

## **JAIL DEATH**

Jail death came after prior run-ins with law  
Edwin Mays first served prison time at 17; was once ordered to write apology to jail staff

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Hours before he died of a methamphetamine overdose in the Deschutes County jail, Edwin Burl Mays sat in the back of a patrol car, his feet stretched out ahead of him.

“He crossed his feet like he was relaxing at the beach,” wrote Bend Police Officer Whitney Wiles in an incident report. Mays, 31, had been detained after a vehicle pursuit. He was a passenger in the car driven by his half-brother, 32-year-old Adam Davenport.

Court records show Mays was no stranger to law enforcement or the jail. However, the public record doesn’t reveal the complexity of drug abuse or other issues Mays might have been reckoning with prior to his death.

Mays died around 9 p.m. Dec. 14, according to the state medical examiner. The sheriff’s office is now the subject of a state investigation and a potential lawsuit on behalf of Mays’ estate.

A review of jail and sheriff’s office policies by The Bulletin showed the office’s own procedures might not have been followed the night Mays died. But it is unclear that with such a high concentration of methamphetamine in his system Mays could have been saved.

Mays’ father, Edwin Mays, Jr., and his uncle, William Mays, declined to comment for this article, redirecting questions to their attorney, Jennifer Coughlin, who filed a notice of intent to sue the county, a Bend Police officer, the sheriff’s office — which operates the jail — and 10 of its employees on March 24.

Coughlin said that in the fall of 2014, Mays was preparing to move up to Washington to start a landscaping business with his father. She also said Mays’ criminal history was not relevant to his death in the jail.

“Who knows what his life could have looked like, that’s the sad thing,” she said. “To me, the focus is on where he could have gotten, and not where he was.”

According to the Oregon Judicial Information Network, Mays’ first prison term was assigned in October 2000 — when he was 17 years old — for first-degree burglary. He was sentenced to a year and a half in prison and three years of post-prison supervision. He was also ordered to pay about \$4,000 in restitution.

The court recommended Mays undergo inpatient treatment in October 2003 when his probation was revoked after serving time for a conviction for possession of a Schedule II controlled substance and unlawful use of a motor vehicle. For a second-degree criminal mischief conviction in early 2004, he was ordered to write and deliver to jail staff a “sincere letter of apology.”

He returned to state custody again in June 2004 for tampering with a witness and using or carrying a dangerous weapon, according to OJIN. Between then and the night he died, he faced charges eight more times in Deschutes County.

When Mays was arrested Dec. 14, he was on county supervision for a 2011 firearm offense. He'd served about 20 months in state prison and was released March 29, 2013, according to the Oregon Department of Corrections. A Deschutes County Parole & Probation officer authorized a detainer for him, according to Wiles' report.

After a vehicle chase through northeast Bend, Davenport stopped his car on NE Moonlight Drive, leaving the doors open and music blaring before taking off on foot. Mays stood in front of Davenport's car, "waving his arms wildly," as Davenport ran, according to the report. He told Wiles he had a gun. She ordered him to show her his hands, which were empty. "Mays appeared agitated and his body was rigid," she wrote. "I noted that he could not stand still, though he was complying with orders and not reaching back toward his waistband."

Davenport jumped over a nearby fence, but Wiles and another officer were able to detain Mays. They searched him — finding a Tupac CD case in his pocket, which they believed contained heroin — and tried to ascertain who Mays was. According to the report, he told them his name was "Juan," and that he did not speak English; when an officer asked if he was Davenport, he replied in the affirmative. Another officer identified Mays, and they took him to the jail.

Until the investigation — and the possible lawsuit — are complete, not much more may be publicly known about Mays or what led him to spend so much time in the hands of authorities, in whose custody he ultimately died.

Deschutes County Sheriff's Capt. Shane Nelson, who oversees the jail, did not return a call for comment Friday. Bend Police Chief Jim Porter said he could not comment due to pending litigation.

While corrections staff statements to investigators were inconsistent with respect to whether Mays had requested medical treatment, in interviews, other inmates who were in the area the night Mays was died told investigators they felt he needed to go to the hospital.

"It (the drugs) had full control of him," Nathan Detroit, who was booked in the same holding cell earlier in the day, told Bend Police Detective Christopher Morin. Detroit reportedly told his probation officer that the incident in the jail was "messed up," according to police reports.

"I told the (corrections) officer, 'Hey, look man, he's not faking it, there's something really wrong, he needs to go to the hospital,'" Davenport, who was booked with Mays, told Morin.

Another inmate, Andrew Johnson, said he'd observed Mays "bouncing off the walls."

Effie Fulton, who was on a jail work crew that cleaned the booking area near the cell where Mays died, wrote a letter to then-Deschutes County District Attorney Patrick Flaherty on Dec. 16.

"I have been around death numerous times in my life, have watched people pass away, but this was by far the most neglectful," Fulton wrote.

The Oregon Department of Justice's review is still active and officials cannot yet disclose how long it may take, Oregon Department of Justice Spokeswoman Kristina Edmunson wrote in an email Thursday.

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