

Yamhill County to pay \$5 million to settle lawsuit stemming from jail inmate's death

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Yamhill County will pay \$5 million to settle a lawsuit brought by the family of Jed Hawk Myers, an inmate who died in the Yamhill County Jail in 2015 after he was assaulted by two other inmates then moved to a medical cell but never received care despite repeated calls for help, according to the plaintiff.

Myers, 34, died alone in a medical jail cell about 1 a.m. on May 28, 2015. For more than five hours, he writhed in pain on his mattress, clutched his side, walked 19 times to his cell door to press an intercom button for help and urinated blood in the cell toilet but no one came to help, according to jail records, video and police investigative reports.

Myers, according to the state medical examiner, died of blunt force abdominal trauma. He suffered lacerations to his left kidney with severe internal bleeding, a contusion to his skull and a brain injury, as well as rib and clavicle fractures. The

two inmates who beat Myers were convicted and sent to prison in the attack after an investigation by the Yamhill County Sheriff's Office and McMinnville police.

Attorney Matthew Kaplan, who represented Myers' family, said the county has since contracted with a private company, Correct Care Solutions, to provide around-the-clock medical supervision in the jail so sheriff's deputies aren't the ones to determine whether someone needs a doctor.

"Obviously it's two years too late for Mr. Myers, but to their credit, at least they've recognized the problem and hopefully have come up with a better solution," Kaplan said. "I'm pleased with the changes. I think the money says they know this was wrong. The family is satisfied."

[Kaplan filed the federal civil rights lawsuit in May](#) against Yamhill County, its jail guards and medical staff, alleging they denied basic medical care to Myers and that their negligence led to his wrongful death.

Christian F. Boenisch, Yamhill County counsel, could not be reached for comment Friday. County officials referred questions about the settlement to outside attorneys who were involved in the settlement talks, Mark Williamson and Robert Wagner. Neither could be reached for comment Friday.

Yamhill County [Sheriff Tim Svenson issued a statement](#) later, saying around-the-clock medical coverage in the jail and new rules about frequency of inmate checks should help prevent a similar death.

"These changes will not bring Mr. Myers back, and the loss his family and friends have faced is something I would not wish upon anyone," Svenson said. "I can, however, assure you, our citizens, that we continue to make our jail a more secure, attentive facility to all who are confined here, whatever the reason."

[Lawyer says man died in jail after receiving no treatment after assault by other inmates](#)

After jail deputies found Myers assaulted, they transferred him from a general population cell to medical cell B. There, a jail medical technician gave Myers a brief check about 7:30 p.m., according to the lawsuit, jail video and investigative reports. He noticed Myers sweating profusely with an elevated heart rate. A deputy also pointed out a contusion on the right side of Myers' head.

After several tries, the technician was unable to get a blood pressure reading and left, the technician told investigators. He suggested Myers be placed on a 30-minute medical watch. That entailed monitoring the jail security camera footage of his cell, coupled with hourly checks of deputies peering into the cell window, according to the administrative investigation.

Jail staff could see surveillance footage from the control room that showed the presence of red liquid in Myers' cell toilet after he stood to urinate just before 9 p.m., but a jail sergeant speculated it had come from fruit juice or some food in the jail commissary, according to investigators' interviews with the sergeant and other deputies.

Under new protocol, all medical decisions are to be made by the private medical contractor, not jail deputies. If an inmate is moved from a high-security risk classification to a lower one, deputies need to justify the downgrade in writing. The Yamhill County sheriff also is considering adding training by a physician about concussions and detox-recognition to his officers' annual review training.