

Trial set in civil suit over Davis County inmate's death from internal bleeding after fall

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FARMINGTON — A judge has scheduled a trial over whether Davis County is liable for civil damages because a jail nurse did not check an inmate's vital signs and she bled to death internally. In a hearing Tuesday, U.S. District Judge Jill Parrish in Salt Lake City set trial for Jan. 24-28, 2022, on the civil rights suit filed by Cynthia Stella, of Reno, Nevada, in the Dec. 21, 2016, death of her daughter, Heather Miller.

Miller, 28, a misdemeanor arrestee, fell from her bunk, and an autopsy said she lost 1.3 liters of blood from a severed spleen as she lay in a cell.

The case shifted toward trial last month when the 10th U.S. Circuit Court of Appeals rejected Davis County's appeal of Parrish's 2019 ruling against jail nurse Marvin Anderson and the county.

Parrish ruled that a reasonable jury could conclude Anderson and the county were deliberately indifferent to Miller's medical care surrounding her deadly fall.

Miller's death also shone a spotlight on the Davis jail's decades-old medical unit. Its six cells were full the night Miller died; she had no apparent medical monitoring in the cell where she was left.

The county broke ground recently on a new \$9 million jail medical observation wing.

Miller's case and the deaths of five other people in the Davis jail in 2016 additionally sparked a public records battle that resulted in a ruling against the county last month.

Second District Judge David Connors ruled that Davis County must release Utah Jail Standards documents to two civil liberties groups, determining that Utah's public records law allows such disclosures under the federal copyright fair use doctrine.

The American Civil Liberties Union of Utah and the Disability Law Center petitioned in 2017 to overturn the county's denial of a request for the records, which counties around the state at the time used for legal guidance in running their jails.

In Stella's civil suit, if the trial goes forward, a jury will be asked to decide whether the county and Anderson were deliberately indifferent to Miller's care.

To succeed in a civil rights claim over jail medical care, a plaintiff must prove that evidence of the claimed deliberately indifferent care overcomes the legal protection of qualified immunity that government employees enjoy. If a government entity can demonstrate employees' actions were reasonable, a civil claim cannot be awarded.

Daniel Baczynski, one of Stella's lawyers, recently said that while the county has beefed up medical screening and care since 2016 and launched the medical wing project, the question of accountability remains.

"Nobody has come out and said, 'What we did was wrong,' and no one has taken responsibility, and a young woman has died because of it," Baczynski said.

In a court deposition in 2019, Anderson said he thought Miller was withdrawing from narcotics, and added he was biased to assume such a condition because it was so common among jail inmates.

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