



Department of Justice

FOR IMMEDIATE RELEASE
THURSDAY, OCTOBER 6, 2011
WWW.JUSTICE.GOV

CRT
(202) 514-2007
TTY (866) 544-5309

FORMER COLUMBUS COUNTY, N.C., DETENTION CENTER SERGEANT PLEADS GUILTY TO CIVIL RIGHTS VIOLATION

WASHINGTON – A former Columbus County, N.C., Sheriff's Office sergeant pleaded guilty today in federal court in Greenville, N.C., to a civil rights charge related to the assault of a detainee, the Justice Department announced.

Danny Ray Duncan, 63, pleaded guilty to willfully depriving a pretrial detainee of his constitutional right not to be deprived of liberty without due process of law by placing a detainee at risk of serious harm from other inmates knowingly and with reckless disregard for his safety.

“When corrections officers knowingly place the people they are charged with protecting at risk of serious harm, they undermine the very fabric of our legal system,” said Thomas E. Perez, Assistant Attorney General for the Civil Rights Division of the Justice Department. “The Civil Rights Division will aggressively prosecute these violations of our laws.”

“The public has placed a great trust in law enforcement, and we must do everything we can to ensure that trust is not broken,” said Thomas G. Walker, U.S. Attorney for the Eastern District of North Carolina. “Our office remains committed to promoting a high standard of professionalism throughout the law enforcement community in this district.”

During his guilty plea, Duncan admitted that on Aug. 2, 2010, while working the overnight shift as a sergeant in the Columbus County Detention Center in Whiteville, N.C., he placed a pretrial detainee into a cell knowing there was a substantial risk that the inmates in the cell would assault the detainee. Duncan further admitted that he acted with deliberate indifference to the risk of assault, and that the detainee suffered bodily injury as a result of the assault.

Sentencing for Duncan is expected to be scheduled for January 2012. He faces up to 10 years in prison and a maximum fine of \$250,000.

On Aug. 24, 2011, a federal grand jury in Wilmington, N.C., returned an indictment, charging former inmate Terry Lashavious McMillian, 26, for his role in

assaulting the detainee. The trial of McMillian is set to begin in Greenville on Nov. 8, 2011.

This case was jointly investigated by the Wilmington office of the FBI Charlotte Division and the North Carolina State Bureau of Investigation. The case is being jointly prosecuted by Assistant U.S. Attorney Toby W. Lathan from the U.S. Attorney's Office for the Eastern District of North Carolina and Trial Attorney Ryan R. McKinstry from the Civil Rights Division of the U.S. Department of Justice.

###

11-1330

DO NOT REPLY TO THIS MESSAGE. IF YOU HAVE QUESTIONS, PLEASE USE THE CONTACTS IN THE MESSAGE OR CALL THE OFFICE OF PUBLIC AFFAIRS AT 202-514-2007.