

Jury renders \$5M in jail suit

BY JIM NEWSOM
The Sentinel-Record

A U.S. District Court jury here Saturday determined that there is a "preponderance of evidence" that two Garland County Detention Center officials, Nurse Tommy Harmon and Sgt. Donald Ansley, were "deliberately indifferent" to the medical needs of Iraqi War veteran Steven McFarland while McFarland was incarcerated on Feb. 13, 2007.

The federal court jury assessed Harmon and Ansley together \$5 million in compensatory damages. The jury also assessed each defendant \$100,000 in punitive damages.

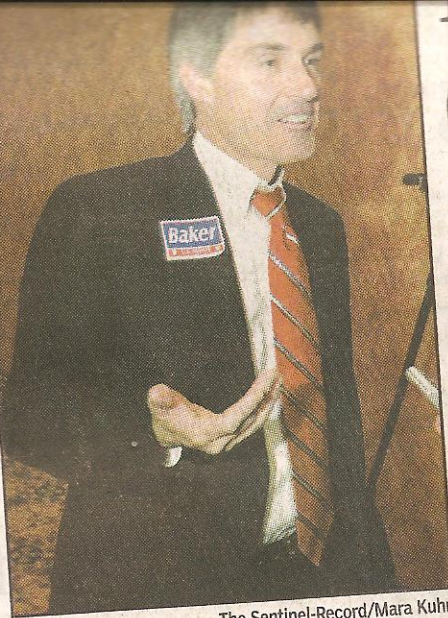
The jury, which deliberated the case for four hours on Friday and over five hours on Saturday, found that four other Garland County Detention Center officials: Lt. Judy McMurrian, Ronald Radley, John Dodge and J.D. Henry were not deliberately indifferent to McFarland's medical needs.

McFarland's mother and primary care-giver Jan McRaven of Hot Springs Village filed the federal court lawsuit against the jail officials seeking money with which to pay for her son's current medical bills as well as the costs of his permanent upkeep. McRaven holds a master's degree in neurological nursing and is her son's legal guardian. McRaven was taking care of her son at their residence when the jury's verdict was rendered.

According to case information, a urine sample taken from McFarland showed components of marijuana, benzodiazepines and opiates. McFarland had taken Seroquel, Hydrocodone, Depakote and Ambien prior to losing consciousness while in custody, according to case information. Mary K. Priddy, of Little Rock, an RN and nursing instructor at the University of Central Arkansas at Conway testified Thursday that "In my opinion, they let this man go into a coma."

Little Rock attorney Morgan "Chip" Welch, who represented McRaven/McFarland in the federal lawsuit said that while the jury's verdict was "a vindication of sorts," for McRaven the verdict would not give McRaven "what

THE WINNER IS:
State Sen. Gilbert Baker, R-District 30, of Conway, proceeds to the podium for a speech after winning the straw poll conducted by the Republican Party of Arkansas during the Winter Republican Leadership Conference at the Arlington Resort Hotel & Spa Saturday. Baker, along with six other Republican candidates vying for the U.S. Senate seat held by second-term U.S. Sen. Blanche Lincoln, D-Ark., qualified to participate in the poll.



The Sentinel-Record/Mara Kuhn

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Mrs. Claus and Santa Claus, a.k.a. Sandra and Roger Lambert of Mountain I Arkansas Midland Railroad's Santa Train makes a stop in Hot Springs on Saturdays enabled Santa and his elves to distribute a toy to each child.

driving too fast and lost control on a curve late Friday night.

The accident happened just after 11 p.m. on State Highway 212, east of Gould. State Police say the victim was not wearing a seat belt.

2 slain while playing cards

THE ASSOCIATED PRESS

PINE BLUFF - Two Pine Bluff men are dead after being ambushed while playing cards inside an apartment.

Pine Bluff Police Department Lt. Robert Rawlinson says Richard Buckley Sr. and Samuel Lindsey, both 30, were playing cards Thursday evening with at least two friends. That's when someone shot at them through the windows.

The attackers then kicked the door in and started shooting inside the apartment.

A bullet hit Buckley in the head. He was pronounced dead at the scene. A bullet struck Lindsey in the stomach. He was taken to Jefferson Regional Medical Center, where he underwent surgery and died early Friday.

Rawlinson says detectives are trying to determine a motive for the shootings.

The shootings marked Pine Bluffs 14th and 15th homicides of the year.

VERDICT

From Page One

she most wants, her son back in tact."

Garland County Attorney Ralph Ohm, who represented the six defendants in the case, had mixed feelings about the jury's verdict. He said he was "elated" with the jury's verdict regarding McMurrin, Radley, Dodge and Henry while at the same time "disappointed" with the verdicts against Harmon and Ansley.

Ohm said, "I always felt like the jury did follow the law and would return a (not guilty) verdict for all the defendants. I'm disappointed they didn't return a not guilty verdict for the other two defendants."

Ohm said the case would be appealed to the 8th Circuit Court of Appeals in St. Louis, Mo. Ohm said he "suspects" Welch will also file an appeal with the 8th Circuit regarding the county's liability in the McFarland incident.

Welch said that "if there is one appeal, there will be two." He said the plaintiff's appeal to the 8th Circuit would attempt to bring Garland County Sheriff Larry Sanders into the case because of an alleged lack of medical training provided to jail officials.

According to court testimony, cardio-pulmonary resuscitation (CPR) was not administered to McFarland as he lay in the jail's drunk tank. McFarland was arrested on Feb. 13, 2007 on charges of DWI-drugs, driving left of center, leaving the scene of an accident, carrying a weapon and having no proof of insurance following a rural Garland County traffic accident. McFarland was subsequently found not guilty by reason of mental disease or defect on all the charges.

Ohm said that "at this point" Harmon and Ansley are personally financially liable for the compensatory and punitive damages. He said Garland County has no legal obligation to pay the judgments for either/both of the defendants.

Welch said all Garland County Sheriff's Department deputies "will be watching" the case as it progresses to the appeal stage.

"The reason this happened is because the county didn't support its officers," Welch said.

He said Garland County "forced the trial" when the Garland County Quorum Court "didn't want to settle" the McFarland case.

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