

Mt. Pleasant to pay \$3M after man dies after arrest

By: Bill Cresenzo © September 23, 2020

The widow of a man who died after police held him down for more than 15 minutes and EMTs gave him a shot of a strong anesthetic has settled a pre-lawsuit claim against the town of Mount Pleasant for \$3 million, her attorneys report.

Mullins McLeod Jr. and Michael Cooper of the McLeod Law Group in Charleston and Kevin Holmes of Steinberg Law Firm in Charleston report that James Britt pulled over to change his tire in 2019 and police received a report of a man urinating in the road. Cooper said that when police arrived, they placed Britt under arrest for being drunk in public.

Britt became combative and police held him face down on the ground for about 15 minutes. When EMT workers arrived and injected him with the anesthetic ketamine. Britt went into cardiac arrest but never regained consciousness. He was pronounced brain dead and two weeks later, he died.

Ketamine is commonly known as a horse tranquilizer and a club drug, but EMTs carry it to subdue people. Cooper said the EMTs injected Britt with 500 mg, the maximum dose allowed.



McLeod



Cooper

The coroner's office ruled the death a homicide due to asphyxiation and ketamine intoxication, but no criminal charges have been filed. The town and Britt's widow, Tabitha Britt, settled the case on Sept. 17, before a lawsuit had been filed. Had a suit been filed, Cooper said that his client would have alleged negligence and deprivation of civil rights.

Britt and his wife had a young son.

"Obviously, she is traumatized and given that we are coming up on the year anniversary since the incident and his death, now is a particularly sensitive time," Cooper said. "Tabitha wants to stress how wonderful of a father Jamie was. She says he was the definition of a father and everything you would want a father to be to his child."

The settlement is with the Town of Mount Pleasant and does not resolve the estate's claims against Charleston County or the EMTs that administered the ketamine injection, Cooper said.

Drew Butler of Richardson Plowden in Charleston represented the Town of Mount Pleasant.

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SETTLEMENT REPORT — CIVIL RIGHTS

Amount: \$3 million

Injuries alleged: Death

Case name: Case settled before any lawsuit was filed

Venue: Charleston County

Date of settlement: Sept. 17

Attorneys for plaintiff: W. Mullins McLeod Jr. and Michael Cooper of the McLeod Law Group in Charleston and Kevin Holmes of Steinberg Law Firm in Charleston

Attorney for defendant: Drew Butler of Richardson Plowden in Charleston



Holmes

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