

Store guards kill another worker in Detroit

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For the second time in less than a year, security guards at a retail store in the Detroit metropolitan area have killed a shoplifting suspect following a confrontation. This time two security guards beat a shoplifter to death at a supermarket over two packages of meat.

Last June 22, Fredrick Finley, 32, was killed by a plainclothes security guard working for the Lord & Taylor department store in Dearborn when he attempted to stop the men from grabbing his 11-year-old stepdaughter. The guards had suspected the girl of stealing a \$4.00 bracelet.

Sometime between 7:30 and 8:00 p.m. on February 8, Travis Shelton, 38, went shopping at the Kroger food market in Royal Oak Township, a small community just north of Detroit which is policed by the Oakland County Sheriff's Department. At the store Shelton was reported to have placed two packets of tenderloin beef under his coat, paid for a box of crackers and headed for the door.

What followed afterward has become an issue of contention between Oakland County Sheriff Michael Bouchard, who has defended the guards and placed the responsibility for Shelton's death on his poor state of health, and witnesses who have stated the guards were the aggressors and literally beat Shelton to death.

At a press conference the day after the confrontation, Bouchard told the media that Shelton aggressively tackled one of the security guards when he was asked to stop, and began to wrestle him in an attempt to make his way out of the store. According to Bouchard's account, a second guard jumped in to stop Shelton, but both guards had little success against a man who weighed 260 pounds. A stock manager then joined in to help the security guards hold Shelton down.

Bouchard said that by the time the police arrived the guards had finally subdued Shelton without punching or hitting the shoplifting suspect, as required by the law and guidelines established by Kroger. The sheriff said when his two officers arrived they saw the guard sitting on Shelton's back. They placed handcuffs on the suspect while he was lying face down. When they turned Shelton over they noticed his eyes were open but he did not

respond to their inquiries. Bouchard said at that point the officers removed the handcuffs and began to administer CPR to revive his breathing. An ambulance was called, Shelton was rushed to the nearest hospital and pronounced dead at 8:27 p.m.

Bouchard praised the guards for following proper procedures and said Shelton had a litany of health problems that contributed to his sudden death. The factors he listed were asthma, high blood pressure and obesity. Shelton was five-foot six and weighed 260 pounds.

In support of the sheriff, Oakland County Medical Examiner Dr. L.J. Dragovic added that in addition to his health problems the victim also had cocaine and opiates in his system—a likely indication of heroin use—and an enlarged heart, more than double the normal size. The examiner said there was no sign Shelton had been hit, commenting, “There was a little scratch on the left knee. That is all.”

Witnesses debunk sheriff's report

Within the last week two witnesses have come forward to contradict the sheriff. Both witnesses' statements contradict the reports by Sheriff Bouchard, as well as the initial remarks of Dr. Dragovic—a man notorious for his role on behalf of the police in the Malice Green police beating and the Nathaniel Abraham cases. They suggest a cover-up for a vicious beating that resulted in Shelton's death.

The account given by one witness, Joannette Quinn, who lives near the store and is a frequent patron, makes it clear that the two security guards on duty, Jason Clover, 21, and Lewis Wartley, 42, had it in for Shelton and waited for him to exit the store before they began their attack.

Quinn said before the attack took place she heard the guards talking about getting someone. “He said it so much I thought he was talking to one of the customers behind me,” said Quinn.

Quinn said that when Shelton attempted to exit the store the taller guard, Wartley, placed his arm across the door to block Shelton from leaving the store. She said at that point Shelton ran to the area where the shopping carts are

lined up and grabbed onto a steel bar that protects the wall while the guards tried to pry his arms off the rail.

“He was crying,” said Quinn. “They pulled him off the railing, wrestled him down, stood him back up next to the telephone where the taller guard choked Shelton while the other guard put his elbow into Shelton's neck.”

“At that point I saw Mr. Shelton's eyes go up into his head,” continued Quinn. “After that the larger security guard grabbed him by his pants leg and literally pulled him up by his feet. His head hit the back of the pavement, then they rolled him over, placed his hand behind his back and then they sat on him.”

Clover, the guard who sat on Shelton's back, reportedly weighs 377 pounds, more than 100 pounds more than Shelton. According to Quinn, Clover sat on Shelton for as long as 10 minutes before the police arrived.

Quinn gave her account at a press conference called by attorney Geoffrey Fieger, who has been hired by the Shelton family. At the conference Fieger announced he was filing a \$750 million civil suit against Kroger and the William Davis Security firm, the guards' employer.

Fieger added that the force of Shelton hitting the ground when the guard pulled up his legs was so great that the windows of the store shook from the impact. Fieger called the attack by the guards murder and questioned why the Oakland County Prosecutor's Office has not arrested anyone or charged either of the guards in Shelton's death. “I can bet you,” stated Fieger, “if that had been a guard treated like Shelton was treated, he would be in jail right now and facing murder charges.”

Fieger said he has requested a second autopsy from Dr. Werner Spitz, the medical examiner in neighboring Macomb County.

The second witness to oppose the sheriff's version is a Royal Oak Township firefighter who assisted the guards in subduing Shelton. Sylvester Foote, 29, told the media that he reported to the sheriff it was the guards, not Shelton, who were the aggressors. Foote said the guards jerked Shelton by the coat and within minutes they had him down on the floor. Foote said he and another store employee held Shelton's arm while he was on the ground, but he became concerned when the heavy guard sat on Shelton's back. Foote said Shelton was face down on the floor gasping, “I can't breathe, I can't breathe.” Foote said he motioned to the guard to move off Shelton's back, but the guard refused. According to Foote, Shelton was resistant but never tried to hit or punch either one of the guards.

“I can't help but feel responsible,” said Foote. “If I

hadn't helped the guards Shelton would have had an arm free and still be alive. He might have run a block and died there, but it wouldn't have been at my expense.”

On February 14, one day after the published report of Foote's account, Dr. Dragovic ruled that Travis Shelton died of asphyxiation and classified his death as a homicide. “The guy sitting on top of him deprived him of oxygen,” Dragovic told the *Oakland Press*. However, Oakland County Prosecutor David Gorcyca has said he still has not decided whether he will file charges in the case. The prosecutor said he is waiting for full reports from both the sheriff's department and the medical examiner before deciding if any charges should be brought.

Geoffrey Fieger and Travis Shelton's relatives acknowledge that Shelton had a history of drug use and shoplifting convictions, an issue that has been continually raised by the media and repeated by the sheriff. They attribute his stealing of petty items to an untreated and undiagnosed case of kleptomania, a psychiatric condition that causes a person to steal compulsively. Fieger also noted that the media has not commented on the fact that Shelton held a full-time job, that he had not missed a day of work in over a year, and had three children and a wife that he cared for.

Violence on the part of store security guards has continued in the wake of Travis Shelton's death. On the evening of February 21, Gail Hardy, 42, was waiting for a prescription at a Rite Aid drug store when a security guard repeatedly struck her over the head with a police stick because she used a nail clipper to trim her nails and then returned the clipper to the store shelf. The guard, a 32-year-old woman, hit Hardy three to five times in the head, knocking her to the ground and causing a gash that required eight staples to close. Hardy had been waiting for a prescription for a spinal injury.



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