



## Portland woman's cries for help at Multnomah County jail went unanswered; now county will pay

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**Maxine Bernstein, The Oregonian**



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Multnomah  
County Sheriff

Holly Jean Casey

Attorneys for the estate of a woman who died two years ago on the floor of a **Multnomah County** jail cell have reached a \$905,000 settlement in a federal civil rights lawsuit against the county, its health care provider and a former county nurse.

The woman, Holly Jean Casey, 36, died from pneumonia after her repeated calls for help were ignored by deputies and jail nurses.

The lawsuit accused the county and jail nurses of negligence and wrongful death for failing to help Casey, who complained for hours that she couldn't breathe. Casey's death also prompted a **Multnomah County district attorney's** review that found she died of pre-existing conditions that were ignored or not properly treated by county nurses working in the jail.

Under the negotiated settlement, former Multnomah County nurse Glenda J. Baxter, who failed to treat Casey and was later fired, will pay \$600,000; the county \$300,000; and the company that contracted to provide nursing services, Maxim Health Systems, \$5,000. Attorneys for the county, Baxter and Maxim declined to comment.

When jailers did check on Casey, a homeless heroin addict, they found her lying in a semi-fetal position in her underwear and a T-shirt, dead on the floor of a cell in the Multnomah County Detention Center.

Attorney Matthew D. Kaplan, who represented Casey's estate along with attorney Hala J. Gores, said Baxter and others regarded Casey as "just another junkie."

"She was pressing the button all night and screaming and they chose to tune her out for most of the night and write her off as someone who's just going through withdrawals," Kaplan said.

Casey was arrested Jan. 3, 2008, by Portland police for failure to appear in court on a second-degree theft charge, a misdemeanor. Casey told the officers she was on her way to a hospital to be treated for a recurrence of pneumonia. At least she'd be warm and dry in jail, the arresting officer told her, according to the suit.

Casey told officers her spleen, which fights infection, had been surgically removed. The police advised jail staff of her medical condition and she was booked into the jail at 2:46 p.m. About an hour later, Casey was evaluated by a jail nurse, Rebecca Watts Jacobs, who gave her water, concerned about dehydration.

Watts Jacobs noted that Casey was sick with a history of recent pneumonia, had no spleen and suffered from lupus, and asked another nurse to listen to Casey's lungs. Both nurses, the lawsuit argued, failed to use a **pulse oximeter** to check Casey's oxygen saturation level, even though one was available and would have indicated Casey needed emergency medical care.

Watts Jacobs cleared Casey for incarceration without housing restrictions. About 5:08 p.m. , Casey was locked in a cell. She soon turned in a medical request form, writing: "I've got pneumonia for 3 days. Won't go away. I have difficulty breathing. It hurts bad. I have no energy. I have lupus and no spleen."

The form was ignored by jail guards and nursing staff. Throughout the night, Casey cried for help and pushed the call light to summon aid, but her pleas were ignored. At least 20 inmates, though, heard her cries, the suit said.

By 10:25 p.m., after a shift change, a sheriff's deputy asked Casey through an intercom what was wrong. She told him she had chest pain and trouble breathing. He sent another deputy to check on her. Just before 11 p.m., a jail nurse diagnosed Casey with asthma and another brought her an Albuterol inhaler without a doctor's prescription, instructing her to take several puffs.

But Casey's condition worsened through the night and into the next morning. She yelled for help, "I can't breathe, I can't breathe, please help me," banged on the call-light buzzer for hours and the jail cell door crying for help. In response, deputies yelled at her to shut up. Another deputy yelled at her to get off the floor, while a third turned off the buzzer without checking on Casey, the lawsuit said. By about 5 a.m., one deputy called for a medical nurse, Baxter, and asked the nurse twice to check on Casey, but Baxter never did.

By 7:32 a.m., a new deputy on shift checked on Casey and found her cold, blue and not breathing. An autopsy found Casey died of advanced pneumonia, with a contributing factor of not having a spleen.

-- **Maxine Bernstein**

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