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August 8, 2016

Pattsi Petrie, County Board Chair
Champaign County Board
Brookens Administrative Center
1776 East Washington Street
Urbana, Illinois 61802-4581

RE: Our Client: The Estate of Toya Frazier
Date of Death: December 1, 2015

Dear Ms. Petrie:

PLAINTIFF'S PROPOSAL FOR RESOLUTION OF CLAIM

The following memorandum is submitted for resolution of the personal injury claim of the Plaintiff, the Estate of Toya Frazier. Plaintiff's memorandum is submitted for resolution purposes only and does not constitute any admissions or admissible evidence of any kind at any trial or hearing.

LIABILITY

Liability in this case is clear. On November 30, 2015 at approximately 10:26AM, Toya Frazier arrived at the Champaign County Satellite Jail. Because of her condition, Ms. Frazier was placed in the medical facility and put on the medical watch list. In this medical facility, Ms. Frazier was to be checked on every 13 minutes to monitor her health. On December 1, 2015 at approximately 2:00AM, Ms. Frazier began screaming and crying in her cell, complaining of severe abdominal pain. Her crying and screaming lasted for hours but instead of receiving medical attention, Ms. Frazier was moved from cell H-4 to cell H-1 so her screaming would not bother the other inmates. The guards checked on her every 13 minutes, but they did not enter her cell or call for medical assistance to help Ms. Frazier with her abdominal pain. Correctional Officer Jaime Christians went to her cell at one point to tell her to stop kicking the door. Sergeant Harold Matthews told Ms. Frazier to stop moaning because it was waking other inmates. At 7:00AM on December 1, 2015, Sergeant Harold Matthews sent an email to a nurse asking her to check on Ms. Frazier "at her earliest convenience."

Several inmates who witnessed Ms. Frazier's suffering were interviewed by Sergeant Windy Westfall of the Illinois State Police. They attested to the negligence of the Champaign County Jail staff. Inmate Earline Smith claims she heard Ms. Frazier screaming throughout the night and attempted to persuade authorities to offer her medical assistance. Inmate Benjamin

Davis occupied cell H-2, the cell adjacent to Ms. Frazier's. Mr. Davis also claims that Ms. Frazier screamed in agony throughout the night. When jail staff checked on Ms. Frazier, Mr. Davis said jail staff would stand at the door of Ms. Frazier's cell but never went inside to check on her well-being or offer medical assistance. Lastly, inmate Shawn Schoonover made a formal request to speak with the State Police regarding Ms. Frazier's death. Ms. Schoonover told the Illinois State Police that on November 29, 2015 Ms. Frazier experienced a small seizure to which the correctional officers paid no attention. (It is assumed that Shawn Schoonover meant November 30 as that was the day Ms. Frazier first arrived at Champaign County Satellite Jail.) Ms. Schoonover said that when Ms. Frazier told the correctional officers of her seizure, the correctional officers laughed at her and offered no medical assistance.

Ms. Frazier was finally seen by a nurse at 11:30AM on December 1, 2015. Instead of being taken to the hospital to have Ms. Frazier examined for her severe abdominal pain, the nurse gave Ms. Frazier anti-withdrawal medication for heroin addiction. However, this treatment was not necessary and ignored the real health issues that were literally killing Ms. Frazier. Less than six hours later, at 5:11PM, Ms. Frazier was found dead in her cell. Please see the enclosed timeline of events.

The closed circuit video tape of the facility where Ms. Frazier was housed contains valuable information corroborating elements of the above. In addition to this letter serving as our formal assertion of liability on the part of the Champaign County Jail, we are also requesting a copy of the video tape of the area where Ms. Frazier was held for the days of November 30, 2015 and December 1, 2015.

Cause of Death

Ms. Frazier's autopsy reveals that she died from Benadryl toxicity. Ms. Frazier had excessive levels of Advil PM and Aleve PM in her system. The Champaign County Jail had a duty to safeguard Ms. Frazier's health by offering her the medical attention she needed when she screamed in agony for hours the early morning of December 1, 2015. The Champaign County Jail also had a duty to provide Ms. Frazier proper supervision to ensure Ms. Frazier would not obtain medications that would cause harm to her health. Because of the negligence of the Champaign County Jail, Ms. Frazier suffered in pain for hours before losing her life.

PRE-ACCIDENT CONDITION



Ms. Frazier was very close with her family. She suffered from high blood pressure, was recuperating from recent knee surgery, and struggled with addiction. However, her pre-existing conditions did not contribute to her death.

DAMAGES

The family of Ms. Frazier has unexpectedly lost forever a loved one. Ms. Frazier was a loving grandmother who doted on her seven grandchildren. Pictured above is Ms. Frazier with her favorite grandson Bryson on the left, and her great nephew on the right. Ms. Frazier kept Bryson daily. They were exceptionally close. Since Ms. Frazier's death, Bryson cries daily asking where she is and begging his parents to see her. Ms. Frazier is sorely missed.

Ms. Frazier's family is not only grieving over their sudden loss but must also cope with the unexpected expense associated with her passing. Ms. Frazier's family wants answers to why their family member lost her life in the medical facility of the Champaign County Jail.

SETTLEMENT RECOMMENDATION

Should this case enter litigation, I would recommend that my client resolve their case by settlement based on the following analysis:

Conscious Pain and Suffering	\$100,000.00
Funeral Expenses	\$4,309.06
Obituary	\$200.00
Flowers	\$200.00
Wrongful Death	\$500,000.00
Grief, Sorrow and Mental Suffering	<u>\$500,000.00</u>
Total:	\$1,104,709.06

As an experienced risk management professional, you are no doubt aware that the conscious pain and suffering, wrongful death, and other related damages sustained by my clients warrant a jury verdict in excess of the total calculated above. At this time, we are authorized to settle our claim. On behalf of my client, we look forward to settling this matter as quickly as possible.

Sincerely,



Shayla Maatuka
Attorney at Law
smaatuka@doddlaw.net

SM/vz

cc: Rick Snider, Barbara Mann