

Lawsuit filed in jail hanging death

By JONATHAN WATSON

Staff Writer

CONCORD — The widow of a man who hanged himself at the Cabarrus County Jail in March has filed suit against Cabarrus Sheriff Robert Canaday and jailer Barry Bruce.

The suit, filed in federal court Wednesday, accuses Bruce of neglecting to ensure Franklin Combs' safety after he was brought to jail on March 28. Canaday is named in the suit because as sheriff, he is responsible for staffing and supervising the jail.

April Combs, Franklin Combs' widow, is asking that a jury award her compensatory damages in excess of \$10,000, punitive damages in an amount to be determined, interest for any judgment from the date of the suit and that cost for the trial be assessed to the Canaday and Bruce.

Neal Rodgers of Charlotte law firm Tim L. Harris and Associates is representing April Combs.

April Combs called the Kannapolis Police on Saturday, March 28. She told them that her husband had been drinking, and that they were fighting. Her father had tried to get

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Transcript of wife's call

Sgt. Barry Bruce: Sgt. Bruce.

April Combs: *Yes sir, um, my husband, um, my husband, I am not trying to bother anybody, but my husband he, he went in tonight. Well, I had him put there, because I didn't want him here. But he's called up here like twice, and I told the police officer, the Kannapolis Police officer that came up here a while ago. . . .*

Bruce: Un uh.

Combs: *. . . that he was suicidal. He's probably just saying that. But really he is, he's probably just saying that. He just called up here like five minutes ago saying he was going to kill himself.*

Bruce: Yeah.

Combs: *I just want to tell y'all.*

Bruce: Well we got him, we got him somewhere that he don't have anything to do it with.

Combs: *OK, I can sleep a whole lot better tonight, 'cause i couldn't have lived with something like that on my conscience.*

Bruce: OK.

Combs: *So I just — Hunter, baby, quit. But, oh, like I said, I just wanted to let you know he has called up here threatening suicide.*

Bruce: OK.

Combs: *OK, thank you, bye-bye.*

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Franklin to leave; he wouldn't, so she called police, she said.

He was brought to the jail at about 9 p.m.

She was worried that night because her husband was threatening to kill himself, she told Kannapolis police officers. Moreover, she called the jail at least twice to tell them he was suicidal, the suit says.

A transcript of one of her calls is included in the suit.

When he was jailed, officers took Franklin Combs' belt and shoes from him and placed him in a cell with a surveillance camera.

April Combs' suit acknowledges that those measures were taken but asserts that "(Franklin) Combs was not, however, placed on suicide watch."

"His belt and shoelaces were taken away from him but he was provided with sheets and/or blankets," the suit says.

That oversight, according to the suit, cost Franklin Combs his life.

Canaday, who was not in this morning, said in March that after April Combs' called, Franklin Combs was placed in a special cell, watched and checked throughout the night.

Officers checked the cell at 3:31, Canaday said, and Franklin Combs appeared to be asleep under sheets. When they checked at 3:38, however, they found he had used the sheets to hang himself.

Officers cut him down, performed CPR on him and took him to the hospital, where he died, Canaday said.

Situations like the one with Franklin Combs are not rare; jails frequently receive inmates who threaten to kill themselves.

Canaday said in March that an inmate attempted to hang himself the week before Franklin Combs' attempt. Officers were able to get to that inmate in time to prevent his suicide, but they were unable to do the same for Franklin Combs.

"There's only so much the officers can do," Canaday said.

Franklin Combs didn't say he was suicidal, Canaday said in March.