

## RITE AID GUARD IS CLEARED IN DEATH

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Saying a **Rite Aid** security **guard** "acted pretty reasonably," Wayne County Prosecutor Michael Duggan announced Friday his office will not pursue criminal charges **in** the case of a shoplifting suspect who died April 6 after being subdued at the store on Detroit's east side.

Duggan said the shoplifting suspect, Alwanda Gail Person-Jackson, 36, broke free three times from store employees -- at one point, forcing open a pair of handcuffs -- before security **guard** Yolanda Head tied her and held her to the ground.

Duggan noted that it was the suspect who prolonged the struggle. Had Person-Jackson "not broken the cuffs, the struggle would have been over."

At the same time, Duggan and Assistant Prosecutor Douglas Baker said, **Rite Aid** had done little or nothing to train security **guards in** detaining suspects. They said Person-Jackson's **death** underscores the need for a state law requiring training for private **guards**.

Such a bill **is** now before the Michigan Legislature. Sen. Phil Hoffman, R-Horton, one of several sponsors, said consideration of the legislation was delayed this week by the expulsion hearings of Sen. David Jaye.

**In** interviews Friday, prosecutors presented a version of the struggle that differed from earlier accounts attributed to police.

Prosecutors said Person-Jackson, who tried to steal about \$240 **in** merchandise, was placed on her side after being tied. Baker, citing witnesses, said a knee was placed on her back. An assistant manager leaned across her for a time, but there was no clear proof "she was sat upon."

Baker said even if a store employee had sat on Person-Jackson, it would not have inevitably led to criminal charges.

Last month, Wayne County Medical Examiner Sawait Kanlun said: "She was hog-tied and put face down, according to police. Then someone sat on her and she couldn't breathe."

Kanlun concluded Person-Jackson suffocated, and classified her **death** a homicide. He also noted that cocaine, methadone, morphine, barbiturates and other drugs **in** her system may have explained her behavior, and contributed to her demise.

Geoffrey Fieger, who represents the woman's family **in** a civil lawsuit, said there had been other instances **in** which shoplifting suspects were killed or injured **in Rite Aid** stores, and this showed a pattern of brutality.

He cited the April **death** of a shoplifting suspect **in** Boise, Idaho, after a struggle with a **Rite Aid** clerk and security **guard**.

He also noted the June 1998 **death** of David Carroll, 41, at a store at Puritan and Greenfield **in** Detroit. Carroll died of "asphyxiation by chest compression." No one was charged.

"They found that it was a justifiable use of force," Michael Cox, the head of homicide **in** the Prosecutor's Office, said Friday.

Fieger also represents Gail Hardy, who said she was beaten unconscious by a **Rite Aid guard** Feb. 21 **in** Detroit after she used a nail clipper without purchasing it. The **guard**, Adriane Ishmael, has been charged with felonious assault.

Fieger said the string of incidents warrants asking a jury for \$2 billion -- double the amount he earlier said he would seek to extract from **Rite Aid** Corp.

Sarah Datz, a company spokeswoman, said Friday, "We appreciate the diligent efforts of the Prosecutor's Office."

Datz said the three employees who helped subdue Person-Jackson remain on paid leave as the company continues its own investigation.

While defending **Rite Aid's** security training, Datz said, "We are retraining our loss prevention associates on how to handle a shoplifting situation."

Datz declined to respond to Fieger's remarks.

**Rite Aid**, which has more than 3,600 stores **in** 30 states, reported sales of \$14.5 billion at the end of its most recent fiscal year.

Some community activists were upset Friday over the decision not to charge the **Rite Aid guard**.

Ernest Johnson of the Community Coalition, a grassroots group on the city's east side, said he understood that many **guards** were poorly trained **in** subduing shoplifters.

But "the security **guard** went way beyond their duties," Johnson said. "It should have at least been decided by a jury."

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