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LAWSUIT IN DEATH OF INMATE IS SETTLED - DIABETIC - Times-Picayune, The (New Orleans, LA) - June 17, 2000 - page B01

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The Orleans Criminal Sheriff's Office has quietly settled a lawsuit filed by the family of a woman who died in Parish Prison after suffering a diabetic attack in 1996, a move that could change the posture of a similar lawsuit filed on behalf of a diabetic who died in custody last year.

When **Ruth Ann Milazzo** died Nov. 13, 1996, her family had no plans to place blame, but ended up filing a lawsuit a year later as a mechanism to obtain her medical records. Disturbed by what they said were troubling gaps during which Milazzo was not given her insulin, the family pursued the case as a wrongful death lawsuit.

That lawsuit drew little attention until April 1999, when JoAnn Johnson died three days after she was arrested in front of her Algiers home on drug charges. Johnson died after her blood-sugar level skyrocketed while she was held at Parish Prison, an autopsy showed. Her death sparked protests from Johnson's family and a petition to recall Sheriff Charles Foti Jr.

Since then, Johnson's family has slipped out of the public eye and the recall efforts have fallen short. But the lawsuit filed by the family remains very much alive, according to Keith Couture, attorney for the Johnson family. Couture said the lawsuit is in the discovery phase, with a trial scheduled for January 2001.

The settlement of the Milazzo case probably won't have any immediate bearing on the Johnson lawsuit, Couture said, but it could signal a willingness by the sheriff to discuss a settlement later.

"The fact that the Sheriff's Office felt they had some exposure is significant to our case," Couture said. "There are similarities in the cases. It appears to be a pattern of indifference to the inmates' assessment of their own medical needs."

Milazzo, 35, and Johnson, 21, were both brittle diabetics who were required to take regular doses of insulin. In each case, the requests by the women for medical attention were ignored by the prison staff, the families claimed. Autopsies determined that both women died of "diabetic ketoacidosis," a condition brought on by high levels of blood sugar.

There are also significant differences in the cases. Milazzo, who also suffered from mental illness, had been jailed for seven months after being arrested for shoplifting. In an earlier interview, the sheriff's chief administrative officer, Michael Geerken, said Milazzo was given seven types of medication, including "hundreds of doses of insulin."

But family members said Milazzo complained in telephone calls that she was not getting the proper medication and her complaints to jail personnel went unheeded.

The terms of the settlement in the Milazzo lawsuit have not been made public. Furthermore, as part of the settlement, attorneys for the Sheriff's Office and Milazzo family have agreed not to

discuss the case. Both sides declined to comment when reached by telephone.

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