

## Pr. George's Jail Death Ruled Homicide

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Clarification: elmer Clayton Newman Jr., Whose death in September has been ruled a homicide, collapsed in a Prince George's County police holding cell. The headline on an article yesterday was not clear as to where the incident orrured. (Published 02/18/2000)

The Maryland chief medical examiner has ruled that the death of a Suitland man who collapsed in a police holding cell in September was a homicide, Prince George's County police said yesterday.

Elmer Clayton Newman Jr., 29, died of a cocaine overdose as well as neck and chest injuries that he incurred while he was in police custody Sept. 22, according to autopsy results disclosed by police officials.

Medical examiners ruled Newman's manner of death a homicide, instead of a death by accident or natural causes, police said.

Both the FBI and Prince George's prosecutors are still investigating the case and will determine whether the homicide was legally justifiable or whether criminal charges are warranted, police said.

The medical examiner's office in Baltimore has declined to comment, saying its investigation is pending.

Police said they took the autopsy report to mean that both the cocaine overdose and injuries inflicted by police officers caused Newman's death.

But Prince George's Police Chief John S. Farrell defended his officers' handling of the case and said the findings do not mean they acted improperly. Farrell said Newman strenuously resisted arrest when police responded to a 911 call and found him high on drugs.

"There is nothing in there that imputes any wrongdoing," Farrell said of the autopsy. "In fact, I think it's just the opposite. You're dealing with a case of excited delirium on the part of this individual. The officers were doing their best to hang on and to put the cuffs on."

But an attorney for Newman's family, Christopher A. Griffiths, of Riverdale, disputed that account. He cited statements from unnamed neighbors who witnessed the arrest and reported that Newman did not fight the police or offer any resistance after he was handcuffed, even though the officers doused him with pepper spray, kicked him in the stomach and struck him with batons.

"It was the police that escalated the situation and essentially attacked him when they arrived at the home," Griffiths said.

According to police, Newman called 911 at 2:18 a.m. on Sept. 22 to report a break-in at his girlfriend's apartment off Forestville Drive in Suitland. When two officers arrived, Newman's girlfriend told them that there had been no break-in and that Newman had damaged the apartment, police said.

Police said Newman became belligerent and attacked the officers with his fists. The officers tried to subdue him with pepper spray, and when that didn't work, they tackled him. Afterward, they took him to the Oxon Hill District station, where they placed him in a holding cell, police said.

Police said they kept Newman handcuffed in the cell because he continued to resist and thrash around, banging his head against the concrete walls and cursing. Suddenly, however, he became limp and had to be taken to Fort Washington Hospital, where he was pronounced dead about 4 a.m., police said.

But Griffiths said other witnesses at the police station have reported that Newman didn't put up a fight there. He said Newman gasped for breath because officers handcuffed his ankles and hands and placed him face down on the floor in a twisted position.

Royce Holloway, a police spokesman, said five officers were placed on routine administrative leave after Newman's death, pending the investigation's outcome. He said none of the officers has been disciplined or suspended.

Newman was one of eight people who died in 1999 after struggling with Prince George's police, including five men who were fatally shot during altercations.

Three of the deaths--including Newman's--remain under investigation by local authorities. Officers involved in the other cases were cleared by prosecutors and grand juries, police said.

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