages ranged from 25 to 57, with a mean of 34 years. One subject was Caucasian, one was Hispanic, and three were African-American.

Three of the deaths occurred during the first six months of the reporting period (April – September) while two deaths occurred during the second six months of the reporting period (October – April).

According to coroners and media accounts, four of the subjects died as a result of being shot by law enforcement officers (Cases 1 and 5) or by a third party (Cases 2 and 4).¹ A fifth subject hung

¹ According to media accounts, the subject in Case 2 was shot and killed by an off-duty FBI agent, while the subject in Case 4 was shot and killed during a robbery attempt by one or more suspects. A U.S. Immigration and Customs Enforcement agent, who happened to be nearby, also fired shots during the this incident, but it has not yet been determined if he struck anyone at the scene.

himself in jail while awaiting arraignment. Regarding Cases 1 and 5, coroners reported that the manner of death was *homicide by law enforcement officer(s)*, while the manner of death for Case 2 was pending. The manner of death for Case 3 was *suicide*. The medical cause of death for Case 1 was *cardiac perforation due to a single gunshot wound*. The medical cause of death for Cases 2 and 5 was *gunshot wound to the chest*, while for Case 3 it was *asphyxiation*. The manner of death and medical cause of death for Case 4 are pending investigation.

Narratives

This section provides brief narratives regarding the deaths. Asterisks indicate the information is based solely on media accounts. Media accounts themselves appear in the next section.

1. A 57-year old black male died at the scene on 4/18/08 after being shot by a Georgetown County sheriff's deputy. Two deputies were dispatched to a reported stabbing incident. The deputies found a wounded male sitting on the steps of a home wielding a knife and wooden stick. The subject refused to drop the knife when ordered and was shot. The medical cause of death was *cardiac perforation due to a single gunshot wound* and the manner of death was *homicide by law enforcement officer(s)*. The subject was apparently intoxicated on drugs and/or alcohol.
2. A 26-year old Hispanic male died on 4/26/08 after being shot by a 3rd party during a robbery in Greenville. Two men, one of whom reportedly wielded an Uzi-type automatic weapon, robbed three people on a Greenville street. One of the victims apparently was an off-duty FBI agent, who at some point during the robbery drew her weapon and shot one of the suspects. Both suspects managed to flee the scene, but the body of the one who was shot was found later in Laurens County. The medical cause of death was *gunshot wound of the chest* while the manner of death is pending police investigation.
3. A 33-year old white male died on 6/17/08 after hanging himself while awaiting arraignment in the Greenwood County Detention Center. The subject was found in his cell hanging from a section of sheet attached to a light fixture. The medical cause of death was *asphyxiation* and the manner of death was *suicide*. The subject exhibited mental health problems at the time of entry into the facility.
4. *A 27-year old black male died at a medical facility on 11/6/08 after apparently being shot during a robbery attempt at a Charleston shopping mall parking lot. A U.S. Immigration and Customs Enforcement agent, who happened to be nearby, intervened and reportedly fired several shots during the incident. However, it has not yet been determined if he struck

anyone at the scene. The medical cause of death and the manner of death are pending investigation.

5. A 25-year old black male died at the scene on 1/23/08 after being shot by an Aiken County sheriff's deputy. The subject attempted to rob a convenience store in Aiken County. Two deputies were dispatched to the scene and were fired upon by the suspect. One deputy was shot twice with a handgun but managed to return fire, killing the suspect. The medical cause of death was *gunshot wound to the chest*, and the manner of death was *homicide by law enforcement officer(s)*.

Media Accounts

CASE 1:

Georgetown deputies shoot at man who refused to drop knife

Posted April 22, 2008

WCIV.com

The Georgetown County Sheriff's Department responded to a stabbing on Friday, April 18, off of Lincolnshire Dr. Sergeant Dustin Morris and Deputy James Lee-Wood arrived to find a wounded male on the steps of a home and a male with a knife in one hand and a long wooden stick in the other. Deputies ordered the suspect to drop the knife several times, and the man later identified as 59 year-old Luke Gamble said "you are gonna have to shoot me." Deputies warned Gamble again to drop the knife, when he didn't, the first officer shot one round at the suspect. Gamble was believed to be hit, but did not drop the weapon. Deputies fired at the suspect three more times, and Gamble fell on his side. Both the victim and the suspect were transported by EMS to the hospital.
<http://www.wciv.com/news/stories/0408/513419.html>

CASE 2:

Vacationing FBI Agent Robbed In Greenville

Agent Fires Back At Robber

Posted April 28, 2008; updated April 29

Wyff4.com

Greenville police said that three people were robbed at gunpoint outside the Peace Center on Sunday, and one of the victims was a vacationing FBI agent who fired her weapon at the robbers. The two men and a female FBI agent were outside Gunter Theater when they were held up at about 9:30 p.m. They said they had been sitting at a table, but had just moved under an awning because it had started to rain. They told police that a silver SUV pulled up and parked in front of the Greenville News building, and two people wearing ski masks got out and ran toward them. They said one of the robbers brandished a Uzi-type weapon and said he would kill them if they didn't hand over their money. They said the robber fired one shot into the ground. The three people turned over possessions. Cpl. Jason Rampey said, "The FBI agent -- feeling threatened for herself, for others -- returned fire at this individual at some point." The robbers fled in the SUV. Rampey, "We don't exactly when she fired at these individuals if anyone was struck. The investigation is ongoing." Police said that the robbers took driver's licenses, credit and debit cards, a government

identification card, a digital camera, the agent's purse, two Blackberry PDAs, cash and handcuffs. Investigators said that they believe the crime was random and was not connected to any others crimes that they are aware of. Rampey said, "This apparently seems to be random, and just a crime of opportunity." They said the agent was not on assignment at the time of the incident, and that she and the men had just been enjoying downtown Greenville. Police were reviewing surveillance video from the area, but they were not sure that the incident was captured by any cameras because of where it took place. Rampey said that the robbers were likely trying to take advantage of three people who were alone downtown without many other people around. "We had three people isolated by themselves late downtown. They're driving through and look at them and probably between one another say, 'Hey,' you know, 'There's somebody.'" He said, "What they didn't realize was one of the victims was an armed agent, so I don't think it turned out quite as well as they would have hoped."

<http://www.wyff4.com/news/16204439/detail.html>

CASE 3:

Man found hanging in jail, sheriff says

By Paul Alongi, Greenvilleonline.com

June 18, 2008

Investigators believe that a Ninety Six man found dead at the Greenwood County Detention Center apparently committed suicide, Greenwood County Sheriff Dan Wideman said today. Mark Watts Jr., 32, was hanging from a section of sheet attached to a light fixture in his cell, Wideman said. Jail officers reported the death just after 5:30 p.m. Tuesday, he said. Greenwood County paramedics responded to the scene but couldn't revive Watts, Wideman said. The State Law Enforcement Division is investigating, he said. Deputies' conducted a preliminary investigation and found that the death was most likely a suicide, Wideman said.

<http://m.greenvilleonline.com/news.jsp?key=94462>

CASE 4:

Two charged in mall shooting; federal agent did not fire fatal shots

By Noah Haglund, The Post and Courier

November 6, 2008

Police have arrested two men in Wednesday's fatal Citadel Mall parking lot shooting, which investigators say started as an attempted armed robbery inside a car.

Begondae Moore, 27, died from multiple gunshot wounds shortly after the 1:30 p.m. incident outside J.C. Penney. Two men appeared in Charleston County bond court today on charges of murder and possession of a weapon during the commission of a violent crime. Daniel Williams, 21, and Rodney Palmer, 19, both of North Charleston, stood quietly during the hearing. Magistrate Patricia Henley denied bail on the weapons charges and explained that a circuit judge must set bail on the murder charges. Both suspects' mothers attended the short hearing, as did a woman the judge referred to as Moore's wife. Though events unfolded without drama inside the courtroom, some men directed angry words at the suspects' parents afterwards. Donna Williams, Daniel Williams' mother, walked over to them, obviously emotional, trying to calm them. "I feel for y'all," she said. "It don't matter because my homeboy ain't coming back," one man replied. After the exchange, Williams said Palmer's mother, Karen Simmons, said the men were step-brothers and had never been in serious trouble. They had learned of the arrests that morning and were shocked. "We're working, we're both trying to be good citizens," Williams said. Simmons said the bullet that hit her son's leg

passed straight through. Investigators' affidavits give this account of the shooting, which allegedly involved a fourth man, Edwin Yeadon, who has not been charged: Moore was in the driver's seat of a 2006 Acura, with Williams behind him and Palmer in the front passenger seat. Yeadon, who was in the rear seat behind Palmer, pulled out a handgun and tried to rob Moore. A struggle followed, and Yeadon ran out of the vehicle. The struggle continued outside the car, involving Moore, Williams and Palmer. At some point, a gun was fired and Moore was hit several times. Police arrested Williams and Palmer near the mall. Williams had Moore's cell phone, the affidavits say. The documents make no mention of the group going inside the mall, as police initially reported. The State Law Enforcement Division confirmed that a special agent with U.S. Immigration and Customs Enforcement fired a gun during the incident, though it was unclear how many times, or who, if anyone, was hit. Federal authorities said that agents happened to be in the area, but declined to say why. "Yesterday, ICE officers working near the Citadel Mall, witnessed an altercation between various individuals," according to a statement from ICE. "One of the individuals involved in the altercation allegedly pulled a gun. ICE officers immediately responded to the scene. No further details are available at this time as the matter is currently being investigated by ICE's Office of Professional Responsibility and the Department of Homeland Security's Office of Inspector General." SLED today was still probing the exact circumstances of the part of the shooting that involved the federal agent, said Jennifer Timmons, a SLED public information officer. SLED typically investigates all officer-involved shootings in the state. Leigh Burnett, marketing director for Citadel and Northwoods malls, said surveillance cameras captured the whole incident on tape. Burnett said the men appeared to be patrons at the mall and that none of them worked there. "I still don't know exactly what went down," Burnett said. "Obviously, it's a very unfortunate incident. Our thoughts and prayers go out to the family of the victim and the injured." She said the mall would have extra security on hand for the upcoming holiday shopping season. She said the incident was the only major security problem at the mall since a man was shot dead in the parking lot during a police undercover operation in September 2007. In late 2006, a man was shot in the leg in a bathroom near the mall's food court.

http://www.postandcourier.com/news/2008/nov/06/two_charged_mall_shooting_federal_agent_60712/

CASE 5:

Suspect shot, killed; deputy is recovering

Karen Daily, Aikenstandard.com

January 24, 2009

The armed robbery suspect who was shot and killed by an Aiken County Sheriff's deputy Friday morning has been identified as a Philadelphia man. Rodney Hamilton Jr., 26, was killed by Deputy Larry Cleveland, who was shot twice in the early morning robbery. Cleveland was being treated for non-life-threatening injuries at the Medical College of Georgia. Cleveland, 56, was shot at three times as he and Deputy Michael Goodwin, 32, entered the Four Seasons convenience store at 3108 Whiskey Road. Cleveland was struck once in the right shoulder and once in the right hip before he fired off a single bullet that struck the gunman in the chest and killed him, officials said. Cleveland is right handed. Hamilton received fatal injuries to the lung, major arteries of the upper heart and spine. It took investigators several hours to identify the shooter. His fingerprints were cross-referenced with state arrest records, but he had no criminal history in the Palmetto State, officials said, and his fingerprints had not been documented locally. He was wanted out of Grovetown, Ga., for similar charges and was identified later during a national cross-reference on his fingerprints.

Aiken County Coroner Tim Carlton said Hamilton's family, who had been living in the Augusta area, didn't know he had been in Aiken. "He has been estranged from other family members for approximately four to six months," Carlton said. It was initially reported that Hamilton was shot in the face. However, the autopsy findings confirmed he died from a single chest wound. He was not carrying any identification, and officials didn't say where he had been living. Within hours of the shooting that claimed the gunman life, an injured Cleveland was up and walking around, his coworkers said. Goodwin and the store's manager, 37-year-old Sherry Doe, of Jackson, were unharmed. She was, however, quite shaken up, said the store's owner Lynn Porter. Doe, who has worked at the store for nine years, was opening about 4:30 a.m. when she was approached by the gunman. She was on the phone with her twin sister at the time, officials say. The victim's sister said she heard her screams and called for help. The deputies were dispatched to the store and confronted the gunman. "He opened fire, and the gunfight was on," said Aiken County Sheriff Michael Hunt. Porter talked with Doe after the holdup and learned the gunman had ordered the victim to disarm the store's security alarm. Once inside the store, he removed the surveillance tape, sliding it into a bag he brought with him. He then ordered her to get money out of the safe, Porter said. Doe informed the robber that the safe was on a time delay and she couldn't get to the money. The victim's sister continued to call but couldn't reach her so she tried the store's number. "She answered and told her she could not talk to her," Porter said. The deputies, however, were already on their way. Hamilton had told the woman to get into the store's cooler, but she reportedly pleaded with the man not to put her in the walk-in unit. She told him she was a mother and not to hurt her, Porter said. "She did everything right," said Porter. As Cleveland and Goodwin approached the store, the gunman's back was to the window, but Porter explained that Doe could see them as they approached. Hunt said the masked man turned to the deputies while holding the clerk at gunpoint but then turned his weapon on the law enforcement officers. She was able to get away from the gunman. He fired three shots at the men. Cleveland was first in the door with Goodwin behind him. Two shots hit Cleveland, and another went through the front window of the store. Hunt said they believe the shooter must have been casing the store beforehand, but Doe told Porter she hadn't seen anything out of the ordinary in the days before the holdup. She is observant," Porter said of Doe. The robber was wearing a nylon cap over his face, investigators said. Hunt said he does not anticipate disciplinary charges against the deputies. The Four Seasons Food & Fuel convenience store reopened around 1:30 p.m.

<http://www.aikenstandard.com/Local/deputy-shot>

Appendix

Table 2 provides descriptive information from coroners for known deaths of subjects that occurred during the last data collection period, but for which the details were not yet available from county coroners. The CJ11A forms for these cases provide additional details and are submitted with this report.

Table 2: Descriptive Information for Deaths Occurring April 1, 2007 - March 31, 2008

<i>Case</i>	<i>Sex</i>	<i>Race / Ethnicity</i>	<i>Age</i>	<i>Date of Death</i>	<i>County</i>	<i>Proximate Cause</i>
1	Male	Black	27	09-10-07	Charleston	Shot by police
2	Male	Black	40	11-29-07	Spartanburg	Drowning
3	Male	White	38	01-05-08	Charleston	Shot by police
4	Male	Black	48	03-01-08	Charleston	Drug overdose
5	Male	White	25	03-01-08	Spartanburg	Shot by police