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Hearing on NY Wal-Mart stampede death

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MINEOLA, N.Y. Retailers luring shoppers with deep discounts should have at least one security guard for every 200 shoppers, erect barricaded corrals 100 feet from entrances and consider other crowd control measures to prevent a repeat of this year's "Black Friday" tragedy, a top police official said.

Inspector Thomas Krumpster offered the proposals Wednesday at a hearing of the Nassau County Legislature's public safety committee _ the first legislative review since the Nov. 28 trampling death of a Wal-Mart worker.

Jdimytai Damour, a temporary employee, had been on the job for about a week and had no training in security or crowd control, according to a lawyer for his relatives. The 34-year-old Queens man died of asphyxiation when a crowd estimated at 2,000 broke down the Valley Stream store's doors, trapping him in a vestibule, homicide detectives said.

County legislator Joseph Scannell said lawmakers have not submitted specific legislation but will consider all proposals aimed at preventing another tragedy. "We want to gather information, we want to listen, we want to learn," said Scannell.

A company spokesman said after Wednesday's hearing that Wal-Mart was committed to stronger safety measures. "We stand ready to work with elected officials as they consider their proposals," said Steven V. Restivo, director of corporate affairs for the store's northeast region.

Krumpster said police will discuss security proposals Monday with major retailers in the suburban county outside New York City. Retailers, he said, "have been receptive to working with us."

He declined to discuss specifics of Damour's death, citing an ongoing criminal investigation and lawsuits. Police Commissioner Lawrence Mulvey has previously said he believes the store lacked adequate crowd security.

Investigators believe that the crowd had remained orderly until moments before the 5 a.m. store opening, when shoppers who'd been staying warm in their cars began to aggressively cut into the line. The crowd surge eventually broke down the store's front doors.

Detectives are continuing to review security video, but Mulvey has said prosecuting any individual would be difficult.

A number of lawsuits are already in the works, including one filed by Damour's family. An attorney for two injured shoppers said Wednesday that he has asked Attorney General Andrew Cuomo to take over the investigation because Nassau County and its police department are being named as defendants in some of the litigation.

"They simply cannot wear the hat of defendant and simultaneously, wear the hat of an investigating body," attorney **Bruce Baron** wrote. A spokesman for Cuomo said, "We will review the letter." A Nassau police spokesman declined comment.

Wal-Mart Stores Inc. has said it had tried to prepare for the crowd by adding staffers and outside security workers, putting up barricades and consulting police.

"Despite all of our precautions, this unfortunate event occurred," Senior Vice President Hank Mullany said after Damour's death.

A television station at Long Island's New York Institute of Technology has aired video of a meeting it recorded at the store just days before Damour's death. The video shows at least one worker expressing concerns.

"Just make it safe, because last year was crazy; I saw a lot of people fall," says the man. "I was at the door last year. I just want somebody else out there with me, that's all."

An unidentified voice off-camera, believed to be a manager, appears to reassure the worker: "We'll have enough, we'll have enough people at the door. We'll have overnight that will provide a lot of people to help out at the doors so you don't get, so it's not _ We're going to do it a little differently; we'll keep the line a little farther away from the door this year."

Another employee adds: "We need guard rails."

Answers the off-camera voice: "Like I've said, we've done this year on year _ every year we get a little better so this year we should be, we should be a lot better."

---- **Index References** ----

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