

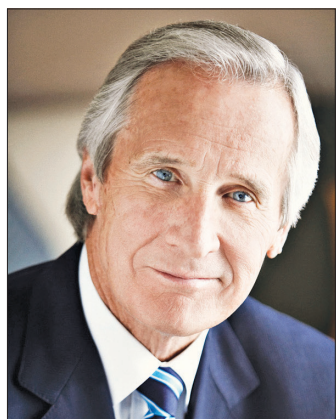
Missouri Lawyers WEEKLY

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33. \$2,850,000

TOP PLAINTIFF WINS IN 2013

Jury awards family members \$2.85M in Sullivan suicide



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A jury has awarded \$2.85 million to the family of a woman who committed suicide while jailed in the city of Sullivan.

Karen Palmer hanged herself in her cell with the string from her hooded sweatshirt in October 2009, according to court documents. Her parents and her daughter sued the city and its police officers in the U.S. District Court of the Eastern District of Missouri. They sought damages because, they contended, the city had an Eighth Amendment duty to protect her from harm, including self-harm.

The jury found in favor of the family on Jan. 18, rejecting claims of sovereign immunity from the police department and finding that the officers failed to follow their own procedures, which mandated that anything

an inmate could use to harm herself — the string, in this case, as well as a plastic fork she had used to cut herself before her suicide — be removed from a cell, court documents said.

Jail personnel did not notice that Palmer had died until two hours after the fact. The officers testified that they were relying on video feed to do inmate checks,

rather than looking in on them in person. Officers testified that they had not initially taken the string from Palmer's sweatshirt because they didn't see it.

Palmer was in custody because of charges relating to stealing prescription medication, court documents say. During the arrest, her fiance's mother, with whom she lived, repeatedly

told police that Palmer was not in her right mind and needed to be closely monitored, the documents said. The fiance's mother also warned the officers that Palmer needed to take her prescription medication.

The jury awarded Palmer's family actual damages of \$1.3 million; awarded damages for aggravating circumstances of \$250,000 from Jeff Rohrer, \$150,000 from Don Reed and \$150,000 from Shaun Hinson, the arresting and booking officers; and \$1 million in aggravating circumstances damages from Kevin Halbert, the officer responsible for inmate monitoring.

Robert J. Wulff, attorney for the city of Sullivan, declined to comment on the case. Donald L. Schlappizzi, who represented Palmer's parents and child, did not return calls seeking comment. **MO**

\$2,850,000 Verdict

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■ **Venue:** U.S. District Court for the Eastern District of Missouri

■ **Case Number/Date:** 4:11-CV-01361/Jan. 18, 2013

■ **Judge:** Nannette A. Baker

■ **Caption:** Debora D. Tanner, Danny C. Palmer and C.B. v. City of Sullivan, Don L. Reed, Darrin M. Jones, Kevin L. Halbert, Jeff Rohrer, Shaun Hinson and David Roche.

■ **Plaintiff's Attorneys:** Donald L. Schlappizzi, Linda C. Powers and Antoinette T. Schlappizzi, Schlappizzi Attorneys at Law, St. Louis.

■ **Defendant's Attorneys:** Robert J. Wulff, Benjamin M. Fletcher, Evans & Dixon, St. Louis, Patrick A. Bousquet, Carmody MacDonald, St. Louis, Russell F. Watters, Brown & James, St. Louis.