Dallas County fined over ex-inmate’s care

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“We will appeal the case. We are going to be vindicated on appeal,” he said.

Tuesday’s verdict is significant for two reasons, Mr. Tittle said. First, it’s the largest jury verdict over a jail-neglect suit against Dallas County. And second, the verdict is an indictment of the county’s entire jail-health system instead of one or several isolated cases, he said. In legal terms, that means the jail’s “general conditions of confinement” led to the damage suffered.

“It’s a finding that they failed to meet the basic essential needs of an inmate” because of systemic problems, Mr. Tittle said.

Mr. Shepherd, 51, who testified during the trial, entered the jail in October 2003 on a burglary and drug charge and suffered the stroke in January 2004. In the seven weeks before his stroke, he received little or no treatment or medication despite high blood-pressure readings, Mr. Tittle said. Mr. Shepherd told the jail staff about his blood-pressure medication upon being booked into the jail, the suit said.

He was taken to Parkland Memorial Hospital almost an hour after he was found on the floor of his cell, according to the lawsuit.

The charges against Mr. Shepherd were later dismissed.

Mr. Shepherd, who filed his federal lawsuit in 2005, uses a wheelchair and is paralyzed on his left side, Mr. Tittle said. He can only eat soft foods; his speech, hearing and sight are impaired; he is impotent and suffers from depression; and his wife must help him with everyday activities, the suit said.

Tuesday’s verdict — if intact after the county’s appeal — will be the second six-figure payout in two years related to the jail’s well-publicized problems in providing health care to its jail population.

In February 2007, commissioners agreed to pay $650,000 to the families of three mentally ill former inmates, one of whom died, to settle their civil rights lawsuit over jail medical care.

James Monroe Mims didn’t get his medication for two months and nearly died after water to his cell was shut off for two weeks. Clarence Lee Grant Jr. died in his jail cell in 2003 after he did not receive any medicine for five days. And Kennedy Nickerson was found lying sick in the street after being released from the jail without medication or notice to his family.

Several scathing reports have criticized medical care in the Dallas County jail system, and the jail’s health care has been consistently slated by state standards since 2003. To save money, county commissioners contracted with the University of Texas Medical Branch in late 2002 to handle jail health services. County officials have consistently blamed UTMB for problems with inmate medical care.

In late 2006, the U.S. Department of Justice said jail conditions contributed to the death and injury of numerous inmates and placed others at “risk of serious harm.” Since then, the county has been under a federal court order to improve conditions.

In early 2006, Parkland took over jail health duties from a contractor, and commissioners have since authorized millions of dollars worth of improvements.

Mr. Tittle said the verdict, though a good one, could have been larger.

“In my opinion, they dodged a bullet,” he said.