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\$7.4 Million Awarded to Family of Man Who Died from Wounds Received While in Police Custody

BALTIMORE (April 6, 2010): The family and estate of Dondi Johnson was awarded \$7.4 million today in damages from three Baltimore Police officers for injuries he received while in their custody—injuries that led directly to his death 14 days later.

The Circuit Court for Baltimore City found that all three officers—Sentry Ferdinand, Michael Riser and Nicole Leake—acted negligently while taking Mr. Johnson into custody and transporting him, and that Officer Leake additionally acted with gross negligence.

“This verdict finally brings some small measure of justice to Mr. Johnson’s family,” said Kerry D. Staton, the lead attorney for Mr. Johnson’s family and estate and a founding partner at the law firm of Schochor, Federico and Staton. “Mr. Johnson was a 43-year-old hardworking plumber; a family man trying to do his best helping raise two teenage sons. He didn’t deserve what happened to him.”

Mr. Johnson’s ordeal started the day before Thanksgiving in 2005. According to the complaint, he was detained by officers Riser and Ferdinand for a charge of public urination. Instead of giving him a citation, the officers decided to detain him, handcuff him, and request that he be transported to police headquarters. This was despite the fact that the officers acknowledge that Mr. Johnson was cooperative, cordial and nonviolent.

It was during this transport, in a police wagon driven by Officer Leake, that Mr. Johnson received the most serious of his injuries, including a broken neck causing immediate paralysis. Because Mr. Johnson was handcuffed with his hands behind him and not provided with a seatbelt, he was unable to protect himself from the sharp turns and sudden movements of the police wagon. Baltimore Police procedure requires that prisoners be secured by seatbelt in situations like this.

When officers Ferdinand and Riser, who were following the wagon in their own patrol car, went to retrieve Mr. Johnson, he was lying flat on the floor and complaining that he could not move or feel his legs. Officers Ferdinand and Riser, apparently believing that Mr. Johnson was lying or exaggerating his injuries, did not call for immediate medical attention. Instead, they physically removed him from the police wagon without stabilizing his neck, placed him on the ground and then into their own patrol car for transport to a nearby hospital.

The jury found that the injuries he received in the wagon were the direct cause of Mr. Johnson’s death.

“For the fourteen days he was alive after the incident, Mr. Johnson was in constant and extreme pain,” Mr. Staton said.

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“He was paralyzed, required a gastric tube for feeding and a tracheostomy tube to help him breathe. Eventually, his lungs filled with fluid and he essentially drowned, a common effect of such paralysis. Mr. Johnson was buried the day before his youngest son’s fourteenth birthday.”

Because the officers are employed by the City of Baltimore and there are both state and city rules governing their potential immunity from judgment, Mr. Staton said he assumes there will be additional steps the family and estate will need to complete before collecting any of the verdict awarded today.

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Schochor, Federico and Staton, P.A. is law firm that, since its founding in 1984, has been dedicated to providing the highest quality representation for plaintiffs regarding medical malpractice. With offices in Maryland and Washington D.C., our lawyers have successfully represented families and individuals in many types of medical malpractice lawsuits, including cerebral palsy, spinal cord, and injury, birth injury, medical errors and misdiagnosis, wrongful death and catastrophic injury/trauma.

Kerry D. Staton is the lead attorney for Mr. Johnson’s family and estate and a founding partner at the Baltimore and Washington, D.C. based law firm of Schochor, Federico and Staton. Serving as co-counsel was fellow partner Philip Federico. Since 1984, Schochor, Federico and Staton has provided high-quality representation for plaintiffs in a variety of medical malpractice and injury-related cases.