

Civil suit filed in camp death

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SALT LAKE CITY — The mother of Utah teen Caleb Jensen filed suit Thursday against those she believes were responsible for his untimely death at 15.

Caleb was attending an Alternative Youth Adventures outing for at-risk youth in rural Montrose County in 2007. He died of a staph infection May 2 of that year.

The state acted quickly, suspending AYA's license for residential and therapeutical childcare. AYA later surrendered the license, which it had originally hoped to renew.

In July 2007 came the indictments against AYA, its former parent company Community Education Centers of New Jersey; camp director James Omer; camp EMT Ben Askins and Utah physician Keith Hooker.

The criminal complaints alleged the infection that claimed Jensen's life produced visible signs, which the defendants failed to act on. Charges included manslaughter and child abuse resulting in death, but by last December, only CEC remained as a criminal defendant.

Hooker's attorney succeeded in having the indictment dismissed in November last year.

The indictments against Askins and AYA were dropped the following month and charges against Omer were also dismissed.

But the end of criminal proceedings does not preclude the filing of a civil suit. Caleb's mother, Dawn Boyd Woodson is suing AYA, CEC, Omer, Askins and Hooker, along with the Utah State Division of Juvenile Justice Services and the Utah State Division of Child and Family Services.

According to an announcement provided by Woodson's attorney, Tom Boyle, the suit's allegations are similar to those in the criminal matter: that camp staff did not provide appropriate treatment for Caleb, even though the staph infection produced visible symptoms.

"Of the many abuse cases that I have handled, including incidents of abuse involving religious organizations, a county board that oversaw a juvenile boot camp and mothers in the wrongful deaths of their children, this case is one of the most egregious and the most heartbreaking," Boyle said in his announcement.

Boyle said the Utah juvenile justice and family services divisions were named as defendants because they erred in sending Caleb to the AYA program. "I do not believe the state should have sent Caleb to the wilderness camp," he said, declining further comment.

Boyle also declined to comment on what Woodson was seeking by way of damages. He said he did not want the suit tried in the media.

"We believe our claims are meritorious and we will present (case) to the appropriate forum at the appropriate time," he said.

A copy of the suit, filed in Salt Lake City, was not immediately available.

Court documents in the Montrose criminal case said Caleb was delirious and in obvious pain for days before he collapsed and died. The documents alleged Caleb received insufficient examination and treatment for complaints he kept bringing to staff, and, after he could no longer control bodily functions, he was placed on “group separates” as a form of discipline.

He then behaved oddly, other kids in the camp said, and stayed out in the weather.

But defense attorneys later argued there was no evidence Caleb complained to staff specifically; instead, he wrote of his discomfort in a journal staff could not access. Additionally, he had a history of staph infections and knew enough about them to seek help immediately, but didn’t, they claimed. Caleb was also a discipline problem well before the onset of symptoms, they said.

Askins’ attorney said Thursday she had not been retained for the civil case. The other AYA defendants’ attorneys could not be reached for comment, and it was not known who had been retained to defend against the suit.