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DURHAM COUNTY

# In a jail with past suicides, a man died after Durham detention officers broke the rules

**BY AARON SÁNCHEZ-GUERRA**

UPDATED MARCH 08, 2023 4:34 PM





The Durham County Detention Facility. SCOTT SHARPE [ssharp@newsobserver.com](mailto:ssharpe@newsobserver.com)



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*Editor's note: This story contains reporting about suicides, a topic that will be disturbing to some readers.*

Last summer, a 39-year-old man accused of rape and other sex crimes was booked into the Durham County Detention Center.

Erick Cano-Castellanos was jailed on June 3.

Weeks later, on June 27, a Durham grand jury indicted him on several charges: first-degree incestuous rape, assault on a female, two counts of second-degree rape, human trafficking of a minor and human trafficking through involuntary servitude.

Three days later, Cano-Castellanos hanged himself with a bed sheet from his bunk bed. He died shortly after a guard found him.

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His death was the 13th suicide by hanging at the jail since 1998. It was also the 13th death in the jail's custody since 2011, according to reporting by The News & Observer and The Herald-Sun.

In a facility with a history of suicides, Cano-Castellanos' death on June 30, 2022, might have been prevented.

Detention officers violated supervision policies the morning that Cano-Castellanos was found, according to public records The N&O obtained from the [Division of Health Service Regulation](#), a part of the N.C. Department of Health and Human Services.

The 58 minutes that passed between the last time Cano-Castellanos was seen alive and a guard finding his body violated state regulations on how often detainees should be checked on.

### **INMATE PUT ON SUICIDE WATCH**

State regulations dictate that all detainees must be checked at least twice each hour, with no more than 40 minutes between those rounds.

Cano-Castellanos was last seen alive in Pod 3D Station 5 by a guard at 10:11 a.m. June 30, according to the Sheriff's Office death report. Nearly an hour passed before he was seen again by a guard at 11:09 a.m., according to that same report.

By that time, he had already tried to kill himself.

Cano-Castellanos had a medical history "significant" for suicidal ideation, or having thoughts of killing himself, according to an autopsy report The N&O obtained from the N.C. Office of the Chief Medical Examiner. He was placed on suicide watch after being booked, the autopsy states.

Inmates confirmed by jail officers or mental health personnel to have suicidal thoughts should be placed on special watch, according to [North Carolina jail supervision rules and regulations](#).

They should be observed by an officer at least four times each hour on an irregular basis, the rules state. There must be no more than 20 minutes between special watch rounds, which are conducted 24/7.

A week after Cano-Castellanos was jailed, he was taken off suicide watch on June 10, according to a jail inspection memo provided to The N&O as part of a records request.

The Durham County Sheriff's Office, which runs the jail, declined to confirm whether Cano-Castellanos was taken off of suicide watch or not. Cano-Castellanos' medical records and evaluations were redacted because of HIPAA laws.

### **JAIL GUARDS FAILED TO SUPERVISE**

In the days after the death, an investigation by Chris Wood, chief jail inspector of the Division of Health Service Regulation, found that Durham County Detention Center staff had consistently broken state supervision rules.

And not just for Cano-Castellanos, but for other inmates located in his jail cell section, Pod 3.

The investigation found, as the sheriff's death report indicated, that jail guards let too much time pass between their observation rounds of Cano-Castellanos on June 30 and also the day before.

The day Cano-Castellanos died, officers failed to follow supervision standards for the cells in Pod 3, checking on the inmates just once during the 1 a.m., 4 a.m., 7 a.m., 10 a.m., 12 p.m. and 1 p.m. hours.

The day before, officers didn't meet supervision standards for seven of the 24 hours before he died. The state found that incomplete rounds were recorded during the 9 a.m., 10 a.m., 1 p.m., 3 p.m., 4 p.m., 10 p.m., and the 11 p.m. hours.

According to a jail inspection report, Cano-Castellanos' cell was located beside a checkpoint where officers log their supervision rounds electronically.

"If they had done the round, there's a possible chance that they would have been able to save his life, or saw him in the (suicide) attempt," said Luke Woollard, an attorney at Disability Rights North Carolina specializing in prisons and jails.

"Or just noticed if they were doing a proper observation that something was off about him and maybe call in mental health (staff)," Woollard said.

Five years earlier, 17-year-old Uniece Fennell died after attempting suicide by hanging in her Durham jail cell. The state faulted the jail in that death for not checking on Fennell at least twice each hour, The Herald-Sun previously reported.

## **STAFFING VACANCIES**

Staffing shortages have affected law enforcement agencies across the Triangle and nationwide.

As of July 1, 2022 — the day after Cano-Castellano’s death — Durham had 90 vacancies in the Detention Center, almost half of all positions, according to figures from the Sheriff’s Office.

David Bowser, a Sheriff’s Office spokesman, said jail staffing requirements were met despite the vacancies, but he declined to explain how.

Sheriff Clarence Birkhead previously told The N&O that staffing has been a concern, and that deputies have acted as detention officers to relieve strain on detention officers.

Detention officers in Durham County start at a salary of \$44,575, including a \$6,000 sign-on bonus for entry-level positions.

“We’ve got to pay more and make this a lucrative job in order to get people to come and do it,” said Roy Taylor, police chief of private security firm Capitol Special Police and a law enforcement expert. “It’s a difficult job, and maybe we need to make some changes.”

Woollard, who reviews jail population numbers as part of his work, said that low staffing can create an unsafe ratio of inmates and detention officers, in particular when there is overcrowding.

“Everything in the jail just gets stretched thinner,” Wollard said in an interview. “Like healthcare resources, there’s more folks that the nursing staff and mental health staff have to see, there’s more folks to supervise.”

Woollard, said that the monthly population average for June 2022 showed that the jail was at about 50% capacity.

“So their staff’s at 50%, the population was at 50%, but that to me might indicate a dangerous jail,” said Woollard. “That danger is always based on staffing ratios.”

## **HISTORY OF SUICIDES AT DURHAM JAIL**

The Durham County Detention Center has a documented past of suicides by hanging — 12 of them in 20 years, while the county knew of suicide hazards at the jail, a [Herald-Sun investigation](#) from 2017 found.

At the time, the last incident was Fennell’s death in March 2017, which involved a bedsheet hung from a window bar in her cell.

The Sheriff’s Office spent \$89,000 to modify 432 of the jail’s 576 windows, The Herald-Sun reported.

The first 144 windows at the jail were modified in 1999, the year after a 20-year-old detainee used a window bar to hang himself in August 1998.

Five more incarcerated people died by suicide until the rest of the windows were fixed in 2017.



Durham County Sheriff Mike Andrews discusses the old grates in jail cells which are being replaced with new “suicide proof” vent grates in a wing of the Durham County Detention Center Monday, June 6, 2016. A section of the jail is being renovated to accommodate mentally ill prisoners. Chuck Liddy [cliddy@newsobserver.com](mailto:cliddy@newsobserver.com)

## HOW THE JAIL RESPONDED

Bowser said no officers were disciplined in connection with Cano-Castellano's death.

But the Sheriff's Office has made changes.

Last August, Wood, the state's chief jail inspector, asked Birkhead in an email to submit a "Plan of Correction" describing what measures and "systemic changes" would be made to ensure "deficient practices" were fixed.

Birkhead responded to Wood the following month. The biggest change, he wrote, was the introduction of Jail Core, a mobile app that can "securely document the successful completion of all observations, head counts, location changes, inmate interactions and more through the use of a handheld rugged mobile device," according to its website.

Jail Core requires devices in each jail cell, which the county installed in the last week of January. Officers then use mobile devices to observe detainees in real time, with the devices alerting when rounds have not been completed.

Birkhead indicated that Jail Core would provide alerts that "should mitigate the risk of missed supervision rounds and the analytical tools will help identify procedural issues or employees who need refreshers or re-training."

Additionally, detention officers were required to take "refresher" training by Dec. 31, 2022. Officers had to take the 2019 Inmate Suicide Prevention In-Service Training and take the Detention Officer Certification Course, focused on the "duty to supervise and protect inmates," according to the email correspondence from Birkhead.

"Supervision rounds are just so important for everybody's safety," Woollard said. "Not just folks who may be suicidal, but just folks with general medical concerns, who may not be able to contact anybody until they come around or may have passed out, fallen down, sort of anything like that."

*Virginia Bridges contributed to this report.*

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