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Family sues after deputies shoot man to death

April 08, 2010 | By Henry K. Lee, Chronicle Staff Writer

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The children of a knife-wielding patient shot dead by Contra Costa County sheriff's deputies at a Martinez hospital have filed a federal civil rights lawsuit, saying he was the victim of excessive force.

Paul Hammond, 47, was pronounced dead at the scene after being shot in the emergency room of the Contra Costa Regional Medical Center shortly after 2 a.m. on June 7, 2009.

The incident began a night earlier when Hammond, of Rio Vista, walked into the hospital complaining of chest pains and shortness of breath, said the suit filed by his four children.

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"He presented with the classical symptoms of alcohol withdrawal," said the suit filed Tuesday in U.S. District Court in San Francisco.

While being treated, Hammond pulled at his IV lines, prompting hospital staffers to place him in soft wrist restraints, the suit said. But while on a gurney, Hammond cut at the restraints with a pocket knife, prompting a nurse to scream and run to the nurses' station, the suit said.

Sheriff's Deputies Robert Reichert and Kevin Morris, who were at the hospital on another matter, confronted Hammond and repeatedly ordered him to drop the knife, according to the suit. When Hammond refused, the deputies shot him, authorities said.

The deputies shot Hammond while the knife was in his right hand, which was restrained, the suit said.

According to the suit, Reichert showed a "propensity for violence" when he was a San Jose police officer, including fracturing a man's skull at a Cinco de Mayo celebration in 1999 - leading to a \$390,000 settlement - and fatally shooting a motorist in 1997.

The suit said Reichert resigned from the San Jose force in 2002 after he was accused of threatening jail inmate DeShawn Campbell, who was sentenced last year to life in prison for killing San Jose police Officer Jeffrey Fontana in 2001.

Reichert then joined the police force in Salinas, where his actions led city officials to settle an excessive-force suit for \$315,000, said Tuesday's lawsuit, which names Reichert, Morris and Contra Costa County Sheriff Warren Rupf as defendants.

Jimmy Lee, a spokesman for the sheriff's office, declined to comment Wednesday on the suit and Reichert's hiring.

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