

Possibly Preventable Tragedies in West Virginia since 2000

These were culled from the Preventable Tragedy Database at <http://treatmentadvocacycenter.org>. It is possible that responsible civil commitment procedures combined with prioritization of the most seriously ill might have prevented some of these.

9/2011 Morgantown, Monongalia, WV

Summary: On September 5, 2011, 22-year-old **Shayne Riggleman fatally shot five people** in their rural West Virginia home and then killed himself in Kentucky during a police chase. **Riggleman had stopped taking medication for bipolar disorder.** Source: CBSNews.com, 9/7/11; CBS59, 9/7/11; The Dominion Post, 9/8/11

11/2011 St. Albans, Kanawha, WV

Summary: On November 2, 2011, 33-year-old **Omar Cowan was killed by police** at his apartment following a hour-long standoff after holding his wife and kids hostage. The SWAT team was sent to the home and tried for about an hour to get Cowan to leave the home. When they entered the home, Cowan threatened them and they fatally shot him. Cowan's landlord said she had called for help the day before to get Cowan to a hospital. He was taken in but later released without any prescriptions. She says since the family moved from New York City a few weeks before, **Cowan hadn't taken his medication for a mental illness.** Source: WSAZ, 11/2/11, 11/3/11

11/2003 Charles Town, Jefferson, WV

Summary: **David Mendez shot his sister**, Alicia Mendez, 21, once in the chest and then shot himself. **Mendez, 23, was diagnosed with schizophrenia.** The day before, Mendez went to the Wal-Mart store in Martinsburg, where two employees sold him a Savage .243-caliber rifle despite Mendez "exhibiting bizarre and suspicious behavior demonstrating his mental instability". Mendez allegedly told the deputies **he had not been taking his medication.** Source: Hagerstown Morning Herald (MD), August 4, 2004; The Charleston Gazette, January 16, 2005

4/2004 Ravenswood, Jackson, WV

Summary: Larry Harless, a 62-year-old iconoclastic lawyer who specialized in controversial cases, died April 1, 2004 after he apparently jumped off a bridge in Ravenswood, WV. Friends and family said Harless struggled with bipolar disorder. One friend said he "was on Social Security disability in his last years. He had real serious manic periods." "It was something he struggled with all of his

life," said his sister, Becky Cornett. "He took medication. He didn't take it as faithfully as he should."

Source: The Charleston Gazette (WV), 4/2/2004 Charleston Daily Mail, 4/2/04

2/2002, Fayette, WV

Summary: Jeffery Satterfield, 20, of Morgantown died February 27 after allegedly jumping from the New River Gorge Bridge, according to Bill Laird, Fayette County sheriff. Police had received a call about an abandoned vehicle near the bridge and after searching the area they recovered Satterfield's body from the river. His mother reported that Satterfield was diagnosed with bipolar disorder in October 2000. Source: University Wire, March 5, 2002

10/2003 Morgantown, Monongalia, WV

Summary: In October 2003, Neil Preston, a young man with major depressive and anxiety disorders, **shot himself in the head** in front of his father's home in Morgantown, WV. Prior History: In fall 2002, Preston spent 6 days in a psychiatric ward. He was prescribed three medications and released. In August 2003, while off his medication, Preston got into a physical fight with a relative, the police were called, and an emergency room doctor evaluated him. The doctor said Preston was suicidal and put him on a 24-hour watch. **At the mental hygiene hearing the next day, a psychiatrist interviewed Preston for a few minutes, declared he was not a threat and recommended outpatient therapy. The mental-hygiene commissioner encouraged Preston's mother to drop her involuntary commitment petition.** His mother said she tried to get an emergency appointment for him the week before his death, but the center was unable to see him right away. Source: The Charleston Gazette, February 6, 2005

9/2010 Weston, Lewis, WV

Summary: On September 5, 2010, 25-year-old **Justin Sean Gum fatally shot his father**, James Grover Gum, during a fight. Authorizes said this was not the first time police had to mediate a dispute between this father and son. Subsequent History: On June 9, 2012, a judge found the 26-year-old **Gum incompetent to**

stand trial for the death of his father.

This was the second time a judge found that Gum wasn't competent to stand trial. Last year, he was sent to Sharpe's Hospital for restoration. Psychologists who evaluated Gum, diagnosed with schizophrenia, don't believe he will ever be competent to stand trial. A September hearing was scheduled to determine how long Gum would be held as a ward of the state. Source: WVMetroNews.com, 9/20/10; WDTV, 6/13/12

10/2006 Martinsburg, Berkeley, WV

Summary: On October 23, 2006, Steven C. Scott went to an automobile dealership in Ranson to test drive a Lexus SUV. **Scott, a schizophrenic, had not taken his medications for several days prior to test driving the car and decided to drive it west on Route 9. When Scott did not return the vehicle**, police were called and began to pursue Scott. Police used a baton to break out a window and then Tasered and pepper-sprayed Scott at which point, the pepper spray started a fire resulting in Scott receiving severe burns. On September 29, 2009, an agreement was entered which **paid Steven C. Scott \$100,000 for his pain and suffering as part of a mediation agreement.** In his complaint, Scott's attorney indicated his client **had not taken his medications for schizophrenia for several days before the incident.** Source: W. Virginia Record, 12/17/08; The Herald Mail, 10/15/09

1/2009 Buckhannon, Upshur, WV

Summary: On January 28, 2009, **Ridge Huffman, 18, killed his girlfriend, Rebekah Jane Gibson, 20**, of Waynesboro in a Wal-Mart parking lot. The victim had two large gashes on her throat and several lacerations on her forehead. **Huffman, who has schizophrenia**, told police he hears voices in his head and has different personalities. Source: Shenandoah Valley News Leader, 2/6/09

11/2001, Greenbrier, WV

Summary: The family of Sharon Piner, who was murdered by Roland Clemons, has sued Clemons' psychiatrist, Dr. Barry Yates, alleging the doctor should have done more to prevent the man from being violent. Yates had been treating Clemons for four years for a variety of psychiatric

ailments, including bipolar disorder and hallucinations, according to the lawsuit filed in Greenbrier (WV) Circuit Court. **The doctor knew Clemons was not taking his medication and that residents of Clemons' apartment building were afraid of him.** Two weeks before the fatal shooting of resident manager Sharon Piner, Clemons told Yates he would "get upset and hurt somebody if he returned to his apartment," the lawsuit said. At a subsequent session Clemons said, "He felt like he was going to explode." On Nov. 20, 2001, **Clemons went to Piner's office and shot her in the head** after tying up another tenant with a bed sheet. Source: The Charleston Gazette, 12/12/03

7/2001 Hurricane, Putnam, WV

Summary: **Jonathan Tillman**, a 22-year-old man with no criminal record who said he heard voices saying to "just do it", **shot and killed Dolores Bateman, a 64-year-old pastor's wife.** He did not know his victim. His lawyers planned to plead not guilty by reason of mental illness after a psychiatrist who evaluated Tillman attributed the voices compelling him to kill to **schizophrenic delusions.** Prior History: According to court documents, Tillman began seeing mental health professionals in his pre-teens because his anger and "unusual personality" concerned his mother. Tillman said he began hearing a male voice three years prior to the murder, as well as "messages" that "flashed across" his mind and encouraged him to prove the world is not real. Source: Charleston Daily Mail (WV), 10/14/02; The Charleston Gazette, 1/16/05

7/2000 S. Charleston, Kanawha, WV

Summary: **Joseph Toliver, 22, has been charged with first-degree murder** in the July 20, 2000, stabbing death of Michael Douglas Fleming, 21, at a South Charleston, West Virginia Go Mart. Store video cameras recorded the 3:30 a.m. robbery and killing. After reviewing a doctor's evaluation, Chief **Circuit Judge Charles King ruled Toliver incompetent to stand trial.** Toliver was sent to the South Central Regional Jail forensic unit for 40 days and Judge King will decide at an August 2, 2001, hearing if Toliver requires more treatment or if he can stand trial. Source: The Associated Press, 6/5/01

3/2005 Kanawha City, Kanawha, WV

Summary: **Richard O'Neal, 37, a man with mental illness, suffocated his mother,** 62-year-old Bonnie O'Neal, at the

home they shared in Kanawha City, WV on March 21, 2005. His brother said that O'Neal had been threatening their mother and believed she was trying to poison him. Bonnie O'Neal had told her other son that she was planning to send O'Neal back to the hospital, but died before she got the chance. O'Neal admitted to the killing and was charged with first-degree murder. Prior History: **O'Neal suffered from both schizophrenia and paranoia,** his brother said, and had been **in and out of mental institutions five or six times** over the last 15 years. Police had been called several times to Richard O'Neal's home in recent years, and the local officers became familiar with him. Source: Charleston Daily Mail, Charleston Gazette, March 22, 2005

8/2004 Charleston, Kanawha, WV

Summary: Christopher W. Blackwell, 30, a **man with bipolar disorder, fatally stabbed his daughter and his estranged wife** on August 6, 2004. Three children, including two of Blackwell's own, watched him kill Brittany, 11 and Sherry Blackwell, 26, with a butcher knife. After the murders, he took pictures of the corpses and called 911. "I stabbed my wife and them," he told a 911 operator, according to a transcript. Source: The Charleston Gazette, 4/19/05

5/2003 Charleston, Kanawha, WV

Summary: On May 14, 2003, **David E. Edge, 35, strangled his 58-year-old mother,** Ann Moles, to death in the home they shared. Police had been called to the residence previously, and **Edge had a history of multiple arrests and hospitalizations. Moles frequently had expressed concern about her son because he often stopped taking his medication. She wrote to Gov. Bob Wise, her U.S. senators and other politicians begging for help.** Edge had moved in with Moles because the community mental health center could not provide enough care for him to live independently. Subsequent History: Edge was remanded to a Sharpe psychiatric hospital for treatment after being **deemed mentally incompetent to stand trial.**

8/2002 Winfield, Putnam, WV

Summary: **Frank R. Adkins, 32, was charged with first-degree murder for walking into an Exxon near his Winfield, WV home and shooting store clerk Stacy Clint Doss** twice on August 15, 2002. Dr. John Justice of West Virginia Psychiatric Services found that **Adkins was not competent to proceed to trial**

and needed immediate hospitalization. Justice later sent the full report to the court, which concluded Adkins was in need of "intensive psychiatric management" due to a history of schizoaffective, bipolar disorder, obsessive-compulsive disorder, impulse control disorder, self-injurious behavior and mild mental retardation. Subsequent History: Adkins accepted a plea bargain and was sentenced to life in prison without parole. He was remanded to the Mount Olive Correctional Facility, in a special mental health unit. Prior History: **Adkins had a long history of mental illness,** including multiple suicide attempts. During one attempt he stabbed himself in the stomach with wire hangers. He also mutilated himself repeatedly by slashing his stomach with razor blades. **Between 1995 and 2002, police, social workers and family members filed 14 mental-hygiene petitions to have him committed to the mental hospital. He was treated 19 times in a mental hospital or the psychiatric ward at a general hospital.** Source: Charleston Daily Mail, June 14, 2003; The Charleston Gazette, January 16, 2005

7/2002 Hedgesville, Berkeley, WV

Summary: **Timothy Dale Wood was charged with killing his grandmother** by hitting her in the head with a cast-iron skillet on July 14, 2002 in her home in Hedgesville, WV. **He was found not guilty by reason of insanity.** Circuit Court Judge Christopher Wilkes ordered Wood, 38, to spend the rest of his life in William R. Sharpe Jr. Hospital in Weston, W.Va., which is a 24-hour locked-down facility. A psychiatrist and psychologist both diagnosed Wood with paranoid schizophrenia. **He had been hospitalized numerous times for mental problems** and had attacked his grandmother before. Source: Herald-Mail (West Virginia), July 15, 2003

10/2002 Hedgesville, Berkeley, WV

Summary: **David Munday, 37, of Hedgesville, WV, was indicted for shooting of Trooper R.J. Elswick, an eight-year veteran of the West Virginia State Police,** Elswick, along with two other troopers and a State Police sergeant, responded to a domestic violence call on the evening of Oct. 10, 2002. **Before the shooting, Munday had been diagnosed with a bipolar disorder and prescribed Lithium. Munday's lawyer said Munday was not on his**

medication at the time of the shooting. Psychologist Nina Shinaberry, testified that Munday told her **he was trying to commit "suicide by cop"** the night of the incident, and that he had made several previous suicide attempts - including an earlier attempt to provoke police into shooting him. Source: Charleston Daily Mail (WV), August 12, 2003 Hagerstown Morning Herald (Maryland), October 24, 2003

9/2000 , Nicholas, WV

Summary: In September 2000, **David Morris, a man with paranoid schizophrenia, shot and killed Deputy William Giacomo.** Subsequent History: Two months after the shooting, Morris was found dead, hanging by a bed sheet from a writing desk. A state investigation ruled the death a suicide. Prior History: Morris began having hallucinations as a teenager, according to his mother, Mona Jean Butler. **The police told Butler to commit her son to a mental hospital, and a general practitioner who did not agree that hospitalization was necessary evaluated him.** In 1996, Morris was convicted of shooting a man. He was sentenced to Mount Olive Correctional Facility in Fayette County. There, he was **diagnosed with paranoid schizophrenia.** He received medication and therapy and his behavior improved. In 1999, he was released and moved in with Butler. **Two prison officials tried to persuade a judge to commit Morris to a mental institution, but the judge refused.** Butler tried to persuade her son to go, but he wouldn't, she said. He became paranoid. Butler tried to get him admitted to the hospital, but before they had a bed open, Morris shot Officer Giacomo. Source: The Charleston Gazette, 1/17/05

2/2003 Charleston, Kanawha, WV

Summary: On Feb. 7, 2003, **Brian Caldwell allegedly shot at a natural gas pipeline, which caught fire,** in the Cabin Creek area of Charleston, WV. **Caldwell, who has a history of mental illness,** was held in federal custody at South Central Regional Jail. Subsequent History: A plea agreement between the government and Caldwell, 47, called for him to plead guilty to illegal possession of a firearm by a person who has been **judged mentally defective** and lying on a federal form that required him to disclose his mental status. Prior History: Caldwell told the judge he had been seeing a psychiatrist since about 1995 for depression and was taking three

drugs for his mental problems. In 1999, Kanawha County Circuit Judge Irene Berger appointed Caldwell's wife, Sharon Ann, as his legal guardian. Caldwell's attorney, Timothy J. LaFon, told the judge that Berger's order said **Caldwell suffered from a bipolar disorder and some symptoms of schizophrenia.** Source: Charleston Gazette (WV), August 20, 2004

10/2002 Clendenin, Kanawha, WV

Summary: On October 3, 2002, **Carol Armentrout, a woman with mental illness, inadvertently caused the largest fire in Clendenin, WV** history when she attempted to heat her home by burning gasoline-soaked rags in hubcaps after the utility company cut off the house's electricity. The fire eerased 10 percent of the town's tax base. Armentrout and her husband, Henry, were both clients at Shawnee Hills, the regional mental health provider, but they had stopped going to the treatment facility. Neighbors said the Armentrouts did well for years because Carol Armentrout's father checked in on her three or four times a week. **After he died, no one was there to make sure she took her medications** and kept her utilities on. Subsequent History: Four days after the fire, Armentrout was found walking in front of the still-smoldering ruins of her home. Clendenin Police Chief David Crowder called Adult Protective Services and asked that a mental hygiene petition be filed for her. However, **APS refused, saying since the fire's origins couldn't be definitively attributed to Armentrout, they could not use it as criteria for dangerousness.** In March 2003, several neighbors filed a lawsuit against the state Department of Health and Human Resources and the town of Clendenin over the fire. They settled the case in December 2003 for an undisclosed amount. **Armentrout's lack of mental capacity, and therefore her lack of criminal intent, made it impossible to prosecute her for arson.** Prior History: The Armentrouts behavior had begun to decompensate in the year prior to the fire. The couple had begun eating food out of the garbage, and Carol Armentrout would urinate and defecate on her lawn. She was found several times curled up in a fetal position on the side of the road. In the months before the fire, neighbors called the police and Adult Protective Services repeatedly. Less than two weeks before the fire, a state Adult Protective Services worker visited the Armentrout home, as well as the police. One patrolman said he

saw broken windows, no appliances or furniture, and trash everywhere. He called it "a cave with plaster walls." **Carol Armentrout's brother said that she had received treatment for chronic mental illness for many years, and occasionally was committed to the state psychiatric hospital.** Source: Charleston Gazette (WV), 1/2/05

12/2006 Harpers Ferry, Jefferson, WV

Summary: On December 2, 2006, **James Robert Jones walked into the bar at the Quality Inn along U.S. 340 and opened fire with a 9 mm automatic handgun.** Michael Mihalik, 26, a bartender at the Cliffside Bar and Grill, died and two were injured. Subsequent History: On June 28, 2007, a psychiatrist determined that James Robert Jones, 26, charged with first-degree murder in the shooting death of Michael Mihalik, **was not competent to stand trial because of mental illness.** Source: Herald Mail, 6/29/07; Journal News, 10/13/07

5/2006 Lashmeet, Mercer, WV

Summary: On May 9, 2006, **Deborah Fuller, 56, was arrested in Grayson County, VA, after the shooting deaths of her mother** by adoption, Effie Roberts, 95, and Roberts' daughter Effie Akers, 73. Subsequent History: On October 15, 2007, Circuit Court Judge Derek C. Swope found **Deborah Fuller not guilty by reason of mental illness.** Swope ordered for Fuller to be committed to a mental health facility for the remainder of her life without mercy plus 25 years unless sooner discharged by the court. Prior History: Fuller had previously said that her family had been kidnapped and replaced with impostors. She also spoke about elaborate conspiracies involving the Kennedys, the CIA, Hitler and Biblical verses. Source: Bluefield Daily Telegraph, 10/16/07

Date 9/28/11 Boone County

Summary: On September 28, 2011, 56-year-old **Wesley Leroy Kinder drowned his mother, 79-year-old Janice Kinder** in a creek behind her home. **Kinder's sister said he is a paranoid schizophrenic** with the mind of a child. She said their mother was Wesley's primary caretaker and they lived alone. The sister said Wesley Kinder made threats to his mother in the past because of the schizophrenia. Source: Charleston Daily Mail, 9/28/11; Charleston Gazette, 9/29/11