

Indictments Handed Down in Best Western Deaths

Written by Steve Frank

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“The DA’s office decided to submit to the Grand Jury one name, and that name being Barry Damon Mallatere.” Assistant District Attorney Britt Springer announced to a press conference late yesterday indictments handed down in the case of three deaths from the Best Western Hotel in Boone from last spring. It was a long day for a new Watauga County Grand jury, half of them serving their first day, but just after 5 yesterday afternoon, Springer said, “The Grand Jury has returned four True Bills of Indictment,” saying there were three indictments of involuntary manslaughter and one count of assault inflicting serious injury filed against Barry Damon Mallatere, president and in charge of the Appalachian Hospitality Management which oversees the hotel. Daryl Jenkins and his wife, Shirley died in room 225 in April while visiting from Longview, Washington. Then seven weeks later 11-year-old Jeffrey Williams of Rock Hill died in the same room. His mother, Jeannie, nearly died, and suffered life-long injury due to the exposure to the carbon monoxide that seeped into the room from the pool area just a floor below. A faulty exhaust on a replacement heater was to blame, according to investigators. Boone Planning Director Bill Bailey said that the heater had been changed out without being inspected, and that the new heater did not match the exhaust system in place. Springer said that the investigation in the deaths was extensive, and involved reams of materials. Mallatere’s attorney, Paul Culepper, issued a statement on his behalf expressing disappointment that the DA’s office is charging Mallatere, saying that the Best Western hired another company to change the pool heater to natural gas from propane, and that the culpability should lie there. Mallatere is expected to turn himself in today. Family of young Jeffrey Williams released a statement, saying, “This is a very difficult position for our family as we do not want to see any person or persons have to go to prison for an honest mistake. However, in this case, gross negligence and recklessness in the failure to correctly design, install, inspect, maintain, and repair the hotel’s pool heater system, coupled with delays in the initial investigation of Daryl and Shirley Jenkins’ deaths, then a failure to act on information directly caused Jeffrey’s death and Jeannie’s injuries.”