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## **Pa. inmate sues county prison, saying she was forced to have baby alone in her cell**

**By Mallory Simon**  
**Court TV**

Pennsylvania inmate Shakira Staten says she was left alone screaming in her cell for four hours while she went into labor and gave birth to her daughter.

Despite her constant pleas, Staten said it wasn't until she gave birth, the baby fell on the cell floor and she held her child up to the cell bars that she finally got the attention of a guard, who cut the umbilical cord with her fingernails.

Staten, 22, filed a civil rights lawsuit Monday claiming she and her newborn baby were subjected to cruel and unusual punishment when the staff at the Lackawanna County Prison left her alone in her cell without providing medical care or transporting her to a hospital. The suit names Lackawanna County, Lackawanna County Prison, Warden Janine Donate, three unnamed guards, and an unnamed nurse. Dr. Edward Zaloga and Correction Care Inc., which provide the medical care at the jail, were also named.

Late on July 9, Staten began to feel pain and told correctional officers she thought she was going into labor, according to the suit. She was taken to the medical ward of the prison, where she was examined for an hour by nurses who said her contractions weren't "consistent enough."

Staten was then placed in a cell with a camera early July 10 so guards could monitor her. That's when Staten said the pain became excruciating.

She pleaded to be taken to the hospital, she claims, but her cries weren't answered.

When the guards would not come to her cell, Staten wadded up toilet paper and threw it on the camera lens, according to the suit.

Staten said that got the attention of a guard. But the officer merely removed the toilet paper from the

lens and left Staten in the cell.

Again, Staten threw a piece of wet toilet paper. Staten says that this time, a corrections officer threatened to handcuff her if she didn't take it off the lens, according to the suit.

Then her water broke, soaking her bed, she claims. She pleaded again to be taken to the hospital, according to the suit.

She claims her request was again ignored, and she was told she had to stay in the cell. Then, she says, she felt the baby crown. She walked to the cell door to yell for help. The door had been left slightly open, so Staten says she crawled into the walkway.

According to the suit, the guards came over and told her to get back into her cell. When she wouldn't do so, they carried her back in and closed the door.

Thirty minutes later, Staten began to give birth to her daughter, all the while calling for help, according to the suit.

The baby, whom she named Samiyah, fell onto the floor. Staten picked up her newborn and held her up to the door so the guards could see she had just given birth, the suit says. It had been three hours since she had been placed in the camera cell.

Staten said she was told that, after the guards finally took the baby, one of the female officers cut the umbilical cord using her fingernails.

Eventually, Staten and her baby were taken to a local hospital.

Staten's lawyer, Nicholas Fick, said mother and baby are now doing well. He said they will have to wait until the baby begins developing to see if the incident has caused any damage. The child is now in foster care.

"She was put through what nobody should be put through," said Staten's lawyer Nicholas Fick. "It was clearly a violation of her rights."

According to the suit, filed in U.S. District Court in Scranton, there is no current policy regarding the treatment of pregnant inmates at the Lackawanna County Jail.

The Pennsylvania Department of Corrections has a procedure that requires anyone going into labor to be taken to a hospital, but press secretary Susan McNaughton said that policy does not apply to the county

prisons.

A Pennsylvania statute, however, sets forth rules by which the county prisons must provide medical care.

"Written local policy shall provide for access to emergency care 24 hours a day for all inmates. A written plan shall outline onsite treatment, evacuation, transportation and security procedures and designate emergency facilities to be utilized," according to the code.

County officials are contending the staff at the prison reacted "fantastically" and told local reporters they believed the prison guards and the nurse on duty were diligent in their care.

County commissioner and chairman of the county prison board A.J. Munchak, Warden Janine Donate and Dr. Edward Zaloga, the county prison's chief medical director, all praised the staff.

"As I said yesterday [Monday], medically, medical-wise and security-wise, everything was done properly," Munchak told the Scranton Times-Tribune

County Commissioner Mike Washo, however, told CourtTVnews.com that there should be an external investigation into the care that was provided and whether any policy changes should be made. He declined to comment on other issues regarding the case.

The prison board held a closed-door meeting Monday to discuss the case. At the meeting, according to Fick, the board said it needed to view Staten's medical records to further investigate the case. Fick said his client signed a document releasing her records Wednesday.

Donate, Munchak, Zaloga, did not return repeated phone calls. Assistant Warden Tim Betti hung up on a Court TV reporter who called about obtaining Staten's mugshot.

Catherine Wise of the prisoners' advocacy group Pennsylvania Prison Society said the lack of a policy regarding the treatment of pregnant inmates is abnormal and astounding.

"How hard is it to say that when she's in labor, she goes to the hospital?" Wise said. "The bottom line is that for the health of the mother and the baby they should be taken to the hospital and in my mind there is really no excuse for not taking them. It's not only appropriate; it should be the only option."

Wise said she hopes the case help other pregnant inmates in the future.

"I think these kinds of stories get people to realize that the people we put in prison are still human beings

and they are our neighbors and friends and, if not, they will be when they get out," she said. "They deserve the same treatment as any other pregnant woman."

Staten was charged in April in Franklin County by federal prosecutors in Franklin County with manufacturing, distributing and possessing 5 grams or more of crack with intent to deliver it. Last month, Staten also agreed to plead guilty to a felony count of misusing a phone to commit a felony drug crime. She faces up to four years in jail and has not yet entered an official plea on the original drug charge.

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