

# North Carolina Sheriff's Office concealed killing, ignored repeated allegations of brutality

Evan Blake  
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This week, the Raleigh, North Carolina-based *News and Observer* released a series of articles by reporter Mandy Locke on police brutality and misconduct emanating from the Harnett County Sheriff's Office. The Sheriff's office is responsible for patrolling a 600-square-mile area, mostly rural and deeply impoverished, due south of Raleigh, the state capital.

The reports, while fairly muted in their criticisms of the department, portray a police force that carries out a virtual reign of terror against Harnett County's working-class population and shields its officers from any scrutiny or legal ramifications for their actions, including murder charges.

County authorities have largely ignored residents' complaints against the sheriffs, with the *News and Observer* finding that at least six people who said they were abused or harassed by deputies never received a response to their complaints from the sheriff's office, district attorney's office or other officials.

The newspaper interviewed more than a dozen people in the small rural county, who "described incidents of brutality, harassment or invasion of privacy that they encountered or witnessed." One of these residents, John Gill, who has since left the state, maintains contempt for the sheriffs that invaded his home and beat him, declaring, "They are thugs with badges."

The most egregious case of police violence documented by Locke involved the March 2011 police killing of 24-year-old Brandon Bethea. The mentally ill man had been arrested on charges of rape, illegally possessing a firearm as a felon and armed robbery. While in jail, Bethea became very fearful, asserted that he was being framed and demanded his right to a fair trial. He told his lawyer that he confessed after officers threatened him and that a detective told him he was a "low life piece of s---"

who would "amount to nothing."

On the morning of March 15, Bethea, bound in leg shackles and handcuffs, was marched into a padded cell with four officers. At the rear, Officer John Clark drew his Taser and hid it behind his back as he entered the cell. He immediately confronted the unsuspecting Bethea, pointed the Taser at him and fired once as Bethea stepped back.

Bethea collapsed to the ground and Clark pulled the trigger on his Taser twice more, producing a total of three high-voltage shocks directly to his chest. By this time, it was well known that the shock from a Taser to the chest could easily induce a heart attack, and Taser International had issued a warning against such actions two years prior.

The brutal scene was captured by a surveillance camera. The footage, which the county kept private for over five years, shows Bethea shifting his arms slightly for the next two minutes and then lying motionless for eighteen minutes as the officers outside the cell casually return to their duties.

By the time anyone bothered to check on him, his heart had stopped and he could not be revived by paramedics. His death was attributed to "complications of conducted energy device application" and was ruled a homicide by a state medical examiner.

Authorities immediately moved to falsify the details of the police killing. That same day, Sheriff Larry Rollins told reporters that Bethea's death could not have been avoided and that Clark had to deploy his Taser during an altercation with Bethea, blatantly contradicting the clear video evidence.

The subsequent police report issued by detective M.J. Toler further falsified the incident. Toler began by trying to justify the killing, writing that "an altercation took place" and that Clark deployed his Taser "in an attempt to

gain control of Bethea and restrain him,” despite the fact that Clark cornered the fearful and nonconfrontational Bethea before deploying his Taser three times.

The report also falsely claimed that Bethea was “conscious and alert” when the officers left him alone in his cell, when in fact he was barely conscious for two minutes before becoming motionless.

There were no repercussions for Clark or any of the other officers involved in the killing. In fact Clark, who still works as an officer at the jail, has seen his salary increase more than 20 percent since 2011.

Bethea’s family sued the county for his death and the case was settled within nine months, with the county paying the family \$350,000 for any wrongdoing associated with Bethea’s death. The family was legally forbidden from speaking about the case and was forced to sign a settlement agreement that reads, “I agree not to make any statements, written or verbal, or cause or encourage others to make any statements, written or verbal, that defame, disparage or in any way criticize the personal or professional reputation, practices or conduct of Releasees, or any of them.”

If approached by the media or anyone else about Bethea’s death, the family is obligated to merely say, “The matter has been resolved.”

The series of exposés by the *News and Observer* also delved into the police killing of 33-year-old John Livingston last November by Harnett County Deputy Nicholas Kehagias.

Kehagias, 26, went to the wrong address at around 3:40 am on November 15, and forcibly entered Livingston’s apartment without a warrant. Once inside, Kehagias tried to arrest Livingston, prompting a struggle between the two men. Shortly thereafter, Kehagias fired his Taser into Livingston at least twice and dropped his Taser, which Livingston then grabbed and aimed at Kehagias. Kehagias then shot Livingston three times with his gun.

Due to the fact that Kehagias entered the wrong address, Livingston died before paramedics arrived over 20 minutes later. He left behind three children.

Last month, a Harnett County grand jury rejected District Attorney Vernon Stewart’s recommendation that it indict Kehagias on a charge of second-degree murder.

Kehagias deleted his Facebook and other social media accounts shortly after the shooting. The *News and Observer* uncovered a previous post that showed a picture of a jet dropping napalm bombs from the sky, with the subtitle, “About 791 days since I first thought this would be an appropriate way to improve my patrol zone. Now

that I’m a little more mature, I realize it probably wouldn’t burn hot enough.”

Until recently, Kehagias was a member of Harnett County’s D squad, one of four units that patrol the county. The *News and Observer* interviewed over a dozen people who suffered from police brutality inflicted by the D squad.

The newspaper writes: “Many of them were charged with resisting a public officer, which a former prosecutor says is a common charge when officers get rough with suspects. They were among scores charged with that offense by D squad, far more than any other county patrol unit, records show. Those charged are old and young, men and women. They are black and white, veterans and petty criminals. Most are poor.”

In 2014 and 2015, Kehagias arrested 26 people on charges of resisting arrest, roughly the same number as two other nine-deputy squads during that time period. He has used force more than any other deputy in the department.

Last May, 66-year-old Michael Cardwell called 911 when his thyroid was acting up and he felt that he might harm himself. Soon, Kehagias, Brandon Klingman and John Knight—three D squad officers—arrived. Kehagias immediately grabbed Cardwell, threw him to the ground and handcuffed him. Kehagias then rammed his knee into Cardwell’s back and pepper-sprayed him in the face.

Kehagias then pulled him to his feet, causing Cardwell’s knees to buckle due to pain shooting up and down his left side. When Cardwell could no longer support himself, Kehagias finally called for an ambulance. A day later, surgeons repaired a fractured femur and replaced his broken hip.



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