

## **WHEELCHAIR SUIT VS. CITY JAILERS**

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City jailers failed to properly secure a wheelchair-bound prisoner while transporting him - allowing him to topple inside a city van where he remained helpless for more than an hour, a judge has ruled.

Devin Sayers, a paraplegic, filed a federal lawsuit against the city Correction Department after he fractured his hip in 2004 as a result of his wheelchair tipping over inside the prisoner van.

"A reasonable juror could find that plaintiff was denied the safe transportation to which he was entitled," Brooklyn Federal Judge Charles Sifton wrote in a recent decision, rejecting the city's bid to toss the suit. Sifton's ruling cleared the way for a trial.

Sayers, 28, who had been charged with assault, was being transported from Staten Island Criminal Court to Rikers Island at the time of the accident.

Before the van pulled away, correction officers strapped the rear wheels of Sayers' wheelchair to metal anchors on the van floor, leaving the two front wheels unsecured. A supervisor in the department's driver training unit said there was no requirement to tie down all four wheels.

The Staten Island man's wheelchair toppled backward as the van approached the Verrazano Bridge.

Officer Miguel Nieves said in a deposition that he heard a loud crash and Sayers screaming, but the van continued on for several miles before stopping in downtown Brooklyn.

Unable to lift Sayers' wheelchair, the officers allowed him to remain on his back for more than an hour as they detoured to Manhattan for medical treatment.

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