

OBITUARIES

Former sheriff alleges misconduct

Jim Davis files complaints against Sheriff Hubert Peterkin

By VICTORIANA SUMMERS
Staff writer

Ex-sheriff Jim Davis has filed complaints with District Attorney Kristy M. Newton and N.C. State Attorney General Roy Cooper, seeking assistance in investigating alleged "misconduct" he says was committed by Hoke Sheriff Hubert Peterkin.

Davis's accusation comes when Peterkin and District Attorney Kristy M. Newton have already announced a joint request for the State Bureau of Investigation to investigate a recent jailbreak of four inmates at the Hoke County Detention Center. After escaping from the jail annex on October 28, fugitives Hector Noel Mojarro Frausto, Christopher Damien Haddon, Steven Ray Locklear, and John Shannon Phillips were captured.

"Mr. Peterkin's behavior is willfully creating an unsafe environment within the Hoke County Jail, which has now resulted in the escape of four inmates being held on a variety of felony charges," Davis said in a November 3 letter to Cooper.

Peterkin declined to specifically comment on Davis's allegations. "My focus is showing the county what a good job the Sheriff's Office is doing," Peterkin said. "My concerns are for the welfare of our citizens."

Davis said he does not expect to receive a response from Cooper about Peterkin until after the SBI completes their investigation of the local jail. No longer an elected official, Davis filed his complaints as a private citizen without any official authority. Davis is not a certified law enforcement officer.

Newton confirmed Davis filed a complaint with her office that will be reviewed. However, she said the SBI inquiry is "statutorily" required and is routine when a jailbreak occurs. She said the joint request from Peterkin and herself to the SBI did not result because of Davis's complaint.

"Mrs. Newton said she would go over and look at the jail," Davis said. "The information given by Mr. Peterkin to news media was clearly inconsistent."

"Those inmates would have had to have access to that (rear) door, and that would be a (alleged) dereliction of duty by someone."

Peterkin defeated Davis in the sheriff's race in December 2002. Davis said he left office on a disability retirement. Peterkin formerly served as Davis's chief deputy-major, but resigned to return to the Fayetteville Police Department until his election as sheriff. Prior to Peterkin's re-election, Davis charged Peterkin with a controversial driving citation. The case was subsequently dismissed in court because of lack of evidence to support Davis's allegations.

Davis said he requested the recent probe to investigate the alleged "failure" of Peterkin to discharge his duties as Hoke's sheriff.

A diversion created by inmates to distract two jailers and jam a cell door, a back door that "malfunctioned," and a lack of staffing at the annex were cited as preliminary reasons for the jailbreak, according to

Peterkin. "We have a surveillance video that clearly shows what transpired the night of the escape," Peterkin said last week prior to Davis's complaint. "The SBI will investigate and come up with findings on the escape."

"Our jailers were patrolling on a regular basis, but because of overcrowded conditions they did not realize the four inmates were missing at that time."

Initially, it was reported by Peterkin that a window was thought to have been the escape method of the inmates. He also blamed county commissioners for not approving his previous request to hire more jailers. Dennis Baxley, Hoke's building director, later repaired the broken window.

However, Davis alleged that the jailbreak was due to "human error" and disciplinary action should have been taken. He said escapees would have also had to break through a second door before reaching the back door — a door that should have been locked with a key but was (allegedly) not secured.

According to several sources, the sister of Hoke Chief Deputy Troy McDuffie was one of the jailers allegedly on duty during the jailbreak. Peterkin declined to comment on personnel issues.

Davis said during his administration two jailbreaks occurred. One incident happened after an inmate held a guard hostage, he added.

"I looked to terminate an employee responsible," Davis said. "I got the SBI involved to make sure no criminal contact had occurred between the jailers and the inmates."

"Mr. Peterkin's conduct certainly gave the dynamics in place for those inmates to feel secure enough to even challenge the jailers. It is impossible for an inmate to escape out of a window at the Hoke jail."

Davis said county commissioners could not be blamed for the operation of Hoke's jail.

"They fund the budget," Davis said, "but they are not responsible for the daily responsibilities at the jail. That is the obligation of the sheriff."

"Regardless of how many people are on staff, the jailers are supposed to rotate and periodically check the cells. You are supposed to do a head count on each shift to know whom you have got in jail, and that door in the annex should have been locked."

Davis alleged Peterkin misled the public on the circumstances of how the jailbreak occurred. He said even though the Hoke jail is an aging facility it is soundly built.

You have to work with what you have got," Davis said. "I constantly required more staff, but that did not absolve me. I had to get them to make sure all areas of that jail were covered."

State contradicts Davis

However, Bob Lewis, section chief for the N.C. department of Health and Human Services, who inspects jail and detention facilities, contradicted Davis' assessment of Hoke's detention center.

"The current Hoke County Jail is old, ill-designed, outdated, periodically overcrowded, and in need of replacement," Lewis wrote on November 5 in a letter to Peterkin. "The

Hoke County Jail reflects ongoing and increasing overcrowding in the jail.

"As I stated to you in our September meeting, you should request the board to commit to a comprehensive feasibility study and architect selection to design and build a new jail to meet Hoke County's future confinement needs."

Lewis credited Peterkin with ensuring rounds are conducted by jailers every thirty minutes in compliance with state regulations. He did not lodge any criticism against Peterkin.

"Mr. (Donnie) Byrd specifically designated the annex area must be staffed at all times," Lewis said. "Taking into consideration the most serious recent escape of four dangerous felons from this specific confinement area, coupled with the increasing overcrowding in the jail, I agree with Mr. Byrd's and your assessment that additional staff is needed in order to meet this standard."

Lewis urged county commissioners to approve Peterkin's past request for additional jail staff, a request the sheriff made in February, June and October of 2003 to the board.

Lewis never faulted Peterkin in the two-page letter he wrote concerning the jail.

"I want to work cooperatively with you and your staff in meeting any of your detention needs," Lewis said.

County backs probe

Commission Vice Chairman Charles V. Daniels said his board wants to minimize any problems in the Hoke jail.

"I just want the truth to come out — whatever it is — in this SBI probe," Daniels said. "I want to know the true facts of the escape regardless if the SBI says we are to blame or someone else is."

"The truth needs to be told," Commission Chairman Bobby Wright said he hoped the jailbreak is one strictly related to "human error."

"I think an SBI investigation will bring an end to this," Wright said. "We want to solve any conditions at the jail that need to be improved."

"I think our board has bent over backwards to fund the Sheriff's Office with over \$200,000 of budget amendments that were not in the original budget for this year. We even gave the staff a 10 percent pay increase," he said.

"If we need more jail personnel, the jail feasibility study that we have contracted will inform us of that fact."

Commissioner Jean Powell, retired Hoke district attorney, said she thinks the SBI investigation is a "good" thing and is merely a routine protocol.

"It is not a criminal investigation of the Sheriff's Office, but is being conducted because a jailbreak of inmates is a criminal offense," Powell said. "In my 20 years of experience as a district attorney, there were several jailbreaks. I do not remember one jailbreak that was not investigated by the SBI."

Powell said an outside agency is more effective to find out the causes of an escape.

"An SBI investigation adds credibility," Powell said. "We want to bring harmony to this county, and the SBI commonly does this kind of investigation."



Walter Pirkle

Walter E. Pirkle
Sgt. Maj. (U.S. Army Retired) Walter Edward Pirkle, 54, of Columbus, Georgia died Sunday, November 2 at St. Francis Hospital in Columbus.

A funeral service was held at 2 p.m. Friday, November 7 at New Mount Olive Baptist Church, 2311 Dawson Street, Columbus with the Rev. Columbus Wilson, pastor, officiating. He was buried Monday, November 10, in the Main Post Cemetery at Fort Benning, Georgia.

Mr. Pirkle was born October 13, 1949 in Hoke County, the son of the late Lela Mae Pirkle and Eddie W. Roper Sr. He attended public schools in Raeford and is a graduate of Upchurch High School. He served in the U.S. Army for 27 years. At an early age, he united with Christ and later joined Mt. Olive Baptist Church, where he served faithfully until he became ill.

Mr. Pirkle was a Senior Sunday School teacher and a member of the Senior Usher Board at Mount Olive. He was ordained as a minister on October 12.

Survivors include four daughters, Teresa Pirkle of Warner Robbins, Georgia; Lashawn, Anora and Antria Pirkle, all of Salisbury, Maryland; three sisters, Mary and Wanda Roper, both of Raeford, and Versa Anderson of Massachusetts; seven brothers, James (wife Johnnie) of Windsor Locks, Connecticut; Freddie Foster and Eddie Jr. Roper of Raeford, Artis Roper of Pinehurst, Henry Pirkle of St. Petersburg, Florida, Little James McLean (wife Andena) of Wagram, and Charles Pirkle of Milton, Maryland; an aunt, Mary Joe Shaw of Raeford; two grandchildren, Brandon and Perrance of Warner Robbins; and three devoted friends, Aundrahla Short, Holsey and Minister Sandra Buckner, all of Columbus; and a host of nieces, nephews, cousins and friends.

Eva Mae P. Miller

Mrs. Eva Mae Plummer Miller, 81, of 7079 Fayetteville Road, Raeford, died Friday, November 7, 2003 in Autumn Care of Raeford. Mrs. Miller was born in Hoke County on August 3, 1922 to the late John Henry Plummer Sr. and Virginia Thomas Powell Plummer. She was a member of Parker United Methodist Church and was employed with Economy Moving Company and the Civil Service before retiring. Her husband, James C. Miller Sr., preceded her in death.

Graveside services were conducted at 11 a.m. Monday, November 10 in Raeford Cemetery held by the Reverend Coy Brock.

Blue, Dillon Thor Blue, Claire Emily Blue and Josie Leigh Blue.

Annie P. Young

Mrs. Annie Patterson Young, 98, of 5699 Turnpike Road, Raeford, died Sunday, November 9, 2003 in her home.

Funeral services will be conducted at 2 p.m. Wednesday, November 12 in Freedom East Presbyterian Church held by the Reverend Cora L. Watkins. Burial will be in Mount Grove Church Cemetery.

Survivors include several nieces and nephews.

Baie Funeral Home in Raeford served the family.

Darryl Melvin

Darryl Melvin of Raeford, died Thursday, November 5, 2003 in Pinehurst Health Care & Rehabilitation Center.

Funeral services were conducted at 2 p.m. Tuesday, November 11 in Laurel Hill Baptist church in Lumber Bridge held by the Reverend Mary Love. Burial was in the church cemetery.

Survivors include five brothers, Samuel Melvin, Louis Melvin and Connell Melvin, all of Raeford, Robert Melvin of Fayetteville and Leon Melvin of Burlington; and two sisters, Joyce Thompson of Burlington and Linda Jones of West End.

Jackson Funeral Home of Laurinburg served the family.

Bill Phillips

George William (Bill) Phillips, 65, 6987 Rockfish Road, Fayetteville, died Tuesday, November 11, 2003 at DVA Medical Center in Augusta, Georgia.

Mr. Phillips was a veteran of the U.S. Army.

His funeral will be Friday, November 14 at 2 p.m. in Crumpler Funeral Home Chapel in Raeford. Burial will be in Cumberland Memorial Gardens in Fayetteville.

Visitation is at Crumpler Funeral Home Thursday, November 13 at 7-9 p.m.

Mr. Phillips is survived by his wife, Virginia B. Phillips; two sons, James R. Sinclair and Reuben H. Sinclair, both of Fayetteville; three daughters, Rachel M. Odum and Beverly R. Blalock, both of Fayetteville; and Amy M. Diaz of Madera, California; one brother, Forrest Phillips of Forsyth, Georgia; four sisters, Joyce Martin of Manchester, Tennessee, Paulette Hollis of Smyrna, Tennessee, Doris Ivey of Grovetown, Georgia, and Linda Murphy of Winterhaven, Florida; seven grandchildren; and four great-grandchildren.

Dr. D. Hilton Seals

Dr. D. Hilton Seals, 79, of Whittier passed away Sunday, November 2, 2003 at Mountain Trace Nursing Center.

Dr. Seals was a native of Hoke County.

Memorials may be made to Harris Regional Hospital Chaplaincy Program, c/o Harris Regional Hospital, 68 Hospital Road, Sylva, NC 28779; or to Ensley Adult Care, 505 Rocking Cove, Sylva, NC 28779.

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