

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

Megon Riedel	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 15-cv-803
	)	
Jackson County, Missouri,	)	<b>JURY TRIAL DEMANDED</b>
John Doe, Jane Doe I, and	)	
Jane Doe II	)	
	)	
Defendants.	)	

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**COMPLAINT**

***INTRODUCTION***

1. Plaintiff, Megon Riedel, seeks judgment against Defendants John Doe, Jane Doe I, and Jane Doe II for violation of her rights under the Eighth Amendment to the Constitution of the United States; violation of her rights under the Missouri Constitution; and intentional infliction of emotional distress. Plaintiff also seeks judgment against Defendant Jackson County, Missouri, for failure to train and supervise correctional officers, including Defendants John Doe, Jane Doe I, and Jane Doe II.

***Jurisdiction and Venue***

- 2. This action arises under the Constitution of the United States, the provisions of 42 U.S.C. § 1983, the Missouri Constitution, and Missouri law.
- 3. The jurisdiction of this Court is invoked pursuant to 28 U.S.C. §§ 1331 and 1343(a).
- 4. This Court has supplemental jurisdiction over Plaintiff's state law claims pursuant to 28 U.S.C. § 1367.

5. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(b) and L.R. 3.1(b)(2) because a substantial part of the events or omissions giving rise to the claims occurred in Jackson County, Missouri.

***Parties***

6. Plaintiff, Megon Riedel, is a resident of the State of Missouri.
7. Defendant Jackson County, Missouri, is a political subdivision of the State of Missouri and operates the Jackson County Detention Center (JCDC), a jail located in Jackson County, Missouri.
8. Defendant John Doe, whose name is unknown to Plaintiff, was an employee of Defendant Jackson County at all times relevant to this complaint. He is sued in his individual capacity only.
9. Defendant Jane Doe I, whose name is unknown to Plaintiff, was an employee of Defendant Jackson County at all times relevant to this complaint. She is sued in her individual capacity only.
10. Defendant Jane Doe II, whose name is unknown to Plaintiff, was an employee of Defendant Jackson County at all times relevant to this complaint. She is sued in her individual capacity only.
11. Defendants acted under color of state law at all times relevant to this complaint.

***Facts***

12. In the fall of 2012, Plaintiff was an inmate in the JCDC.
13. Plaintiff was in the end of her third trimester of pregnancy when she entered JCDC.
14. Staff members at JCDC were aware that Plaintiff was pregnant no later than October 1, 2012, and recorded her due date as October 11, 2012.

15. During the morning hours of October 4, 2012, JCDC staff woke Plaintiff and informed her that she was being taken to the Women's Eastern Reception, Diagnostic and Correction Center (WERDCC) located in Vandalia, Missouri.
16. WERDCC is approximately 192 miles away from JCDC.
17. On October 4, 2012, Plaintiff informed JCDC staff that she was having contractions and requested transportation to the hospital.
18. Despite Plaintiff's request, JCDC staff instructed Plaintiff to pack her belongings for transport to WERDCC.
19. Plaintiff was eventually seen by a JCDC nurse, who accused her of lying about having contractions, and JCDC staff maintained their refusal to transport her to the hospital.
20. After Plaintiff persisted that she needed medical attention, JCDC staff eventually took her to Truman Medical Center (TMC) in Kansas City, Missouri.
21. At the hospital, Plaintiff was examined in OB Triage. Plaintiff was accompanied by JCDC staff during her entire visit. The examining physician noted that Plaintiff was likely in latent and early stages of labor. The physician informed JCDC staff that Plaintiff's pregnancy was high risk, and recommended that JCDC have a plan for delivery in the event that Plaintiff needed immediate medical care. The physician's notes indicate that JCDC staff with Plaintiff at the hospital received and understood these instructions.
22. Plaintiff was released from the hospital and returned to JCDC.
23. Later in the evening on October 4, 2012, Plaintiff began to experience more frequent contractions and a severe headache.

24. Plaintiff told JCDC staff about her contractions and informed them that she needed to go back to the hospital. Again, Plaintiff was accused of lying about her condition by a JCDC nurse.
25. After a second JCDC nurse arrived and timed Plaintiff's contractions herself, an order for transport was obtained and an ambulance was called to transport Plaintiff back to TMC.
26. When Plaintiff arrived at TMC for her second visit on October 4, 2012, she was again examined in OB Triage. A JCDC staff member remained with Plaintiff at all times during her hospital visit. After her contractions slowed, Plaintiff was discharged back to the medical unit at JCDC with strict return precautions.
27. Upon discharging Plaintiff, the physician at TMC informed JCDC staff that they have a plan for delivery in the event that Plaintiff, who was noted as being in the early stages of labor, needed immediate medical care. The officers who escorted Plaintiff to TMC indicated to the physician that they understood these instructions.
28. When Plaintiff returned from her second visit to TMC on October 4, 2012, a JCDC nurse scheduled Plaintiff for an evaluation by the facility's physician later that day.
29. In the very early morning hours of October 5, 2012, Plaintiff was bleeding vaginally and having frequent contractions.
30. Around 5:00 a.m. on October 5, 2012, JCDC staff told Plaintiff to pack her belongings.
31. Plaintiff was forced to walk—on her own—to a transport van without the assistance of a wheelchair.
32. As she walked to the transport van, Plaintiff had to stop every four to five steps because of her contractions and the pain she was experiencing. A female JCDC staff member, Defendant Jane Doe I, who escorted Plaintiff to the location where the transport van was

waiting, accused Plaintiff of lying about the contractions and pain, and demanded that Plaintiff “hurry up.”

33. Plaintiff was then shackled and chained and placed in the back of a van by two JCDC officers, Defendants John Doe and Jane Doe II.
34. Defendants John Doe I and Jane Doe II then transported Plaintiff to WERDCC—a trip that took around three and a half hours.
35. Plaintiff was the only inmate in the transport van.
36. While en route to WERDCC, Plaintiff experienced frequent contractions, continued to bleed vaginally, and vomited in the van. Plaintiff remained shackled and chained at all times during the transport.
37. Plaintiff pleaded with Defendants John Doe and Jane Doe II to take her to a hospital.
38. Defendants John Doe and Jane Doe II refused to take Plaintiff to a hospital or other healthcare provider despite their knowledge that she was in labor and required treatment.
39. Defendants John Doe and Jane Doe II did stop at another jail on the way to WERDCC where Plaintiff was allowed to use the restroom. Plaintiff remained shackled and chained during this stop and was not provided any medical attention.
40. When Plaintiff arrived at WERDCC, she was asked to strip. Upon observing her condition, however, a WERDCC staff member exclaimed, “Are you fucking serious?” The staff member immediately called medical staff.
41. Plaintiff was examined by a physician at WERDCC who determined that she needed to be taken to the hospital immediately.

42. JCDC staff failed to inform WERDCC staff that Plaintiff was being transported while in labor, that she was 39 weeks pregnant, that she had a high-risk pregnancy, and that she had been at the hospital twice in less than twenty-four hours.
43. An ambulance was called and Plaintiff was rushed to the hospital.
44. Plaintiff was admitted to the Audrain Medical Center in Mexico, Missouri, in active labor on October 5, 2012, where she delivered her baby that same day.
45. Plaintiff suffered emotional, physical, and mental distress as a result of Defendants' acts and omissions.

**COUNT I**

*42 U.S.C. § 1983 - Eighth Amendment  
Cruel and Unusual Punishment  
Against Defendants John Doe, Jane Doe I, and Jane Doe II*

46. Plaintiff incorporates herein by reference the allegations made in each preceding paragraph as if each were set forth here verbatim.
47. On October 5, 2012, while Plaintiff was in labor and bleeding, Jane Doe I escorted Plaintiff to the area where the transport van was located. Jane Doe I did not provide Plaintiff with a wheelchair, did not assist her, and, instead, told her to "hurry up."
48. On October 5, 2012, Defendants John Doe I and Jane Doe II transported Plaintiff to WERDCC, a facility located approximately 192 miles from JCDC in Vandalia, Missouri.
49. During the transport, Plaintiff was shackled and chained, experienced frequent contractions, was in severe pain, vomited, and was bleeding.
50. Defendants John Doe and Jane Doe II knew there was a substantial risk that Plaintiff was in active labor, and her need for medical attention was obvious even to a lay person. Nevertheless, Defendants John Doe and Jane Doe II intentionally refused to allow

Plaintiff to obtain the medical care needed or to take any other reasonable measures to deal with Plaintiff's condition.

51. By their acts and omissions, Defendants John Doe, Jane Doe I, and Jane Doe II intentionally injured Plaintiff without just cause.
52. The acts and omissions of Defendants John Doe, Jane Doe I, and Jane Doe II, with respect to Plaintiff, constitute cruel and unusual punishment in violation of the Eighth Amendment to the Constitution of the United States.
53. Plaintiff suffered damages, including physical and emotional injury, as a result of Defendants' acts and omissions.

WHEREFORE, Plaintiff prays this Court:

- A. Enter judgment in favor of Plaintiff and against Defendants John Doe, Jane Doe I, and Jane Doe II;
- B. Award Plaintiff compensatory and punitive damages against Defendants John Doe, Jane Doe I, and Jane Doe II for violation of Plaintiff's constitutional rights under color of state law;
- C. Award Plaintiff reasonable attorneys' fees and costs pursuant to 42 U.S.C. § 1988 and any other applicable provisions of law; and
- D. Allow such other and further relief as the Court deems just and proper.

**COUNT II**

*42 U.S.C. § 1983 - Failure to Supervise and Train  
Against Defendant Jackson County, Missouri*

54. Plaintiff incorporates herein by reference the allegations made in each preceding paragraph as if each were set forth here verbatim.

55. Defendant Jackson County developed and maintained policies and customs exhibiting deliberate indifference to Plaintiff's constitutional rights.
56. At the time of the above-described incident, it was the custom or policy of Defendant Jackson County to inadequately supervise and train its correctional officers with respect to the care of pregnant inmates, thereby failing to prevent the constitutional violations against Plaintiff.
57. Defendant Jackson County's customs and policies demonstrate deliberate indifference to the constitutional rights of pregnant women within JCDC and caused the violation of Plaintiff's rights alleged herein.
58. As a direct and proximate result of Defendant Jackson County's customs and policies, Plaintiff sustained damages.

WHEREFORE, Plaintiff prays this Court:

- A. Enter judgment in favor of Plaintiff and against Defendant Jackson County;
- B. Issue an injunction requiring Defendant Jackson County to develop and implement adequate training programs for its correctional officers about individual rights under the Eighth Amendment;
- C. Award Plaintiff compensatory damages against Defendant Jackson County for violation of Plaintiff's constitutional rights under color of state law;
- D. Award Plaintiff reasonable attorneys' fees and costs pursuant to 42 U.S.C. § 1988 and any other applicable provisions of law; and
- E. Allow such other and further relief as the Court deems just and proper.

**COUNT III**

*State Law Claim - Declaratory Judgment  
Violation of Missouri Constitution Article I, § 21  
Against All Defendants*



59. Plaintiff incorporates herein by reference the allegations made in each preceding paragraph as if each were set forth here verbatim.
60. No later than October 4, 2012, Defendant Jackson County knew that Plaintiff was pregnant and that her physician had determined she had a high-risk pregnancy.
61. Defendant Jackson County knew that on October 4, 2012, Plaintiff was in her thirty-ninth week of pregnancy.
62. After Plaintiff was taken to TMC twice in a twenty-four hour period on October 4, 2012, Defendant Jackson County knew of the strict return precautions given by Plaintiff's physician for issues related to her pregnancy and labor.
63. JCDC is located a short distance from TMC.
64. Despite being instructed by Plaintiff's physician that she was not to be transported to Vandalia, Missouri, Defendant Jackson County directed Defendants John Doe and Jane Doe II to transport her to WERDCC, a facility located approximately 192 miles from JCDC in Vandalia, Missouri.
65. During the transport, Plaintiff was shackled and chained, experienced frequent contractions, was in severe pain, vomited, and was bleeding.
66. Defendants John Doe, Jane Doe I, and Jane Doe II knew there was a substantial risk that Plaintiff was in active labor, and her need for medical attention was obvious even to a lay person. Nevertheless, Defendants John Doe, Jane Doe I, and Jane Doe II intentionally refused to allow Plaintiff to obtain the medical care needed or to take any other reasonable measures to deal with Plaintiff's condition.
67. By their acts and omissions, Defendants intentionally injured Plaintiff without just cause.

68. The acts and omissions of Defendants John Doe, Jane Doe I, and Jane Doe II with respect to Plaintiff constitute cruel and unusual punishment prohibited by Article 1, § 21 of the Missouri Constitution.
69. Plaintiff suffered damages, including physical and emotion injury, as a result of Defendant's acts and omissions.

WHEREFORE, Plaintiff prays this Court:

- A. Enter judgment in favor of Plaintiff and against all Defendants;
- B. Enter a declaration pursuant to Missouri Revised Statutes § 527.010 that all Defendants violated Article 1, § 21 of the Missouri Constitution;
- C. Issue an injunction requiring Defendant Jackson County to develop and implement adequate training programs for its correctional officers about individual rights under Article 1, § 21 of the Missouri Constitution;
- D. Award Plaintiff reasonable attorneys' fees and costs; and
- E. Allow such other and further relief as the Court deems just and proper.

#### **COUNT V**

#### *State Law Claim - Intentional Infliction of Emotional Distress Against All Defendants*

70. Plaintiff incorporates herein by reference the allegations made in each preceding paragraph as if each were set forth here verbatim.
71. Doe Defendants' actions constitute extreme and outrageous conduct that caused both extreme emotional distress and bodily harm to Plaintiff. Doe Defendants' actions were done intentionally or recklessly to harm Plaintiff.
72. Doe Defendants' actions were so outrageous in character and extreme in degree as to go beyond all possible bounds of decency.

73. Doe Defendants' extreme and outrageous behavior caused Plaintiff to suffer physical injury, as well as severe and extreme emotional distress.

WHEREFORE, Plaintiff prays this Court:

- A. Enter judgment in favor of Plaintiff and against all Doe Defendants;
- B. Award Plaintiff compensatory damages against all Doe Defendants;
- C. Award Plaintiff punitive damages against all Doe Defendants; and
- D. Allow such other and further relief as the Court deems just and proper.

Respectfully submitted,

/s/ Anthony E. Rothert  
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