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Family of Federal Way man killed by police files wrongful-death lawsuit

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The family of Leon Davis, 27 — from left, brother Arthur Johnson, sister-in-law Jessica Holton, sister Shannice Johnson and brother Aaron Brigham — at... (Erika Schultz / The Seattle Times) [More](#) ▾

By [Lauren Girgis](#)*Seattle Times staff reporter*

The family of a man [who died after police officers pinned him to the floor of a Federal Way hospital hallway](#) until he suffered cardiac arrest has filed a wrongful-death lawsuit.

Body camera footage shows that Leon Davis, 27, was groaning in pain, asking for help and struggling to breathe while officers held him down at St. Francis Hospital in March. As his face was pressed into the linoleum floor, his nose

and mouth became bloodied. Officers forced an ill-fitting spit hood over his face and doctors gave him multiple rounds of sedatives, including Haldol.

As several nurses and at least one doctor looked on, Davis died from a heart attack brought on by being “restrained in a prone position for a minimum of 25 minutes,” according to the King County medical examiner’s office, which determined his cause of death was homicide.

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The lawsuit alleges staff and officers were “blinded by their own biases.”

“These people are supposed to be caring for him, and even the public officers, you’re supposed to protect and to serve,” Davis’ sister, Shannice Johnson, said in an interview Monday. “You guys are supposed to help him, and instead he’s gone, and his life was taken at such a young age.”

The complaint, filed Tuesday in King County Superior Court, names the city of Federal Way, the officers and the owner of St. Francis Hospital, CommonSpirit. The lawsuit asks for damages to be proven at trial and for attorneys’ fees to be covered.

The lawsuit alleges that healthcare workers committed medical malpractice by breaching their duty of care to Davis and negligently giving him a “cocktail” of sedatives. It also says Federal Way officers used unreasonable and excessive force, causing Davis’ wrongful death.

Professionals consulted by The Seattle Times earlier this year said Davis’ death was preventable.

“It was heartbreaking,” Davis’ sister said of the body camera footage that shows her brother’s death. “You see this person come into the world, and then you see him go out in a way that you would never expect.”

Everyone in the hallway “allowed a handcuffed, prone, overweight man suffering from exhaustion, heart weakness, sedation, and injuries to his head and neck, to die of heart failure instead of simply rolling him on his side,” the lawsuit alleges.

Federal Way police did not respond to a request for comment. The officers who killed Davis were placed on administrative leave but have since returned to their jobs. The Valley Independent Investigative Team conducted an investigation and turned over evidence to the King County prosecutor’s office.

That office has not yet made a decision on whether to file charges against those involved.

The lawsuit says Davis originally came to the hospital to seek treatment for alcohol withdrawal. Hospital staff never told Davis he was being involuntarily committed or detained, the lawsuit notes — he had a right to leave even if against medical advice.

Between withdrawal symptoms and the medication he had been given, Davis described feeling paranoid and unwell before he tried to leave the hospital. Johnson said she was on the phone with Davis for about an hour before he tried to leave. He seemed confused and distrustful of staff, she said.

According to Federal Way police, officers were dispatched to St. Francis on March 14 in response to a report of a “disorderly patient” who allegedly assaulted staff. The lawsuit says security tackled him.

The scuffle with security is not captured on the body-camera footage, which begins when a nurse leading a police officer down the hallway says “He’s a big boy.”

An officer later tells him, while Davis is restrained on the floor: “You gotta earn our trust bud. ... You’re a big dude.”

“They saw him as just a big Black man,” said the family’s attorney, Roger Rogoff.

Davis is handcuffed shortly after the video starts, and throughout the 90-minute recording he barely moves. Medical notes written by hospital staff contained “untrue statements” about him thrashing around, the lawsuit alleges.

At one point officers put a spit hood on Davis, with one officer in the footage saying he hadn’t spit but tried to bite someone before police showed up. A spit hood wouldn’t prevent someone from biting and applying it in that manner is not best practice, Rogoff said.

[Media investigations](#) have documented dozens of people in jail or police custody who died while or shortly after wearing a spit hood. Washington police are legally required to follow a policy prohibiting them from hooding people who are struggling to breathe or bleeding from their mouth or nose.

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The medical examiner did not find that the spit hood placed on Davis contributed to his death. Contributing factors involved obesity and chronic alcohol use disorder.

Federal Way police Lt. Hilary Mariani, the supervising officer at the scene, told Davis to breathe.

“I can’t,” Davis responded. “Oh please! Tell me what you want!” he said in a strained voice, barely above a whisper.

Medical staff gave him another sedative and officers applied leg restraints on Davis before turning him over.

In the video, as doctors and nurses work on Davis, the officers discuss keeping the handcuffs out to put back on him in case he wakes up. Later, Davis’ family members can be heard crying and saying his name from down the hall. The officers go into another hospital room and discuss which way to leave so as to avoid the family before deactivating their cameras.

Davis’ brother said hospital staff “made it seem like he died naturally” and wouldn’t talk to family members when they arrived. When the family tried to speak to one of the doctors who treated Davis, Johnson said hospital administrators came over and told him not to talk.

Davis’ brother told The Seattle Times he was allowed to see his brother’s body “after it had been cleaned up.” He took photographs, which showed numerous bruises, a split lip, cuts on his face and scalp and black eyes.

“I don’t want them to be treated like they’re above the law,” Johnson said. “I just want to see accountability.”

Lauren Girgis: lgirgis@seattletimes.com. Lauren Girgis is a law and justice reporter at The Seattle Times, where she reports on crime and public safety trends, prisons and juvenile detention facilities and breaking news.

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