

Jurors award inmate \$600,000

Senators upset by verdict, earlier decision that handed a former warden \$510,000

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COLUMBIA -- A Marlboro County jury has awarded a state inmate \$600,000 after he sued the state's prison system alleging he was assaulted by officers, a spokesman for the prison said. The verdict came last week, the same week that a former warden, who lost his job in June 2004, was awarded \$510,000 by a federal jury after he sued two prison officials for engaging in a civil conspiracy.

The state Department of Corrections is appealing both verdicts, said Josh Gelinas, a spokesman. Sen. Mike Fair of Greenville, who chairs the Senate Corrections and Penology Committee, called the verdicts "bothersome."

"I'm afraid it represents an attitude that no state agency can afford to have, that we're absolutely right because we did it," Fair said.

The \$510,000 verdict caught the eye of several senators. Sen. Phil Leventis, a Sumter Democrat, took to the floor this week to ask what could be done to prevent a recurrence.

Sen. Hugh Leatherman, chairman of the Senate Finance Committee, has asked for all settlement information from the prison system, as well as from other agencies, Fair said.

John T. Mobley, lawyer for inmate Alonzo Brinkley, said Brinkley was beaten and maced by officers at Evans Correctional Institution near Bennettsville in November 2004.

"Basically, he stated that he was in line waiting for a haircut and they come up and started harassing him for no reason," Mobley said. "They said, 'Come with us,' took him off and started beating him and punching him and kicking him and maced him."

Mobley said the suit alleged gross negligence in the management of the prison, which the suit alleged was understaffed.

Gelinas said the allegations concerned a rapid response team, which was trained for crowd control in prisons. One was at Evans that day to provide additional security.

Two inmates saw the incident and testified, Mobley said.

Although Brinkley went to the prison's medical clinic after the incident, Mobley said the prison system said it could not find a record of his visit. Mobley said the inmate, however, mailed a copy of the record he had of his visit to his mother, which was introduced at trial.

"The Department of Corrections disagrees with the verdict," Gelinas said. "We feel the claim is unsubstantiated."

Brinkley, 32, is serving a 20-year sentence for armed robbery, Gelinas said.

He said the inmate, now assigned to Perry Correctional Institution near Pelzer, was present for the verdict and was "excited" at the jury's decision.