

LOCAL

Knox County medical examiner report says Robert Bailey died of drug overdose in police custody

**Tyler Whetstone**

Knoxville News Sentinel

Published 4:10 p.m. ET Jan. 26, 2022 | Updated 8:27 a.m. ET Jan. 27, 2022

Robert Nathaniel Bailey died from a drug overdose, the Knox County District Attorney's Office said Wednesday, providing supporting evidence including video that shows Bailey swallowing two plastic baggies while in a police vehicle.

No charges will be filed.

Bailey, 41, was pulled over for a broken taillight at about 12:30 a.m. Jan. 6 near Linden Avenue and Cherry Street. He became "unresponsive" while in a police vehicle and was pronounced dead after he was taken to the University of Tennessee Medical Center.

An autopsy report says Bailey died of "acute fentanyl, methamphetamine, cocaine and hydrocodone toxicity" along with cardiovascular issues.

The medical examiner's report describes the video showing Bailey putting an object in his mouth as he was being taken to Knox County's Roger D. Wilson Detention Facility. The medical examiner's report says the autopsy showed fragments of a plastic bag were found in his throat. One was intact but the second was open.

Toxicology reports showed several drugs were in his system when he died.

District Attorney Charme Allen released the information in a press release Wednesday afternoon and included a two-minute-video clip showing Bailey swallowing an object.

Until Wednesday, Allen had refused to release video footage to the family or the public, saying her hands were tied by a court order she requested. First Amendment experts told Knox News Allen could have released the video sooner if she wanted to.

The Tennessee Bureau of Investigation had been investigating the death, which is typical when someone dies in police custody, and had maintained from the beginning that "foul play was not involved."

Knoxville officials originally showed video to Bailey's family on Jan. 12, but realized after there were 12 minutes of video omitted. As they were working to arrange to show the omitted video to the family, Allen successfully sought a court order preventing them from proceeding, but promised the same day in a public statement that she would meet with family members and share it.

She later went back on that promise and met with the family without showing them any video.

Allen released the information Wednesday without having first met with the family regarding the findings of the investigation. She reached out to their attorney, Lance Baker, on Tuesday afternoon, but Baker said she would not specify what the meeting would be about other than that a "decision has been reached."

Baker said the Bailey family had no interest in meeting with Allen without first having an idea of what would be discussed after Allen went back on her promise to show the family the evidence her office had. Baker told Knox News the lack of trust meant he needed a clearer picture of what Allen would show.

Allen refused to explain and the parties never met.

"Despite our repeated requests to meet with the family, we have not heard from their attorney today," Allen said in a statement. "Even though their attorney is not answering our calls, we hand-delivered a copy of the findings to his office, and we remain hopeful that we will be able to meet with this family who lost a loved one, as we are able to do in the vast majority of cases without issue."

Wednesday afternoon, Baker released a statement saying the justice system failed the Bailey family after Allen went back on her promise and decided to not release the video.

"While we have no comment at this time concerning the cause of Mr. Bailey's death, we remain deeply disappointed in the way this entire matter was handled by the DA," he said. "It is our sincere hope that DA Allen has learned a hard lesson from all of this and that in the future, she will be fair, decent, and honest to the families of loved ones who have died in police custody."