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Compromise Verdict in Death of Inmate

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A federal jury, reaching what its members acknowledged was a compromise verdict, yesterday decided that medical malpractice by the former Nassau County Medical Center led to the death of a Nassau County jail inmate who had sickle-cell anemia.

The jury awarded \$100,000 to the family of Christopher Jackson, 28, of Locust Valley — far less than the \$50 million sought in their lawsuit against the hospital and the jail.

Jackson died four years ago Wednesday. He had suffered all his life with the deadly blood disease, but family attorney Frederick K. Brewington of Hempstead argued that the hospital and jail ignored Jackson's condition until it was too late.

"They made Mr. Jackson sick because they made him wait, because they didn't listen to him," he said Wednesday in his closing argument to the jury. "He placed his life in their hands, because he had no choice. They dug a hole for Christopher Jackson that he couldn't climb out of."

Paul Millus, of Manhattan, the county's attorney, argued that Jackson was doomed by his disease.

"People die from this disease," Millus argued. "Some die sooner. Some die later. It was inevitable, and has nothing to do with action or inaction of Nassau County Medical Center."

As is the case with compromises, neither side was entirely pleased with the result.



Christopher Jackson

"The jury verdict sends a clear message that Christopher Jackson died unnecessarily," Brewington said yesterday. "However, there are still questions that remain."

Among those questions are how the jury could find that some of the hospital's actions led to Jackson's death, but not others. For example, the jury found that the hospital's failure to take proper blood chemistry tests and to properly monitor Jackson's status led to his death, but that failing to give Jackson fluids, oxygen and blood transfusions did not.

Millus said the jury reached a compromise out of sympathy for the Jackson family, and that he was confident it would be overturned on appeal.

"It was a compromise verdict to provide the family with some compensation," Millus said.

Jackson's family did not comment on the verdict.

"We had a hard time," said one juror, who spoke on the condition she not be identified. "In order for us not to be hung [and cause a mistrial], we had to compromise. We wanted to be fair to both sides."

Other jurors, who also asked not to be identified, said they had difficulty sorting out the testimony from competing medical experts.

"You can't second-guess someone," one juror said.

"Some of us entirely opposed any settlement," said another juror. "Some wanted a large settlement. There was a lot of information I think that was made by medical professionals that was difficult for us to assess."