

# Lawsuit accuses Broward jail staff of indifference in inmate death

Armor Correctional Health Services is a Miami company paid \$25 million dollars a year in taxpayer money to provide health care in Broward County jails. A Sun Sentinel investigation found Armor has failed to protect some inmates endangered by their mental illnesses, with deadly consequences.

**December 15, 2016**

**Stephen Hobbs, Reporter** Sun Sentinel

Lawsuit filed over death featured in Sun Sentinel Broward jail investigation

The death of a mentally ill young man who starved himself in a **Broward County** jail was preventable and due to neglect by jail medical staff, according to a lawsuit filed Thursday in federal court.

Staff at Armor Correctional Health Services, the Miami company paid to handle Broward inmate health care, showed "deliberate indifference" to the medical needs of William Herring, the lawsuit says.

Herring, 23, suffered from bipolar disorder and schizophrenia. He told jailers that God would tell him when to eat, and refused food, drink and mental health medication during his four weeks in custody.

Herring's case was documented in a Sun Sentinel investigation which found that Armor has left severely mentally ill inmates unmedicated and malnourished despite having the authority to help them.

A review of thousands of pages of court, medical and jail records also showed that seven Broward inmates since 2010 killed themselves or suffered dramatic weight loss while they were held alone in cells, despite longstanding concerns about the impact of isolation on people with mental illnesses.

The lawsuit filed Thursday accuses Armor, which is paid \$25 million annually for health care at the county's four jails, of intentionally not sending inmates to outside hospitals for treatment even when it is medically necessary because it cuts into the company's profits. It says that five other inmate deaths in 2011 and 2012 were preventable, and reflect a pattern of putting "profits before patients."

Armor is responsible to pay up to \$50,000 for an inmate's care at an outside facility, according to the company's contract with the **Broward County Sheriff's Office**. That means Armor has a financial incentive not to send seriously ill inmates to an outside health care provider, according to the lawsuit.

The company has previously said that the fact that it has an individual cap contradicts any claim that it has an incentive not to provide care. Armor said it made about 11,000 referrals for off-site care over the past decade.

"Armor does not comment on pending litigation but intends to aggressively defend the work of its dedicated employees," the company said through a spokeswoman. "The facts are clear in this case. In addition, the company abides by federal healthcare laws and does not comment on its patients' healthcare."

Also named as defendants in the lawsuit are **Broward County** Sheriff Scott Israel and John Martin and Stanley Frankowitz, Armor jail doctors at the time of the deaths.

The Sheriff's Office said the department does not comment on pending lawsuits. Armor defends the Sheriff's Office in lawsuits over inmate medical care, according to the jail health care contract.

Frankowitz declined to comment and Martin did not respond to voicemails seeking comment.

Fort Lauderdale attorney Greg Lauer, who filed the case on behalf of Herring's parents, said he was unaware of Herring's death until he was contacted by the Sun Sentinel earlier this year.

"It's unconscionable, absolutely indefensible," Lauer said Thursday of Herring's death.

Lauer also represented the family of Raleigh Priester, an inmate with schizophrenia who died in custody in July 2012. Priester, 52, did not receive mental health medication in jail and lost about 30 pounds in his final month and a half alive. That lawsuit was settled for a confidential amount in 2015.

Herring, who grew up in Deerfield Beach, was on probation for breaking into vehicles when an officer arrested him for sleeping on a Fort Pierce bus bench in October 2012. Though the offense was minor, he was ordered held without bond in the Broward jail because he had violated his probation.

Kathy Kaether, Herring's mother, said she was concerned that her son was not eating and contacted Broward jail staff to let them know he needed help.

"I want to prevent other people from having this happen to them," Kaether said Thursday. "I don't want people to lose their family member."

During Herring's time in custody, jail medical staff repeatedly noted his refusal to take medication, drink and eat. As his health declined, they sent him to a psychiatric clinic and a hospital, where he received the mental health medication Haldol over his objection.

The hospital discharged Herring on Haldol, but Frankowitz, Martin and other Armor medical staff did not give it, or any psychiatric medication, to him, the lawsuit says.

Back in jail, Herring again refused medication, food and drink and was put in isolation in the infirmary.

Frankowitz and Martin knew about Herring's condition and did not send him to a hospital again for care, according to the lawsuit.

Herring collapsed before a Nov. 16 hearing and spent the last five weeks of his life in a coma at **Broward Health Medical Center** in Fort Lauderdale. A judge released Herring from custody Nov. 21 while he was on life support.

The medical examiner ruled his Dec. 23, 2012 death a suicide due to prolonged fasting, influenced by his mental illness.

*shobbs@sun-sentinel.com or 954-356-4520*

Copyright © 2017, Sun Sentinel