No more jail deaths

January to March 2016
Inside-Outside Alliance
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**Inside-Outside Alliance**

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A brief introduction

Inside-Outside Alliance
March 2016

This booklet came together from the grief, outrage and struggle that came about after Durham County jail detainee Matthew McCain died in the jail on January 19, 2016. We found out about Matthew’s passing on the morning it happened, when an inside comrade called one of us to tell about it. He was quite clear from the beginning: this 29-year-old man was done wrong by the jail staff and did not have to die. Those of us with relative freedom (that is, not in jail) in Inside-Outside Alliance (IOA) immediately set about to bring this news to light. After making the news of Matthew’s death public on our website, amplifyvoices.com, we were contacted by the daughter of a man, Dennis McMurray, who had died in the jail the previous year. Dennis’ death, and one other death (of a 30-year-old man named Raphael Bennett in August 2015) were never made public by the sheriff’s office. The sheriff, in a public statement he was forced to make, actually said his office is not obligated to report when an in-custody death occurs. In the time since Matthew McCain’s death and Dennis McMurray’s death and the circumstances around it coming to light, we have tried to push for answers about what happened, and ultimately for accountability. With a number of facts in hand — from family members, other detainees, and from the state medical examiner’s office — we can say with absolute assurance that Matthew McCain and Dennis McMurray would not be dead were it not for the inaction and neglect of detention facility staff and the privately contracted staff of Correct Care So-
lutions. Although the circumstances surrounding Matthew’s and Dennis’s deaths are different, they — and by extension their families and loved ones — are victims of the same institution. Those of us who have been amplifying the voices from inside the jail for several years are deeply saddened but not surprised by these deaths, and we offer this humble collection of writings as one more way to fight against the possibility of any future deaths at DCDF.

We have organized these writings to try to tell the story of Matthew’s and Dennis’ deaths, and the ongoing struggle to get answers. Many of these writings have previously been posted at amplifyvoices.com, but we wanted to bring them all together to pay tribute to them, their families, detainees who have spoken out (inside members of IOA), and to all those who have assembled, spoken, and marched to try to bring a modicum of ‘justice’ to those left behind: mothers, aunts, cousins, girlfriends, daughters, granddaughters, other family members, and friends who mourn the loss of a loved one.

We begin with the pieces IOA wrote to tell the story of Matthew’s death, as related by detainees and by people close to him. Next, we share family members’ questions and demands which still hang in the air — unanswered by the sheriff’s office. Then, we collect the writings of detainees on Matthew’s pod. These men boldly and bravely spoken out, despite facing retaliation from jail staff all the way up the chain of command. Next we chronicle the public displays of grief and strength that we have made to date. Last, we end with a statement about these deaths and the ongoing struggle for justice.
The greatest fear is realized

The pieces in this section were written and published by Inside-Outside Alliance in the days immediately following Matthew McCain’s death. They include information from detainees on Matthew’s pod, as well as information from Ashley Canady, Matthew’s girlfriend. This time period is also when we learned of the death of Dennis McMurray, which occurred the previous January. The deaths of Matthew and Dennis were, and are, tragic and heartbreaking. They also made real the greatest fear of many of us who have been listening for years to detainees’ experience of or witness to medical neglect inside the Durham County jail: sooner or later, someone is going to die in there.
Durham, NC — A man incarcerated in the Durham County Detention Facility died in his cell on Tuesday, January 19 at approximately 5:30 am. The sheriff’s office has not made this death known to the public. According to those who were incarcerated with the man, his name is Matthew McCain. Eyewitnesses have reported that other inmates in Pod 3D were aware of McCain’s physical distress and pressed the emergency buttons in their cells several times, but their calls for help were ignored by Officer Boria, the detention officer on duty in Pod 3D that morning. McCain was not given medical attention and died as a result. His body remained in the cell for two hours until the coroner arrived at approximately 7:40 am.

Inmates have reported that Officer Boria has ignored emergency call buttons in the past. While Boria bears responsibility in McCain’s death, this tragedy occurred within a widespread system of abuse in the Durham County Jail. Inside-Outside Alliance has heard many reports over the past few years which point to rampant medical neglect inside the jail, with
prisoners routinely being denied care, including basic medical procedures and prescription medications. Inside-Outside Alliance has been forced, on several occasions, to publicly pressure Sheriff Andrews and his staff so that inmates can receive basic medical procedures. Detainees pay $20 for every medical visit, which is four times as much as a medical visit in a state prison. Medical care inside the jail is provided by Correct Care Solutions, a private healthcare corporation that is currently being sued in connection with the death of a Forsyth County inmate.

As of the writing of this release, Sheriff Andrews has not released any information to the public about this criminally negligent homicide committed by his staff. In recent months, public pressure has been mounting for more transparency at the jail and for a community-based investigation into human rights abuses occurring there. Sheriff Andrews has insisted that inmates’ health and safety in detention is his highest priority. Yet not only has he kept Matthew McCain’s death a secret, but he has deliberately misled the public, listing McCain as “out of custody” due to “general release” on the jail’s website. Even as McCain’s body was lying dead on the floor of the Durham County jail, Sheriff Andrews and his staff appear to have been plotting to make it look as though he had simply been released. This is unacceptable and must be challenged by the public and the press.

Finally, it is important to note that this act of violence has taken place amid a nationwide onslaught of police murders and jail deaths in a country marked by a deep history of racist state violence. The same structure that killed Sandra Bland and LaQuan McDonald has taken yet another life in the Durham County Jail, and just as lynch mobs used to leave their victims’ bodies exposed as a mechanism of terror, Durham detention staff left another body where it lay for over two hours.

UPDATE: This post has been updated with Matthew McCain’s name in the hopes that his friends, family, and all those who knew him might be able to join in demanding justice for his death.
Inmates and Family Foil Jail’s Attempted Cover-Up of Death

January 22 -- posted on amplifyvoices.com

Yet again, the life of a young African-American man has been treated as disposable, this time resulting in death. The Durham County jail continually denied 29 year-old Matthew McCain proper medical treatment, including insulin for his diabetes. Matthew’s family tried to sue the jail last year, when he was incarcerated a separate time, because of the jail’s refusal to give Matthew insulin consistently. Unfortunately, they were unable to find a lawyer that would take the case.

Ashley Canady was Matthew’s girlfriend and the mother of his baby, Kinslee, who was born on December 6, 2015 while Matthew was still incarcerated. Ashley and Matthew spoke on the phone and wrote often.

Since August 2015 when he was incarcerated, Matthew was continually calling and writing Ashley and his family to tell them that he felt like he was going to die in the jail because jail staff and medical personnel weren’t providing him his insulin consistently. Ashley says,

“We asked for his release in early November and the DA said I was crazy. I asked to have him released to a medical facility.”

Last Friday, January 15th, Matthew was in an altercation with another inmate that left him badly injured. He was unable to get up from his bunk and had to have his cellmate make calls for him. He received no medical care despite being bedridden.

Early on Tuesday, January 19th, Matthew had a seizure. The other in-
mates in his pod continually pressed the buttons in their cells but the D.O. on duty, Officer Boria, did not answer the calls. Matthew died at approximately 5:30am. It was not until 7:40am that the coroner came. Meanwhile, all the inmates were left locked back in their cells while Matthew’s body laid on the floor for two hours.

Hours after his death, Matthew’s mother, Vicky McCain, and Ashley were both notified that Matthew had been “released” (this was an automatic — or VINE — notification of the change in his incarceration status). Vicky went to the jail to pick Matthew up since he had been released. When she got there, Matthew was nowhere to be found. Jail staff evaded her questions about Matthew’s whereabouts. Finally a staff person informed her that he had died that morning.

Jail staff have refused to let Vicky see her son’s body and she has no idea where his body is. She was told that they won’t let her see the body until after the autopsy.

Ashley received a letter Thursday (1/21) from Matthew that was postmarked on the day of his death, but was written on the 15th.

Matthew McCain should be remembered as someone who would do anything for his loved ones. He was part of the VISIONS Minority Male Leadership Initiative at Durham Tech. He regularly helped with the resident council food drives in the community of McDougald Terrace. He was a loving son, boyfriend, and father.
This horrifying situation raises numerous questions, but we in Inside-Outside Alliance start with this simple one, and implore you to ask the same: Where is Matthew McCain’s body? And we, Inside-Outside Alliance, for now make the simple demand that his mother be told where his body is, and be able to see her child’s body immediately.

We also demand that the autopsy report be made public, and that Matthew’s family be able to view all relevant video footage of Matthew’s last days should they so desire.

To jail staff, Ashley says this:

“I just want them to know their negligence is the reason my daughter will never meet her daddy. I will never hear his voice or see him.”

Matthew’s loved ones ask that everyone share his story widely and demand justice for his death.

**Rest in Power Matthew McCain.**

And may the criminals in charge of the Durham County Office of the Sheriff, Sheriff Mike Andrews, Detention Director Natalie Perkins, Detention Officer Boria, and all those on staff at the jail have no peace. Everyone in this oppressive system — the jail administration, the corporations like the medical provider, Correct Care Solutions, who profit off the jail, the media and politicians who cover up for the jail — is complicit in the killing of Matthew McCain by collective neglect.

Matthew’s fellow inmates bravely spoke out, risking retribution, to share the story of his death. They foiled the jail’s attempt to cover this up. **We owe it to them, to Matthew’s loved ones, and to the memory of Matthew, to amplify his story. Please share this widely.**
Automated notification from the jail, showing Matthew as out of custody due to “general release.”

Matthew’s daughter, whom he will never meet.
“They covered up my dad’s death, and they got away with it”

Daughter of man who died one year ago in jail custody speaks out

January 27, 2016 -- posted on amplifyvoices.com

As has come to light, Matthew McCain is not the only person to have died while in custody at the Durham jail in the past year or so. According to the Herald-Sun, the sheriff’s department has said two people died in the jail in 2015. We have not heard anything about one of these deaths. However the facts surrounding the death of Dennis McMurray last January are as sickening as what happened to Matthew McCain last week.

According to his daughter, Shakiyla Y., Dennis McMurray, 52, was in great distress while incarcerated. He was calling for help, saying he couldn’t breathe, yet no officer came to help him—just like with Matthew McCain. She knows this because people incarcerated with her dad saw him in distress and told her mother later. She also knows from her uncle—who spoke to Dennis on the phone after he was arrested—that her dad had complained to jail staff late Friday about breathing difficulties, and that he was given pain medicine and returned to his cell. No one in Dennis McMurray’s family heard from him again.
Shakiyla was told her father died on Monday, January 12, 2015, but she really doesn’t know anything for sure because she never got a report from the Durham County Sheriff’s Office, even after repeatedly trying to get one from DCSO’s Investigator Cox. All Shakiyla does know is her dad was arrested on Friday, January 9, 2015, and by the following Monday at the latest, he was dead. After getting a call from her uncle on Monday saying that someone from the Sheriff’s Office had come by his place and told him Dennis was dead, Shakiyla went immediately to the jail. But when she tried to find out what happened, she was told by jail staff they didn’t know what had happened, that someone saw him collapse on the floor and jail staff tried but weren’t able to resuscitate him.

Later on, when she went back to the jail to get his belongings, she was told those couldn’t be given to her because his death was “still under investigation.” She says when they told her that, she asked to see video footage of her dad in his cell. She knows she has the right to see this footage, but jail staff said she wouldn’t be able to get the footage. So she went to the Sheriff’s office in the Durham County Justice Center and asked for the autopsy report—why was her father dead? She was told the investigator was not in, and each time she returned she was told the same thing. She left voice messages that were not returned. To this day, she has never received a written report detailing the circumstances of her father’s death.

In the raw, emotional time right after her father died and Shakiyla knew she was getting the runaround from the Sheriff’s office, she reached out to a news outlet to tell her story. An ABC-11 reporter interviewed her at length in the shadow of the justice center. “They wasted my time,” she says. After taping the interview, the reporter called her back, telling her, “We’re not going to run the story.”
The reporter didn’t give a reason, and news of Dennis McMurray’s death was never made public by anyone. The ABC-11 news reporter who interviewed Shakiyla was Tamara Gibbs, who now works for the Durham County Sheriff’s Office as the public information officer.

Shakiyla says that after the news turned her down, she continued to get thwarted by the sheriff’s investigators, but she didn’t know where else she could go. Then she saw the story about Matthew McCain’s death. Some of the circumstances sounded too similar to what she had heard from eyewitnesses to her father’s death.

“I want the public to know that Matthew wasn’t the only one this happened to,” Shakiyla says. “They covered up my dad’s death, and they got away with it for a long time.”

She goes on: “Every time I tried to find out any information they gave me the run around. All I want is for this to be known and some justice for my dad!”
‘What’s done in the dark shall come to light’

The pieces in this section are from family members and loved ones of Matthew and Dennis. They are compiled from writings, public speeches, and journalistic-style interviews with IOA. They are chronological by date of writing or speech.
In the days after the death of Matthew McCain last month, we found out about the death of two men in Durham County Jail in 2015. Although we still know nothing about the circumstances of Raphael Bennett’s death this past August, we know quite a bit about the death of Dennis McMurray in jail custody in January 2015. Although his daughter, Shakiyla Young, tried to get answers and media coverage at the time of her father’s death, she was rebuffed. She initially got out her story here, but she’s ready to tell more and make some demands on the sheriff’s office. We also include here the autopsy and toxicology reports from the state chief medical examiner’s office, along with some very basic questions that call to account the jail staff for its utter incompetence in preserving human life.

The biggest, most glaring and horrifying fact is the complete lack of accountability and follow up by people in the sheriff’s office, which continues
to this day. Here are some basic facts Shakiyla wants to share:

More than a year later, she still does not have her father’s belongings which were taken during his arrest.

Dennis was arrested in the home he lived in with his brother (Shakiyla does not know if they had a warrant) by Durham County Sheriff’s deputies. After arresting him, he made sure they had a key to lock up, but they did not secure the dwelling. In fact, they left everything open. Either cops went through stuff or other people came in, but in any case, Shakiyla’s uncle’s things were also taken from the house. This included his wallet and social security card. He never got this back, and, with no regard for the difficulty or cost of replacement, was told he would ‘just need to get a new one.’

Dennis also had some money saved. This was taken from the house, also.

Shakiyla has spoken with and heard about eyewitnesses describe her dad screaming that he couldn’t breathe. Jail staff brought him to medical, and gave him something (ibuprofen? anti-nausea medicine?). He then went back to his cell. He still couldn’t breathe. It got worse. He collapsed and died.

She wants to know: “What did they give him in medical, and why couldn’t they have done something for him?”

She also wonders if it is protocol to bring a person arrested in a drug bust (in this case heroin possession) to the hospital to see if they might have ingested drugs.

Shakiyla requested video footage from her father’s cell in the days after his death. Major Julian Couch, head of detention security, who has told IOA people “I run this jail the way I want to run it,” told her flatly ‘we don’t have the footage.’

When she pushed the issue, Shakiyla was told to visit the investigator who was investigating the death, an Investigator Cox, who worked in the Justice Center in the sheriff’s department offices there. Every time she went to visit, she was told he was ‘not there.’ She also called multiple times, and her calls were never returned. She wants to know: “Why were my phone calls never returned by Investigator Cox? He was supposed to tell me what led to my dad dying, but instead I got nothing.”

She has records of her visits to the investigator’s office and calls she made and other things she did along the way, but doesn’t have access to the records right now. She’ll be glad to make them available when she does.

Shakiyla Young wants the world to know: Dennis McMurray was a great dad and grandfather. Her older daughter loved spending time with him and loved him so much. Shakiyla found out on the day her dad died that she was pregnant with her second child. He never found out he was going to be a granddad again. Regardless of his lifestyle, and of the fact
that he had spent 9 years in prison, he was never out of his daughter’s life, he was always there for her, and he had become a huge part of his granddaughter’s life. Although he had been in prison for 9 years, he had been out for a year and been completely healthy before he got arrested and died the next day.

Shakiyla is still very angry about her dad’s passing. She feels she gets mad much faster these days than she used to. She feels her dad’s life was stolen from her, for nothing, and she has gotten nothing from the sheriff’s department. She says of the sheriff and the top jail administrators: “They all need to be kicked in the ass…”

To reiterate and make it plain, Shakiyla wants answers to the following questions:

• Did the DCSO have a warrant to enter her dad’s house?
• Why did they leave the house unsecured and open?
• Where are her dad’s belongings, and when will she get them?
• What medicine did staff give her father when he complained of not being able to breathe?
• Why didn’t they do more? They can’t blame him for ingesting drugs, and absolve themselves for not doing anything. And, what does it say about the ‘justice system’ that a person might go to the length of ingesting drugs to keep from doing time, to keep taking his granddaughter to the park?
• Where is the video footage from the day he died/ his time in the jail?
• Why did the investigator never return her calls? Why did she never receive a report about her father’s death?

Her story has been put out there, by Inside-Outside Alliance, and several media sources, and the sheriff’s department has not had the decency to contact her.

Also, attached here are the official state autopsy and toxicology reports, along with the report of investigation from the state medical examiner’s office. In looking at them, echoing some of Shakiyla’s, concerns, some basic questions absolutely beg asking:

The report states that he died of an overdose of fentanyl. Why did they not recognize the symptoms of an overdose? Fentanyl is absorbed relatively slowly when swallowed. This is important because it is not like they didn’t have time to react, he didn’t show up and OD right away. He had time for the symptoms to develop, there was time to notice and intervene. The symptoms of such an overdose are recognizable and should be anticipated
as a distinct possibility given the charges they made against Dennis McMurray, plus, as the medical examiner’s investigation report notes, when he was brought to the infirmary, he told them he had swallowed heroin on the day of his arrest (see page 4 of investigation report). What was the “evaluation” by medical staff? When the sergeant and medical technician came to his cell at 1336 hours (1:36 p.m.) on 1/10/15 why were they going to give him anti-nausea medications? The report notes the attempt to resuscitate, but does not note that absent a chemical such as naloxone to reverse the overdose, he was not going to start breathing again.

Let’s be blunt: Is it always fucking amateur hour at the Durham County Detention Facility? Do detention officers and Correct Care Solutions have even the slightest idea what they’re doing? Sheriff Andrews has stated his commitment to the safety of jail detainees is “unwavering” but such a proclamation seems a cruel joke with the facts of Dennis McMurray’s and Matthew McCain’s deaths on the table.

From page 4 of Medical Examiner’s Report on death of Dennis McMurray, dated 1/12/15:

<table>
<thead>
<tr>
<th>MEDICAL EXAMINER PRELIMINARY SUMMARY OF CIRCUMSTANCES SURROUNDING DEATH*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dennis Edward McMurray is a 52 year old man with unknown medical history.</td>
</tr>
<tr>
<td>He was in his usual state of health when he arrested on January 9th and taken to Durham Jail.</td>
</tr>
<tr>
<td>He presented right-sided abdominal pain and vomiting, and was taken to the infirmary and then back to his cell. At 1330 on 1/10/2015, he was found unresponsive in his cell, and CPR was performed, but he was pronounced dead at 1411. Per report, he had mentioned at the infirmary that he had swallowed some heroin the day of his arrest.</td>
</tr>
</tbody>
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A

dley Canady spoke to Matthew McCain often on the phone and communicated through letters and knew what he was going through in his time at Durham jail. About his time there, she says “he never should have been in there.” If he had to be there, he at least should have been in the medical area where he could get constant monitoring.

She says: “We still haven’t gotten a death report. No one seems to be taking this matter seriously and it seems to have been swept under the rug.

The most important thing for me right now is to know: What happened inside the Durham County Jail?

This is not just for Matt—maybe bringing this out can save someone else’s life. I do not want another family to have to deal with what Matthew and Dennis’ family is dealing with.”

These are some of the questions Ashley wants answered:

• Where are the grievances he filed?
• His attorney was supposed to be trying to get him released back in November because he was sick. Why is she not speaking about this?
• Where is the video? Of the altercation Matt had—which left him in
a really bad state, and of the morning he passed away?

- Where are the records of his commissary account? Fast as the money was put on he was calling for more, and didn’t seem to know that we had put money on.
- Why was he in a cell alone when he had epilepsy and had previous seizures in the jail?
- Who is the investigator on this case, and why is no one with the sheriff’s department or anyone associated with the jail talking with the family about what’s going on?
- Matt had a ring on his finger that wasn’t in his belongings. He traded with another inmate to get two rings (made of plastic—similar to this) for three packets of soup. He sent a ring to Ashley that had golden pieces on it. She has this ring—where is the one he was wearing?
- Of Sheriff Mike Andrews, she asks: “When are you gonna walk in our shoes? How about you walk in Matthew’s daughter Kinslee’s shoes for a day?”

Regardless of everything that happened, the jail is responsible. She doesn’t like that the jail and others are stirring a rumor that Matt didn’t want to live. That is not true. He was clear as day with that:

“I don’t want to live—under these conditions,” is what he said. And he believed, prophetically, that he would not make it out of the jail alive.

Says Ashley: “A lot of questions remain unanswered and the sheriff seems not to care. I pray for everyone involved because no crime goes unnoticed and what’s done in the dark shall come to light.”

Matthew and Ashley share a drink.
“We would like these questions answered”

by Christine and Brittany Byrd, family members of Matthew McCain

March 7, 2016 -- posted on amplifyvoices.com

Because everything about Matthew’s death is still being swept under the rug:

We know Matthew had an altercation with another inmate. Where was this altercation? If it was in his cell, how did the person get in? Why didn’t someone stop this fight much sooner?

They’re trying to say he refused help. If he was knocked out, how did he refuse help?

Why weren’t the emergency calls of other inmates answered?

On the day of his death, why did the jail website say he was released when he was not released—he was dead. Why can’t they tell it like it is?

No one from the jail or sheriff’s department has had any contact with our family and we have gotten no information. They think we had a funeral and that’s that. That is not the case.

The family is still grieving and they’re not trying to speak out too much. But we are.

Justice will be served. He could still be here with his family and friends today if it weren’t for those who neglected him.

#Justice for Matt
‘We still place his chair at the table’

The pieces in this section are from detainees who knew Matthew McCain and/or were on pod 3D at some time during his detention. Some of the most valuable information from inside came via phone conversations and are not reflected here. It is important to recognize the tremendous courage demonstrated by these inmates and others. At least one inmate was brought out of the jail and into the ‘justice’ center next door to be interrogated by sheriff’s department employees. We’re fairly certain this wasn’t a one-time thing, and that it goes against their rules about legal interrogations. We hope and assume that we will continue to get valuable insights and memories from people who were inside with Matthew.
Hello —,

The fellows in Pod 3D, we send our condolences and our prayers out to the family and children of Matthew McCain (R.I.P.)

I read your letter and we are writing back hopefully to be heard, the hard way.

We laughed, cried, talked, slept, ate and prayed together, every day for 6 months. And (now) we still place his chair at the table where we eat. Anyway, he expressed that he was not getting the right medical attention at the beginning. I’m not sure if you guys are aware, but there was an altercation a couple of days before his death. Me, myself, I believe things could have been avoided/handled a different way. ..

After that he had a seizure, still left in his cell with poor supervision and lack of medical attention and the next morning he was found, not breathing...I saw a lot from where the room is that morning...

Anyway, he just had a lil girl, she looks just like him (gorgeous).
Justice delayed, Justice denied.
What is it that we can do?

...
S.N.
I received your letter today and I appreciate your concern as well as the support from the Inside-Outside Alliance. I am more than happy to provide you any insight, answer any questions, and provide information you request. Though, I will ask to remain anonymous, as I’d prefer to refrain from making enemies with the facility in control of me. However, I feel as if the details I provide to you regarding Matthew McCain are substantial and need to be heard.

It may be hard for those who live in the community to identify detainees at this facility as innocent. But that is the truth, until proven otherwise. While detained here we should be treated with respect and dignity and those lines are crossed frequently everyday. This is the first time I’ve been charged for an alleged crime committed and I’m learning through first hand experience the hardships placed on many individuals and their families within this facility.

I think it’s important to establish credibility, so I will start with minimal relevant background of myself before proceeding into details involving the incidences and questionable behavior I witnessed. After the death of Matt McCain I made sure to keep written documentation of any and all
details I found important. This is a serious matter and I believe it should be properly investigated. This death should have never occurred. That being said, I do not know the specifics as the actual causation to his death, if it was ever revealed to the public? I’m left to assume the causation is related to his chronic medical conditions, specifically diabetes and epilepsy/seizures.

So here goes! My name is _______. I have been a resident of Durham since December 2013. I am a registered nurse in North Carolina and specialize in cardiovascular + cardiothoracic intensive care. I moved to Durham to begin graduate studies at Duke university to receive my masters degree in May 2016. I wholeheartedly believe I am innocent and am being rigorously defended.

To the important details – I was introduced to Matt days after my arrival here in November. We attended a religious fellowship together most days of the week and communicated on a daily basis. I was well aware of his chronic medical conditions as he would ask me various medical questions because of my background.

In December, Matt had a seizure in the day room in front of all inmates and guards. I personally helped Matt from his chair to the ground and protected his head while his body violently contracted. I was quickly removed from this position in helping by the guards. After the seizure subsided, Matt was not conscious, completely incapacitated, and struggling to breath. When the nurses arrived to the code blue on the radio, I watched as the guards recklessly picked him off the ground. At least 3 officers manually picked him up and threw him onto the stretcher where he was then quickly wheeled out of the pod.

I guess with my knowledge and background, my approach to the incident would have been different. When the nurses arrived they did not first assess him, check vitals, make note of any possible injury sustained from the seizure before aggressively removing him from the ground. I saw no nurse establish his respiratory status, possible need for supplemental oxygen, or assess for vomiting. This is all basic medical care for anyone who suffered a seizure. I understand I only witnessed immediate interventions, or rather lack thereof, but I will say basic precautions and medical care were not provided.

I learned after this event that Matt had multiple other seizures previously in this facility. From December to the morning of his death, Matt suffered numerous seizures in the confines of his cell. All times seizures occurred in the cell the officers had to be notified by other inmates in ad-
adjacent cells of suspicious sounds. Inmates in neighboring cells were aware of his condition and when they heard continued knocking on the wall or sounds of struggling to breath, they would notify the officer on duty. If they did not hear these sounds, Matt’s seizures would have gone unnoticed and he would not have received immediate medical attention.

The officers and nurses were well aware that Matt was having multiple seizures that went unnoticed without the attention from neighboring inmates. We are confined to our cell in lock back for at least 17 hours all day. Due to circumstances I’m not aware of, Matt was punished and locked in his cell 23 hours. In fact he was in this 23 hour seclusion during the morning of his death. A seizure only lasts a minute or two and completely incapacitates him where he required immediate medical attention during and after any seizure. However, they thought it was safe for him to remain unmonitored in his cell under 23 hour seclusion knowing he would need attention during any seizure outset, which often went unnoticed by officers? It was not a safe environment for Matt.

In fact, Matt was having increased frequency of seizures days preceding his death. If I remember correctly, he had a seizure the day before his death and one earlier that week. Matt told me he had to place his mattress on the floor of his room because he was falling off the bed whenever he had a seizure. He did not feel safe in that cell.

Now, only a guess, but seeing as his seizure activity was increasing and primarily occurred in the early morning hours, his death is related to his chronic medical conditions. Maybe respiratory distress, aspiration from vomiting, or even from his insulin management.

Matt was feeling depressed days preceding his death. He was often refusing medications and did not have an appetite. I did hear the nurse say, on more than one occasion, “I don’t care if you take your meds or not.” I guess as a medical professional, my approach to that situation would be completely different.

 Officers make inspections or rounds on the cells usually once or twice an hour. On the evening shifts it seemed as if this was less frequent and I have witnessed officers sleeping at their desk. Is this an appropriate environment for an individual who could have a seizure at any moment and require immediate medical attention is not suspicious that his seizures were increasing in frequency leading up to his death?

Now, this is my opinion 100%. I believe the officials acted with deliberate indifference and neglect. They know about his chronic medical conditions and the increasing episodes. There was serious danger to Matt
if a seizure went unnoticed, they know he required immediate medical attention upon outset of any seizure and provided no means to limit this danger. They failed to take responsible measures to abate substantial risk of serious harm. What is questionable here is the fact that he remained in a cell that could not be easily monitored by officers, routine inspections of cells were sporadic and infrequent at night. They failed to provide Matt a safe monitored environment where any seizure would be quickly noticed. This led to a delay in adequate medical care/attention ultimately leading to his death.

Now comes the morning of his death. The nurse usually came between 5:15-5:30 am to check Matt’s blood sugar. Around 5:20 I heard loud banging and looked out to see what was happening. At this point I heard the officer say “Is he breathing.” At no point did I hear the officer call a code blue, instead I saw them both walk away from the room. It wasn’t until the sergeant arrived that anyone began CPR and appropriate help was requested. Paramedics did not arrive until 5:45 and life saving medications were not began until 5:52 am.

If you have any specific questions to these events, please do not hesitate to ask!

CO Boria is a very hard officer to like. HIs motto is “If you do not bother me, I will not bother you” and states this before we are allowed access to the day room every time. Though, he seems to instigate many interactions that require him to show his authority. This is not uncommon though among many guards. Like I stated before there was infrequent checks on cells and the morning of Matt’s death, the actions they took that morning were not appropriate. Now I’m not sure if he ignored the calls of other neighboring inmates but when the nurse came to give him his insulin that morning they came upon him “not breathing.” Other instances neighboring inmates caught attention of officers but this morning I did not see or hear anyone trying to gain officer Boria’s attention prior to both the nurse and him opening his door and finding him unconscious.

I read the newsletter you sent and I will agree with many points made. Coming up on a hundred days here, I never want to see a bologna or salami sandwich. The only meat we get here is soy based. I found the sheriff’s response to the food served as a gross exaggeration of reality. The only time they ever served actual chicken was on Thanksgiving.

Aramark is an extreme rip off. One package of Ramen noodle soup is 82 cents. The same package you can buy in a store for 5 or 10 cents. A calling card costs $20 but there is an additional $7 charged for the card itself
each time. To place money in your account there is a substantial processing fee Aramark charges if you don’t do so in person at the jail.

My family does not live here in N. Carolina because I was here for school. They traveled 600 miles to visit me over the holidays. I was granted 1 visit for 20 minutes in which I was forced to leave the visitation room by the officer. That is the only time I have seen my family in 3 months due to the distance they live from here. It’s inconceivable that this behavior exists with the officers, but it is true.

Again, let me know if I can help any further with your investigation and thank you for the newsletter.

F.V.
Hi ____!

My name is ____. It's great to hear from you. I hope you made it past the snow and ice ok. First, I would like to tell you about the heating and cooling in here. These blankets that they give us are for controlled temperatures. I think this is where we are getting cheated. The heat is on in the day rooms. But in the cells where the doors are closed it is very cold. The whole winter I think they have cut the heat on 4 or 5 times at most, inside the cells that is. The officers wear snoogans and gloves and coats, but all we have is this thin blanket. The blanket is probably meant for 70° or 80° temperature. I know last night with the cold temps and sleet it was probably 50° in my cell. But when we come out for breakfast it is pretty warm in day room. And Greg I am not out to lie or mislead in any way! Why can’t someone come and catch this authority in the act of negligence. You can come about anytime during day, when it is cold outside.

OK I would like for us to get more day room time. This can't help us to sleep better and be more tired to sleep better. We are confined already, why can’t we play cards or walk or something to help our time go by better! I will probably be in here another year, If you all could help with these things it would be great.

Now about Mr. McCain. I am stay in the room right above the room that he was in. I happened to be awake at 4:30 am the morning he died. I thought I heard him making some noise, but there were guards standing at

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their desk joking and carrying on. So I just thought that maybe I did not hear anything because they were so loud. The nurse helper comes in about 5:10 am in the morning to check blood sugar and give shots, or whatever she does. He is unresponsive to the call on intercom to get up and see the lady or nurse! The guard opens the door for her, I hear them call his name a few times. Then I see the nurse get her coat and leave the pod faster than I have ever seen her move. She was moving so fast I thought she was on roller skates.

Then Mr. Boria and the Sergeant of whom I don’t know the name, come in the room. They were knocking on desk loud and calling his name over and over. Then I hear them slapping him about five times. I think they know he was dead at this time. This was probably around 5:30 am or so. OK then the head nurse and helper come to the room this was around 5:40 or so. The head nurse tries whatever she can do. She has some kind of machine that keeps repeating something about administering CPR.

The machine keeps repeating something about CPR. At this time other guards and sergeants are in here. Some of them are on the phone, they all are kind of waiting around or something. I still don’t know if he is alive or what. Next I hear an Ambulance siren outside. I think this is about 6:30 am before the paramedics are called for. So when nurse helper left his room first time, around 5:25 am, it takes them over an hour I think in order to realize that he needs paramedics. They work on him for all in all I would say 30 to 40 mins. But this is the strangest thing the CPR machine that they were using started to make a noise like the sound of beeping. You know the sound as if he has a pulse. Beep. Beep. Beep. Beep.

OK All the guards and everyone started acting happy. They were laughing and talking and all. So I am thinking at this time probably around 7 am that Mr. McCain is alive. The paramedics leave without him on the stretcher so I think he is going to be OK. So they pass our trays out without letting us out of our room. So I eat and lay down and go to sleep.

So when I get up they still have us on lock back. They call me down to get my medicine. I notice a sheet over his door. The sheet was his bed sheet. It appeared to have vomit spot on the sheet. I ask the guy beside of him what happened. He said that Mr. McCain had died. That was shocking to me. I was asleep when they removed him from the pod. This bed sheet stayed on the door for a week or so until someone came and cleaned the room out. For it to be a dirty sheet like that I felt that, that was disrespectful. So in a way I feel that they may have lied about the time of death.

I hear that he had told 2 or 3 people that he did not want to live. He
would get angry when his lady friend would not answer phone, I saw him one time refuse to go see doctor downstairs, so the guard just left him. I don’t know if he maybe did not take some of his meds or not. It is possible that he acted like he was swallowing and he was maybe throwing it away. But he had had several seizures in here. They should have had him on suicide watch or somewhere where camera could see him at all times. It is possible that they let him commit suicide by not taking his meds.

Me personally, I am a white man 44 years old. I did attend church with Mr. McCain several times. I am so sorry for his family and kid. I am so sorry that he did not make it out of here. I know that he loved them and that they loved him. I pray that God Bless his family. I know they miss him. I think and hope that the jail gets found negligent on their part.

God Bless You All
I received your letter in reply to me today. I want to thank you for your feedback. Many individuals in here have sent letters to the Inside-outside alliance or the members who originally contacted them and haven’t heard a response yet. Many inmates are concerned that their letters are not being received. So I appreciate you taking the time to reassure me that my letter was indeed received.

Anyway that I can help, I’m more than happy to do so or at least try to do so. This includes any questions you may have.

I heard recently that they have fired the nurse that was on duty during Matt’s incident, due to the events that occurred, which I find odd because I found officer Boria more so accountable for the events that occurred, and he is still present here many days.

Anyway, I’m lucky to have much support from family and friends. At the moment I don’t request much or need anything but I appreciate the offer and support. If there is anything I can do to help, please don’t hesitate to ask!
To: Everyone out there  
CC: Personal files  
From: Pod 3D  
Date: Feb 29, 2016  
Re: Violations of Inmate Rights that has been protected by the Constitution and state law

We are respectfully reporting that officer Erick Boria has intentionally and willfully violated the unlawful and professional conduct at a workplace policy, which was put in place to form a more perfect union at a workplace, so we may secure the blessings of liberty and justice while waiting on the court process.

Officer Boria has violated the order by imposing vindictive retaliation, creating a hostile and unsafe environment that has put the inmates at high risk of losing complete control and failure to respond reasonably and respectable to perform his job description in a professional and suitable manner. These findings are as follows:

1.) On the 29th day of February 2016, officer Boria came into pod 3D and taunted the entire pod because he said he read some comments that inmates wrote about him to the newspaper feedback.

“Officer Boria has endangered the lives of everyone”  
Published March 6, 2016 on amplifyvoices.com
2.) He said that in his retaliation he would give everyone a hard time, because of the comments posted and would not respond to the inmates requesting needs that are under his job description, and he promised to make everyone’s stay here a living hell, and for us to go and write that to the newsletter. Then he laughed…

3.) This has created an unsafe environment because of his chaos and refusal for request of better conditions.

   a.) His refusal to turn the phone on at the right time, refusal to let us out from our cells at the completion of lockdown, refusal to turn the TV volume to a respected level, refusal of inmates the right to medical care in a timely fashion, refusal to let them out of their cells to take their medications.

   b.) He has also lied to the medical nurse about inmates refusing their meds just so he doesn’t have to let them out. He has denied inmates the full amount of rec time all while making unjustified and smart remarks.

4.) He has created an unsafe work zone and has endangered the lives of everyone.

   a.) He sleeps on the job and ignores inmates trying to make requests for help, tissue, medical and anything we may need that requires his help.

   b.) He uses the intercom and pod phone for his own personal gain and entertainment, and when he’s not using it, he takes it off the hook and doesn’t answer it for inmates.

However, officer Boria’s actions and behavior are not fairly based upon any legitimate policy, procedures or guidelines. He is unfit and a complete danger to the welfare of the inmate population where he has caused mischief and wrongdoing. He has already played a major role in the death of one inmate by refusing him medical attention and to answer his intercom call for help. How many more incidents does it take?

Therefore, we have made aware to the rightful officials of his completely unlawful behavior and we are respectfully asking that all necessary
measures be taken in a timely fashion to resolve this matter.

Please let the record show that we ask for full immunity from prosecutorial vindictiveness. In which it protects inmates from retaliation from officers. In which inmates has filed complaints or grievances. A complete copy in detail has been forwarded to the city attorney Patrick Baker and to the sheriff’s office.

Boria should be removed from all duties that surrounds the inmate population and matters of inmates’ safety!!

(F**k 12)

Biggs and Twon

Here is something on Boria ass to put in the feedback. Oh, and make sure that all of us that y’all know in the jail get this feedback with that in it. I would like a copy ASAP. Not trying to rush you but don’t know how much longer I’ll be here…So y’all keep doing what y’all do and thank you for everything y’all doing for us out there. -Mr Biggs
‘Do it till they know it’

As word spread on social media and in mainstream media about Matthew McCain’s death, many people in the Durham community wanted to know what happened. We immediately started demanding answers in the best way we know how: very publicly. This section features photos from the protests and vigils that have taken place, a powerful statement by two people who were detained at an action at the DPAC, and a statement from IOA about moving forward. The title of this section comes from a chant created at a street protest by an 8-year-old who loved and who misses Matthew McCain. For Matthew, for Dennis, and for everyone held captive by this inhumane system, we will keep doing it.
Saturday, January 30 —
A crowd of marchers took to the streets from downtown to the jail, publicly grieving for Matthew McCain and Dennis McMurray and demanding answers about their deaths. At the jail, South Mangum Street was blocked by protesters, allowing for a relatively quiet space for loved ones of Matthew and Dennis to share their emotions and their hopes for answers and something resembling justice.
Late Feb./early March — A series of actions drew attention to the chasm on Mangum Street, which divides those who go to shows at the lavish DPAC and those who go to jail and/or visit people in jail. On February 26th, a small group disrupted parking for *The Lion King* by picketing at a DPAC garage with signs reading “Scar Would Run This Jail” and “Does Hakuna Matata = Ignore Evil?” Also during the show’s run, sidewalks were chalked with messages about the jail, and some theatre-goers received fake coupons for free nuts, which actually contained information about the jail. On March 4th, an action #StampedetheDPAC #AbolishtheDurhamJail, intended to shut down a performance of *The Lion King*, or at least disturb the ‘peace.’ As protesters formed a human chain bridging the chasm between the jail and the DPAC, two people went into the show and dropped a banner and chanted before being escorted from the premises. (Their statement follows.) After their release, the boisterous protest continued, blocking streets for 2.5 hours and catching the attention and appreciation of actors offstage, who danced to the music outside—until theater staff put up a curtain to prevent them from seeing us.

Saturday March 19 — Two months after Matthew McCain died, about 30 people walked to music through downtown and to the jail, where they shared memories of Matthew and Dennis, then released balloons skyward.
At 7:45 on March 4, 2016, while the community roared outside Disney’s The Lion King at DPAC, Le’Andre Demond Blakeney and Mia Hutchins-Cabibi dropped a banner inside the theater, reading “This Jail Kills: Enjoy the Show.” They were removed and detained by police and, thankfully, later released without charge. This is the statement that they wrote ahead of time to explain their action, which was also released to the press while they were in custody.

A great divide exists (Lk 16:26) between the ostentatious entertainment and frivolity of the Durham Performing Arts Center (DPAC) and the starving, tortured, and dying prisoners in the Durham County Jail. DPAC profits off of the invisibility of the lynching of black bodies across the street while exoticizing all things African on its stage. On January 19, Matthew McCain died in the Durham County Jail after detention staff had medically neglected him for months. As his family and other community members expressed their grief and outrage, it came to light that two other Durham residents had died in 2015, Raphael Barnett and Dennis McMurray. In addition, the jail saw 12 suicide attempts in 2015 alone, as medical neglect, malnourishment, freezing cell temperatures, and price gouging at commissary continue to run rampant. Meanwhile, Nederlander Theaters and the county government continue to invest in ignorance and inaction, betting that the public will remain silent.

Therefore, we have disrupted business as usual at DPAC; we will not
remain silent, and by the time you read this we will likely be under arrest. We have acted because, as followers of Christ, the God revealed to us in Jesus requires action, demanding “justice and only justice” (Dt 16:20). God does not just want us to feel bad about this situation, but to do something about it. Yes we are to pray without ceasing, but we are also to ransom the captive (Mt 25:36), and we are not to stop there. Yes, we are to comfort the afflicted, but we are also to afflict the comfortable, and we are not to stop there. “We’ve got to put our bodies and souls in motion,” to take direct action to “seek justice, rescue the oppressed, defend the orphan plead for the widow.” This is not an abstraction. These are fathers, mothers, sisters, brothers, daughters, sons, colleagues, and neighbors. Hundreds of people incarcerated in the Durham County Jail are guilty of no crime other than being too poor to post bail, but their invisibility continues to turn a profit for the county and its corporate partners, who continue, in turn, to fill our community’s homes with orphans, widows, and widowers.

Money should not buy ignorance. We refuse to allow middle and upper income people and white people to continue to “feast sumptuously every day” (Lk 16:19) while our comrades who are locked up in the jail are not even allowed “to satisfy their hunger with what falls from the table” (Lk 16:21). We take this action not out of anger, but in love. We act to militantly defend our neighbors who are under attack because we know that “an injury to one is an injury to all,” because this business “cannot be reconciled with wisdom, justice, and love,” and, because, in the words of Cornel West, echoing Christ himself, “justice is what love looks like in public.”

— Le’Andre D. Blakeney & Mia Hutchins-Cabibi
After Winter Must Come Spring

A statement from Inside-Outside Alliance
April 2016

*Everything is everything / What is meant to be, will be /
After winter, must come spring / Change, it comes eventually*
— Lauryn Hill

The days after Matthew McCain’s death on Tuesday, January 19th were as bleak as any this winter in Durham. On Friday the 22nd, a mixture of snow and ice pummeled the Triangle area. As they often do, media outlets focused singularly on the weather event, despite social media outrage about Matt’s death. But the determination of Matthew’s loved ones, and of those who had witnessed his death by medical neglect, could not be denied, and once the snow and ice had melted, the egregious inaction of jail staff began coming to fuller light. Further, Shakiyla Young, who had all but stopped hoping for a drop of information about the death of her father, Dennis McMurray, identified with the pain and helplessness felt by Matthew’s family and publicly came forward again with her story about her father’s death in the jail a year prior.

After multiple demonstrations and other actions, including email and social media blasts of county officials, the families of Matthew and Dennis and the broader Durham community continue to struggle for answers about these deaths. As ever, we stand resolutely with these families. Shakiyla Young wants to know what her father was given when he told medical staff at the jail that he couldn’t breathe. She wants video of his time in the
jail, and she wants to know what became of his property. She wants communication from jail officials, after being told shortly after her father's death that Investigator Cox was on the case — then never hearing from him again. We also want to know what detention procedures are in place to recognize symptoms of an overdose and do something about it. Dennis’s overdose could have been treated and it wasn’t, and jail staff and medical officials are at fault for that.

Matthew’s family and loved ones also want video—of the altercation he had with another inmate (plus how it came to happen and how long it went on) and of the morning he died. They want to know if and how detention officers responded to pleas by other inmates on Matt's behalf. They want a summary of his commissary account deductions. And they want a full report of the medical care he received while he was in the jail. Having pre-existing medical conditions should not have been a death sentence for Matthew when he went to jail, but the fact is he felt his health declining and he feared his death was imminent—and he was right.

Who’s to blame?

In public messages the sheriff’s office has been forced to make in the time since Matthew’s death, they have been clear that no detention officer has faced discipline or dismissal for their actions or inactions. They have also gone to great lengths to say what a difficult job detention officers have, and how they have had difficulty recruiting and retaining officers, given the role and the starting salary at DCDF. Further, in a clear attempt to deflect all blame, the sheriff’s office tried to redirect all queries about Matthew’s medical care to the company contracted to provide medical services at the jail, Correct Care Solutions (CCS). In a brief statement to The INDY, the CCS corporate spokesman provided a bland answer that not only didn’t accept any responsibility but also didn’t even address the in-custody deaths at all. CCS is an out-of-state corporation profiting handsomely from providing pathetically subpar medical care to detainees and prisoners at DCDF and many other facilities, and they are embroiled in multiple lawsuits for their role in detention deaths. To be sure, CCS holds much blame.

However, those running the day-to-day operations of the jail should not escape the public’s ire. Sheriff Mike Andrews, Detention Director Natalie Perkins, and Director of Security Couch helped create an institutional culture in which the in-custody deaths of Dennis McMurray, Raphael Bennett and Matthew McCain could occur; they have remained silent about these deaths, which would never have come to light if not for
public outcry; and they continue to allow ongoing medical neglect of jail inmates and financial exploitation of inmates and their families. Detention officer Erick Boria was on duty in Matthew McCain’s pod when he died. Numerous witnesses have testified about his willful neglect as well as the retaliatory measures he has taken against inmates who have spoken out since Matthew’s death. Several inmates have called for his dismissal (see Officer Boria has endangered the lives of everyone, page 34), and we support their demand.

Andrews, Perkins, Couch and Boria should be gone, period, even while we recognize that eliminating them won’t eliminate the problems at the jail — because the jail itself is the problem. Merely going after Andrews and Perkins and Couch and Boria — or, alternatively or simultaneously, Correct Care Solutions — will only serve to individualize a problem that is societal and systemic in scope. In December, Andrews and Perkins were all too happy to offer sacrifice Officers Alston and Smith, who brutally assaulted a female inmate, because they hoped the officers’ firing would show those who weren’t looking too closely that they could manage everything. As long as we think that substituting one manager of racialized violence and oppression for another will get us out of this mess, our boots are still firmly planted in winter.

“Shut the bitch down a.s.a.p.”

It is telling to read some of the sheriff’s own words about the jail, including the “backgrounder” released in January by the Durham County Sheriff’s Office (DCSO) to quell public outcry and social unrest related to the in-custody deaths. This document states that in 2015 “there were 12 suicide attempts [in the jail], including 8 detainees who were designated as mental health patients.” The DCSO has repeatedly said the jail was not made to house detainees long-term, and that the jail is not adequate to do what the city and county (and the state beyond) are asking it to do. Major Paul Martin goes a step further, saying that many or most of those currently incarcerated in the Durham jail shouldn’t be there. But Martin asserts our beef should not be with sheriff’s department personnel, or with conditions in the jail, but with something beyond. We’re not sure about his motives, but he’s correct, even while he’s utterly wrong to suggest that a struggle against the conditions and treatment in the jail is misguided. Although we understand the problems we face go beyond the walls of the jail, we see in it no redemptive or rehabilitative function. If Martin or Andrews comes
pleading for more money come budget time, we should say the same thing we said last year when they asked for more money to “suicide-proof” jail cells (far too late to help Terry Demetrius Lee, who took his own life inside DCDF in March 2013): **not only no budget increase but no money for the jail at all.**

To best see the spring that is ready to emerge, we should listen to the words of some of those detained in the Durham jail. They call out particularly terrible detention officers (such as Boria), and they talk about not having cleaning products or toilet paper or necessities, except to clean up for special visitors such as inspectors or county commissioners. They also write about wanting to have some say over the conditions of their confinement, and they want their health concerns taken seriously. They display their humanity and their ability to come together with others in the same position as they are. But they also continually express their disdain for the system that locks them up. Of the extraordinarily high bonds that keep people in the jail, one detainee says, “All they have to do is send people home and make sure that we come to court....”

And over and over, they have expressed in different ways a desire for the jail to be a jail no more:

“I have nothing to hide, it’s all true what I’ve said. I could go on and on about this jail. They need to shut this jail down.”

“I personally feel that OSHA should pop up to check things out. I think they’d be surprised at what they’d find, maybe even shut down the jail until further notice.”

“The sheriff’s employees and directors of the jail and courts are directly conducive to the crime rate in Durham. If everyone of the people inside this jail were fired and the jail demolished and a more productive institution rebuilt would this jail be missed? I think not.”

“You can put it in there and use my name. I’m not ashamed nor scared. Well, so far things haven’t changed.. **Yes, they need to shut this bitch down a.s.a.p.**”

We need look no further than the people whose preventable deaths have animated the recent struggle to understand why a shaking up of administrative staff will not suffice to ensure there will be no more jail
deaths. Neither Dennis McMurray nor Matthew McCain was a perfect person, nor a perfect victim. Both were full human beings, loved and loving, and with their own internal struggles—as we all have. And neither one should have been incarcerated.

It is not difficult to understand the decision of Dennis — one year out of prison after a nine-year term and unable to find steady, legal employment — to ingest the heroin he had when sheriff’s deputies came into his home without a warrant. A guilty charge surely would have meant many more years behind bars, apart from his daughter and his young granddaughter, who in one year had become an important part of his life. When he had difficulty breathing at the jail later, he told medical staff what he had done. And no one—not CCS nor jail staff—did anything to reverse the course of his overdose. Heroin use may be at a crisis level right now, but it’s obvious that incarcerating people is doing nothing to help.

As some mainstream media outlets were happy to trumpet, Matthew was detained on domestic violence-related charges. But charges never tell the whole, or even half, the story. Matthew struggled to manage his anger, and his chronic health issues did not help, but his girlfriend Ashley never pressed any charges against him. One of the charges against him, in fact, was a probation violation for not attending anger management classes — because he didn’t have the money to pay the fees for the class. Ashley attempted to get him out of jail but was denied by the courts. She wanted him to get the help he needed to be able to be the best parent and partner he could be. Tragically, that never came to pass. Was Matthew’s detention from August through January 19th a benefit for society? Did locking up Matthew and keeping him locked up in November, when Ashley pleaded to get him out, somehow prove that the state cares for the well-being of a young Black woman and her children? The answer is no, absolutely not.

The jail is the de facto holding place for numerous people with stories like Dennis’s or Matthew’s. It’s tempting to call it an abject failure, until you stop to think that it’s doing precisely what it’s supposed to do. As Tom-Tom, detained at DCDF for more than 3 years so far, recently wrote: “My point is, ladies and gentlemen, this shit was all part of a plan. It didn’t just so happen to come about. The judicial branch of the government was made to recycle us, to keep us down and them up. Us back and them forward.”

Shut it down—now.

The legal basis for closing the Durham County Detention Facility existed since well before the jail-wide lockback, which began on March 6,
2015. Volumes of evidence show that detainees are neglected or abused medically; the nutritional value of food served there is nil and food sanitation does not follow standards; and families and friends are financially exploited by companies such as Aramark and GTL. Certainly, the circumstances of at least two of the three in-custody deaths in just over a year bolster the case for shutting down the jail. Just a few days after Matthew McCain’s death, then-inmate Shermare Tuck Riley nearly lost her life after an epileptic seizure that she was initially accused of “faking.” Clearly the lives of detainees simply do not matter to the sheriff’s office.

But apart from the legal basis always exists the moral-political basis, enforced by free people acting out their will for a free society. That is, if we don’t want the jail (or the prisons, or the police) to exist anymore, we have the duty to get rid of them. When we are ready to act to shut it down is truly when the birds shall warble their song of spring. When we can be sure that no one else will suffer as Dennis or Matthew did in detention, we will truly pay tribute to them.
Rest In Power, Matthew
Rest In Power, Dennis

#JusticeForMatthew
#JusticeForDennis
#NoMoreJailDeaths
#NoMoreJail