

'I'm Going to Die Here,' She Told the Guards. They Didn't Listen.

 [nytimes.com/2019/01/30/us/lamekia-dockery-death-jail-prison.html](https://www.nytimes.com/2019/01/30/us/lamekia-dockery-death-jail-prison.html)

By Sarah Maslin Nir

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GOSHEN, Ind. — “Offender Dockery stated to me around 0800 at the front counter that she was having stomach pains for 2 days and wanted to go to the hospital,” read the first entry in a corrections officer’s log.

It was the first of what became multiple pleas for help by a newly arrived inmate, Lamekia Dockery.

The response? “I advised her to stop over-talking me.”

For the six days she was incarcerated at the Elkhart Community Corrections work-release facility last July, Ms. Dockery, vomiting and unable to eat, asked for medical attention, to no avail.

“She sprawled out on the floor stating she couldn’t breathe,” reads an entry at 12:10 p.m. the next day. “She seemed to be talking just fine.”

She was dying.

Ms. Dockery’s death at age 36 underscores the dangers of the nation’s jails, where inmates are either doing time for the least serious crimes or have not been convicted of the charges against them. Jails often have fewer resources than prisons and, like the work-release center here in Goshen, lack medical staff. Illness and injury can go untreated and every week, it seems, brings a new report of an unsafe jail or a death that was likely preventable.

“It would be a national scandal if people realized exactly how bad it was and how much abuse inmates are subjected to when they become sick inside prisons and jails,” said William R. Claiborne, a lawyer in Savannah, Ga., who specializes in cases of inadequate medical care, such as one in which an inmate was told he was faking fainting spells, only to die of congestive heart failure. “The more marginalized that you are, the more likely you are to not be believed, the more likely you are to get denied care,” Mr. Claiborne said.

The problem is worse, he said, for those already discounted by society: As a black woman and a drug user, Ms. Dockery was in that category. Jails have not adapted to the growth of the number of female inmates, which has far outpaced the growth in

the number of men, according to the Vera Institute of Justice, a group that advocates criminal justice changes and is focused on jail, and experts say that racial bias has contributed to worse health outcomes for black women.

In 2015, Sandra Bland, a 28-year-old black woman jailed after a traffic stop in Waller County, Tex., hanged herself in a cell. In December in Bexar County, Tex., Janice Dotson-Stephens, who was black and mentally ill, was "ignored to death," as her lawyer put it, after her family had been told that she was not even in custody.

Ms. Dockery was sent to the work-release center for just shy of a year after she violated probation on a shoplifting conviction. Because she had failed a drug test on arrival, officers dismissed her complaints as those of a user in withdrawal, an ordeal that is rarely life-threatening. But she died of sepsis, probably caused by a perforated ulcer in her intestine, according to James P. Elliott, the Elkhart County coroner.

Inmates said in interviews that Ms. Dockery begged for aid incessantly. Officially, she requested help at least a half-dozen times, according to internal emails and logs kept by corrections officers, which repeatedly noted her vomiting, moaning in pain, or even screaming. In response, she was punished with demerits and solitary confinement. When she kicked a door in protest, she was shackled.

Ms. Dockery's death might have been averted, had the guards and administrators heeded her requests. But the Elkhart County prosecutor, Vicki E. Becker, declined to hold anyone criminally responsible.

The guards were not culpable because "none of them expressed any belief that a stomachache could result in her death," Ms. Becker said in an interview.

Staff members receive no medical training that could have helped them assess Ms. Dockery's condition. "I am pretty sure she is going through withdrawals," Tiffany Faigh, the work-release coordinator, wrote in an email to seven other employees. "She claims she hasn't ate since she has been here, which is probably why her stomach hurts."

Image

15 minutes

Medical Inmates ~~Health~~ Watch LaminiKa Dockery 07/30/18

TIME	OFFICER	What is Offender Doing
1033	KCG	Shackled/Dbl locked sat in chair by scanner. Groaning/ moaning in pain.
1039	KCG	Groaning in pain/ kneeling in front of chair
1041	KCG	Rolling on floor/ groaning
1048	KCG	Placed in holding 2/ shackles off
1103	KCG	laying on mat
1110	JMS	Sleeping
1122	JMS	Sleeping
1140	JMS	Yelling screaming
1151	JMS	Arguing, Yelling, Verbal

Notes kept by workers on Ms. Dockery's condition.

Her family believes her cries were dismissed because of who she was: "She was a black woman, and they say she was on drugs, so they looked down on her," said Bertina Slaughter, Ms. Dockery's aunt.

"They didn't think she was worth nothing," Ms. Slaughter said. "But she was worth a lot to us."

Ms. Dockery grew up singing gospel in a church choir in Gary, Ind. As a little girl, she would serenade the family with R&B songs on the porch, dressed up in her grandmother's pearls and too-big high heels. She loved math and babying her two little sisters, making them peanut butter and jelly sandwiches even if they weren't hungry.

Ms. Dockery, a single mother of five who was nicknamed Mekia, had worked in a factory and as a hotel housekeeper. But after teachers at her children's school discovered burn marks on one of her sons, she lost custody of her children permanently. Her family said it was an accidental injury that occurred when two of her boys were roughhousing without supervision.

The loss "swept her life from her," Ms. Slaughter said. She became homeless and lived intermittently on the streets of Elkhart, rebuffing her extended family's offers to stay with them because being around other people's children, Ms. Slaughter said, was too hard.

Court records in Missouri, Michigan and Indiana, in which Ms. Dockery is sometimes referred to as Laminika, show a number of arrests and guilty pleas for offenses like marijuana possession and retail fraud. She entered the work-release center in Goshen on July 25, 2018.

The center sits between Highway 33 and an overgrown stream called Rock Run Creek. It is a low-slung building that houses inmates in two open-plan barracks, separated by sex. Inmates typically labor at a local factory, their whereabouts tracked by GPS ankle bracelets.

Ms. Dockery's troubles began on arrival, when she was placed on a seven-day lockdown because she failed a drug test. Her blood contained benzodiazepine, amphetamine and methamphetamines, according to a toxicology report provided by the corrections facility. Withdrawal from such substances does not typically entail vomiting.

At any given time, there are between four and seven guards for the 323 inmates that can be held at Elkhart Community Corrections. That leaves few staff members available to accompany inmates to a medical facility.

"She wants to go to the hospital," an officer named Jessica Newman wrote in an email to her supervisors on July 28. Ms. Newman added: "If you say to send her, third shift only has three on tonight."

A complaint made by Ms. Dockery after she was shackled to a bed.

Ms. Faigh and Ms. Newman did not respond to emails or telephone messages. Jose Solis, a guard whom Ms. Dockery named in a complaint, could not be reached.

Ms. Dockery spent much of her time on the floor of a communal bathroom, curled around a toilet, according to inmate interviews and official logs. She was written up for disobedience when she collapsed or refused to get up from a fetal position on the ground, and for "hooting and hollering."

At one point, a guard instructed Ms. Dockery to seek out her caseworker for help, according to documents, but when another found her searching for her caseworker's office, she was accused of lying and given 15 more days confinement.

When her wails disturbed the other prisoners, the guards locked her in what they called "the tank," a solitary confinement cell.

She refused to stop banging on the door. "I spun Dockery to her stomach and proceeded to shackle her and double lock the shackles," a corrections officer recorded on July 30. "I ordered her to sit on her bunk and calm down." She died the

next day.

At a nearby church that many inmates are permitted to attend, many stood up on the Sunday after Ms. Dockery's death and detailed what they had witnessed of her ordeal, several in tears, the pastor, Tony Brinson, said.

"There needs to be justice for her," said Renea Taylor, an inmate interviewed there on a later Sunday. "I close my eyes and I can hear her cry."

Ms. Dockery's sole medical treatment appears to have been an Alka-Seltzer provided by the guards and some Tylenol that other inmates purchased for her from a vending machine after pooling their money, according to Nini Mora, another inmate.

"She kept saying, 'I'm going to die here,'" said a third inmate, who asked that her name not be used for fear of retribution.

In October 2018, Ms. Becker, the Elkhart County prosecutor, announced that there would be no criminal charges relating to Ms. Dockery's death after an investigation by its homicide squad.

"If you look at it objectively and logically, there is no criminal law in Indiana that would appropriately address what went on," Ms. Becker said.

In Indiana's criminal code, unlike in some other states, she said, inmates in correctional facilities are not considered dependents; Ms. Dockery's caregivers are thus not criminally liable for failing to provide help.

"Do I want to see accountability? From the perspective of, no one should have to suffer like this, the answer is absolutely yes," Ms. Becker added. "From the perspective of, is that something I have the power to control? Unfortunately not," she said.

Federal prosecutors could pursue criminal charges in such a case, but rarely do, Mr. Claiborne, the lawyer in Savannah, said.

Some of the corrections officers who oversaw Ms. Dockery have resigned or now work in other jobs in the county. The board of commissioners declined to comment on her death.

The family is considering a civil suit. When Ms. Dockery's family went to identify the body, the cheeks were streaked with tears, said Charmel Dockery, Ms. Dockery's mother.

Among the pages of write-ups and reports, Ms. Dockery speaks in her own words just once, making a complaint after being shackled. She was treated so roughly by one officer, she wrote, that someone else intervened: "He told him that that wasn't right, to have me in handcuffs while I was in severe pain."