

January 21, 2020

Statement on Behalf of the Estate of Terral Ellis

Our law firm was retained by Terral Ellis's Estate primarily to perform three tasks, to thoroughly investigate the facts surrounding Terral's death, to unearth and expose the truth and to obtain some semblance of justice. Our firm has now completed the first two tasks, with only the third remaining. The results of our investigation are summarized in Plaintiffs' Response to the Ottawa County Sheriff's Motion for Summary Judgment, and the evidentiary materials (including surveillance video) attached thereto. For the twelve days that he was at the Ottawa County Jail, Terral Ellis encountered unspeakable mistreatment -- and nightmarish conditions of confinement -- tantamount to torture. Terral's suffering and death were entirely preventable. The Jail staff's reckless -- and at times, depraved -- indifference to his serious medical needs is shocking, shameful and indefensible.

When Terral started to develop symptoms of pneumonia, and began asking the detention staff for help, his pleas were met with ridicule and scorn. As the days went on, and his condition grew worse, he was branded as a malingerer and treated with utter contempt by the Jail staff. By the morning of October 22, 2015, Terral was in the throes of respiratory distress, his legs were numb and his extremities were mottled. Beginning at around 8:27 and continuing to about 8:40 AM, Terral can be heard -- on audio from the Jail's video surveillance system -- continually screaming in pain and begging for help. He was in obvious distress and extreme pain. His screams were blood curdling: "D.O.!... Help!... Please! Help!... Ahhh!!! ... HELP!!!!" Terral's frantic cries echoed hauntingly through the Jail. When there were officers in the area, they vacillated between completely ignoring him -- to verbally refusing his cries for help -- to openly and cruelly mocking him. No one was coming to save Terral Ellis. They couldn't be bothered.

By 10:45 AM on October 22, when the Jail's lone nurse, Thesea Horn, LPN, showed up, Terral must have had a fleeting glimmer of hope that she would assess his serious condition and get him to the ER. Hope quickly turned to despair as Nurse Horn sadistically threatened to chain this gravely ill young man to a barbaric restraint device known as the "D-Ring" if he dared to complain about his medical condition any further:

"If we put you back in the pod and [you] start pissing in a cup again you're going [to] go to [the] fucking D-Ring cause there ain't [sic] a damn thing wrong with you ... the very first time you [complain] 'oh I cant get up, I need help, oh I'm having seizures' you're going to that D-Ring and that's where you're going stay the whole time that you are here cause I'm sick and tired of fucking dealing with your ass! Ain't [sic] a damn thing wrong with you!"

After threatening Terral and providing no medical assessment or care whatsoever, Nurse Horn openly mocked him, "my back is broken, my legs are purple, blah, blah, blah, blah..." These were some of the last words Terral heard as he laid alone on a urine-soaked mat, his organs shutting down and death approaching. By around 2:00 in the afternoon, Terral had succumbed to septic shock, having never received the medical attention he so desperately and obviously needed. He was just 26-years-old.

As detailed in the Response brief, the Jail's entire medical delivery system, to the extent such a system existed, was Constitutionally deficient and causally related to Terral's suffering and death. The Estate now hopes that Judge John Dowdell will decide the motions for summary judgment, and set the matter for trial. It is the Estate's ultimate goal to hold the responsible parties to account for Terral's unnecessary and lingering death.