

Dorion alleges he was injured while in jail

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By Brad W. Gary of the Tribune

Former sheriff files notice of tort claim; his attorney says details will be revealed in Idaho State Police investigation



Jim Dorion... Tribune/Barry Kough

Nez Perce County's former sheriff Jim Dorion has filed a notice of tort claim for \$500,000 against his former employer, alleging he suffered injuries while in Idaho jails.

The claim does not specify how Dorion was injured after being taken into Nez Perce County Jail custody Aug 10, nor when his injuries occurred. Whether his hospitalization was a result of outside injuries or a medical condition is the focus of an Idaho State Police investigation that is in its final stages.

Dorion's attorney, Joseph P. Filicetti of Boise, said answers to those questions should come from the state police report. Filicetti said his query would go backward in time in attempts to figure out what happened to Dorion.

"I sat next to him at sentencing and he was fine, a few days later he's sent to Boise via Life Flight; something happened in between, and we'll have to figure it out as best we can," Filicetti said. "That'll be the hurdle."

The former sheriff spent several days at St. Alphonsus Medical Center in Boise after suffering the injuries, according to the claim.

Idaho law requires a tort claim be filed against a governmental entity prior to the bringing of a lawsuit. A notice of claim had to be filed within 180 days of the alleged injuries, Filicetti said.

Dorion, who was removed from office in 2008, served four months in prison on felony accessory to burglary charges for concealing knowledge of a 2006 burglary at Lewiston High School. He was sentenced to two to five years in prison, but 2nd District Judge John Stegner opted to place Dorion in the retained jurisdiction program for treatment of alcohol abuse. The former sheriff was released from custody after successfully completing that program.

The injuries are alleged to have occurred sometime after he was taken into Nez Perce County custody Aug. 10, and when he was transferred to Idaho Department of Correction custody three days later.

The notice of claim names the DOC and Nez Perce and Clearwater counties, all places where Dorion was held during the three-day period. No particular person is named in the claim, but "all employees" of the of the Idaho Correctional Institution at Orofino and two county jails are listed as witnesses.

Nez Perce County Prosecutor Dan Spickler said there are too many facts that have yet to be answered from reading the claim. The notice of claim does not specify when or where the injuries were suffered and how they occurred, he said.

"As far as I can see from reading his notice of tort claim, I don't think he's stating a claim actually," Spickler said.

The notice of claim will be referred to the county's insurance company.

A decision on whether to file a lawsuit will depend in part on what the state police report says, Filicetti said.

Dorion is citing medical expenses, future medical expenses, pain and suffering, mental anguish and emotional distress listed at \$500,0000 and attorney fees, according to the notice of claim.

Idaho DOC spokesman Jeff Ray said DOC officials have not seen the notice of claim and could not comment. Clearwater County officials could not be reached for comment Monday evening.

Dorion was placed on three years probation upon his release from prison in December, though supervision was transferred to the state of Louisiana on Jan. 26.

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