

# Settlement in Pepper Spray Case to End Pattern of Abuse and Prevent Torture of Future Lauderdale County Jail Inmates, Says Plaintiff's Attorney

FOR IMMEDIATE RELEASE

CONTACT: Henry F. ("Hank") Sherrod III, 256-764-4141, [@hiwaay.net](mailto:hiwaay.net)

FLORENCE, ALA. - Today the attorney for Kevin B. Danley announced that Lauderdale County, Alabama jail officials had agreed, as part of a settlement of Danley's federal lawsuit against them, to make major changes in how pepper spray is used at the jail, changes that will end a pattern of inmate abuse that goes back at least to 2000 and that will prevent future inmates at the Lauderdale County Detention Center from being tortured with pepper spray.

According to the lawsuit, jailers sprayed Danley in the face from a foot away using a pepper spray device designed for spraying large amounts of pepper spray on a crowd from a distance of 12-30 feet. Jailers then confined Danley in a small cell for approximately 20 minutes while he screamed that he could not breathe and begged for help.

"Incident reports going back to 2000 showing pepper spray use at the jail provided to us during the lawsuit showed a pattern of inmate abuse that was disturbing," said Danley's attorney, Henry F. ("Hank") Sherrod III, of Florence. "Jailers at the Lauderdale County Detention Center frequently sprayed inmates for little or no reason and with many times more pepper spray than would ever be necessary. Worst of all, after spraying inmates with an excessive amount of pepper spray, jailers allowed the inmates to suffer in their cells rather than let them decontaminate."

"This was torture, pure and simple; there is no way around it," said Sherrod. "We read about Guantanamo and waterboarding, but this was right here in Florence, Alabama."

"Mr. Danley insisted that the settlement of his case include changes at the jail to prevent others from suffering like he did," said Sherrod. "He firmly believed that no human being should be made to suffer like he suffered."

Pepper spray is considered to be an effective and generally safe law enforcement tool when used properly. It is effective even in small quantities in part because it is a severe respiratory irritant than can cause burning in the throat, wheezing, a dry cough, shortness of breath, gagging, gasping, and an inability to breath or speak. Pepper spray is commonly used by law enforcement personnel to gain control of violent arrestees and inmates. Once control is gained, however, the person should be allowed access to fresh air and to wash the spray off.

The pepper spray being used at the jail was specifically labeled as a "crowd control" spray, was 5 times as strong as the spray sold by the same manufacturer for use on bears (10% pepper as compared to 2%), and delivered many times more spray each time it was used than did sprays designed by the manufacturer for use on individuals rather than crowds.

Lauderdale County, Alabama Sheriff Ronnie Willis and Lauderdale County Detention Center Administrator Jackie Rikard Keenum agreed to cease using the crowd control pepper spray on individual inmates and to provide sprayed inmates with prompt decontamination, including fresh air and water, and medical care if necessary. Willis and Keenum also agreed to make policy and procedure changes and to retrain jailers on the use of pepper spray and proper decontamination.

Willis and Keenum have 90 days to implement the policy and procedure changes required by the settlement and to have jail staff retrained regarding pepper spray use. Other settlement terms are confidential.

[Defendants can be reached through their counsel, Daryl L. Masters, 334-262-1850.]