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FRONT PAGE

CASE IS DISMISSED FOR A 911 DISPATCHER *JUDGE: ACTIONS NOT NEGLIGENT*

BY BEN SCHMITT
The Detroit Free Press

DETROIT In a case that drew national attention to the conduct of 911 operators, a judge dismissed charges Wednesday against one of two 911 operators accused of willful neglect in mishandling a call from a Detroit boy whose mother was lying unconscious in their apartment. Judge Paula Humphries of 36th District Court said Terri Sutton, a 19-year veteran, may have been rude to the boy over the phone, but she requested a police car, which arrived within 5 minutes.

After Humphries dismissed charges against Sutton, the boy looked at his father and said: "Daddy, what happened?"

"We lost," Robert Yelder, 57, told his son, now 7. "That lady's going home."

Robert, then 5, called for help when his mom, Sherrill Turner, 46, became unconscious in their apartment on Feb. 20, 2006. One dispatcher hung up on him. Detroit police arrived after Sutton requested assistance.

"Does rudeness equate to willful neglect?" Humphries said. "Having heard the tapes, I believe the operator may have been rude, but I don't see enough evidence for willful neglect."

Humphries dismissed the case before it got to a jury at the request of Sutton's lawyer David Lee. After prosecutors rested their case, Lee asked for the dismissal in a legal maneuver known as a motion for directed verdict.

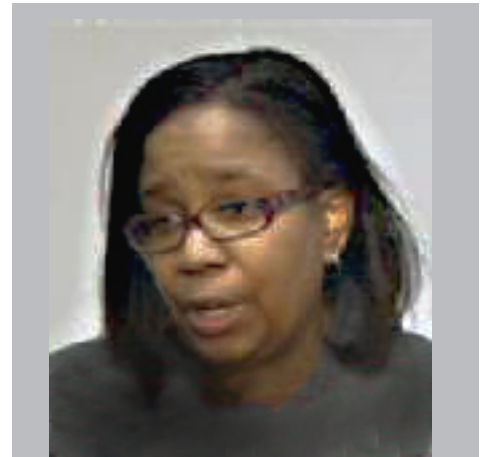
Sutton screamed for joy after Humphries tossed the case.

"I feel very happy and I just want to thank Judge Humphries," she said. "This case has turned my life upside down."

Another 911 operator, Sharon Nichols, 45, is still on trial. Her attorney Cornelius Pitts also asked for a directed verdict; Humphries rejected the request. Robert called 911 twice over three hours after his mother fell unconscious. It was later determined that she died of an enlarged heart.

Nichols took a call at 5:59 p.m. and coded the call as a prank. She did not request any response from police or EMS and her defense has been that she couldn't hear the boy.

Sutton took a call at 9:02 p.m. and first chided the boy, but then requested police, who responded within five minutes and found Sherrill Turner dead.



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"I feel bad for the family, especially young Robert, but I did my job at the time," Sutton said.

Sutton said she is now working in the police department's property room. She said she was suspended for five days after the incident.

Robert's older sister, Takisha Turner, 24, said she's furious with the judge's decision. "I think it's completely wrong that the judge let her off like that," said Turner, who is now raising Robert.

Turner said she's hopeful the jury will convict Nichols but still believes Sutton should also be held accountable.