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\$8.3 million settlement in death of Alameda County inmate

By **Henry Lee** Updated 4:12 pm, Tuesday, February 10, 2015

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Alameda County and a company that provides health care to jail inmates agreed to pay \$8.3 million to settle a federal lawsuit filed by the four adult children of an inmate who died in 2010 after sheriff's deputies stunned him with Tasers during a confrontation.

The county and **Corizon Health** Inc., the health care contractor at Santa Rita Jail in Dublin, will split the costs of the payout in connection with the death of Martin Harrison, a 50-year-old Oakland resident who died while in the midst of alcohol withdrawal.

The deal, reached after the first week of the family's civil trial, is the largest wrongful death settlement in a civil rights case in state history, according to the family's attorneys.

Under the settlement, Corizon agreed to implement changes in how it staffs jails throughout the state, including in facilities in Santa Barbara, Tulare and Fresno counties, said the family's attorneys, **Michael Haddad** and **Julia Sherwin**. The terms of the deal will be enforced for four years by U.S. District Judge **Jon Tigar** in San Francisco.

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In 2013, the county and Corizon agreed to pay \$1 million to Harrison's youngest son, who is now 11 years old. At a news conference with their attorneys Tuesday in Oakland, the four adult children described their loss and the changes they hoped their father's death would bring.

"My father, he was a nice guy," said Martin Harrison Jr., 26, of San Francisco. "He wasn't a bad person, you know? He made one mistake and it cost him his life." He then burst into sobs and could not continue.

Tiffany Harrison, 28, of Redding said she hoped that "what happened to our dad has a bigger meaning, and he's just not another person who lost his life in the system."

Haddad said Corizon, in a bid to cut costs, endangered jail inmates by hiring licensed vocational nurses instead of registered nurses. Although Martin Harrison had told a Corizon nurse he had a history of alcohol withdrawal, the nurse failed to treat him properly, and Harrison went into "severe alcohol withdrawal" before dying at the hands of deputies, Haddad said.

In a statement Tuesday, Corizon officials said Martin Harrison did not alert the nurse about any history of alcohol withdrawal and that its employee "followed best practice and standard medical systems of checking on the patient for any complications." The company said its goal was to "provide quality health care to patients who enter incarceration with more illnesses and chronic conditions than the general population."

Sheriff **Greg Ahern** said, "We're going to change the level of expertise by the nursing staff. I think we're going to have the nursing staff provide training to our deputies so that we could identify these types of situations and prevent these things from occurring in the future."

The county's next contract with Corizon, Ahern said, will include inmate screening "at the (registered nurse) level."

Harrison had been arrested by Oakland police on Aug. 13, 2010, for jaywalking as well as on a warrant for failing to appear in a DUI case. He told a licensed vocational nurse at the jail that he drank every day and that he had a history of alcohol withdrawal, Haddad said.

The nurse initially decided to put him on alcohol withdrawal protocols but changed her mind, sending him into the general jail population with no medical follow-up, the attorney said.

Several days later, Harrison began hallucinating and acting erratically because of alcohol withdrawal, breaking a food tray and flooding his cell by overflowing his toilet, Haddad said.

Deputies found Harrison hiding behind a mattress, and the inmate told them that someone was trying to kill him, authorities said. Harrison charged at deputies and tried to grab one deputy's Taser when they tried to handcuff him and move him to another cell so that his could be cleaned, said sheriff's Sgt. **J.D. Nelson**.

Two deputies then shocked Harrison with Tasers. He was taken to the jail's medical center, where he collapsed that night, Nelson said.

Harrison died at a hospital two days later. The coroner determined that he had died of lack of oxygen to the brain due to cardiac arrest after the confrontation.

The deputies were cleared of wrongdoing by a department investigation, Ahern said. He said the deputies had "used only the force needed to get the subject under control."

Henry K. Lee is a San Francisco Chronicle staff writer. E-mail: hlee@sfgate.com Twitter: @henryklee

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