

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
EVANSVILLE DIVISION**

**THE ESTATE OF BOBBY J. NORMAN,
by and through its representative,
Kaziah Kemp**

Plaintiff.

vs.

**VANDEBURGH COUNTY SHERIFF'S
DEPARTMENT; NOAH ROBINSON,
Vanderburgh County Sheriff;
DAVID GUETLING, Vanderburgh
County Jail Commander; UNKNOWN
DEFENDANTS;**

**and
QUALITY CORRECTIONAL CARE, LLC.;
UNKNOWN DEFENDANTS;**

Defendants.

Cause No. 3:25-cv-227

DEMAND FOR JURY TRIAL

PLAINTIFF'S ORIGINAL COMPLAINT

Demand for Jury Trial

I. INTRODUCTION & FACTS

1. Bobby J. Norman, a 61-year-old resident of Boonville, Indiana, died from chest pains and hypertensive atherosclerotic cardiovascular disease, after spending thirteen (13) days in the Vanderburgh County Jail during the fall of 2023.
2. On October 18, 2023, Bobby was arrested on a criminal charge and booked into the Vanderburgh County Jail.

3. Prior to being booked into the Vanderburgh County Jail, Bobby suffered from high/low blood pressure that required medications to manage, which Bobby listed on his booking report.

4. Upon booking into the Vanderburgh County Jail (hereinafter “The Jail”) on October 18, 2023, Bobby advised medical and confinement officers that he required medication to keep his blood pressure under control.

5. During the first few days of detention, Bobby’s daughter, Kaziah Kemp, made several phone calls to the jail in order to complain about her father not receiving the medications he needed.

6. During the first few days of detention, family members went to the jail in person to bring the medications that Bobby needed.

7. On or about October 23, 2023, Bobby began to experience nausea and vomiting with the inability to keep food or drink down.

8. Jail and medical staff were called to Bobby’s pod on October 28th, 29th, and 30th, for complaints of Bobby having a “seizure or a heart attack.”

9. On the morning of August 30, 2023, Bobby J. Norman passed away of cardiovascular disease and his forensic pathology report notes “complaints of chest pain days before death.”

II. PARTIES

10. At all times herein mentioned, Plaintiff, the Estate of Bobby J. Norman, formed under Indiana law and acting by its representative, Kaziah Kemp. Bobby J. Norman was a resident of Warrick County and 61 years old at the time of his death on October 30, 2023. Bobby was a pre-trial detainee that had not been tried or convicted of any crime.

Bobby should have been entitled to the protections afforded by the states through the Fourteenth Amendment to the United State Constitution.

11. Defendant, Quality Correctional Care (hereinafter referred to as QCC) is a private, for-profit, corporation that contracts to provide healthcare services to county jail and correctional institutions in 65 of the state's 91 counties. The corporation is headquartered in Carmel, Indiana. The company describes itself as a company that brings "medical, mental, and addiction services together for the treatment of inmates in hopes of one day reducing the recidivism." At all times relevant to this case, QCC acted under the color of Indiana law and contracted with Sheriff's Department for healthcare services at the Vanderburgh County Jail. During Bobby J. Norman's detainment, QCC was the only healthcare provider contracted for services for the year 2023. Through said contract, QCC was to provide on-site medical, emergency, nursing, physician, mental, detoxification, and correctional officer training. QCC agreed to be responsible for curing deficiencies in the jail's inmate healthcare programs and protocols. It agreed to develop practices that were adequate to meet the serious healthcare needs of the jail's population; including but not limited to, emergency medical care to any persons on the premises. By virtue of its contract with Vanderburgh County Sheriff's Department and through the course of its activities, QCC assumed the public function of providing necessary emergency and healthcare services to those persons confined by the county. QCC is a "person" for the purposes of 42 U.S.C. § 1983.

12. Defendant, Vanderburgh County Sheriff's Department (hereinafter referred to as "Sheriff's Department") is a subdivision of Vanderburgh County located in the State of Indiana. The County is a "person" for the purposes of 42 U.S.C. § 1983. At all relevant times herein mentioned, The Sheriff's Department owned and operated the Vanderburgh

County Jail. Through the Vanderburgh County Sheriff's Office, The County was responsible for supervising and training jail employees and staff; adopting, implementing, and enforcing jail policies and procedures; and ensuring that the people in custody received the necessary medical treatment.

13. Defendant, Noah Robinson, at all times relevant to this case, is an elected official and resident of Vanderburgh County. In his capacity as Sheriff, Defendant Robinson was responsible for the supervision and training jail staff; adopting, implementing, and enforcing jail policies and procedures; and ensuring that persons in custody received the necessary medical treatment. Defendant Robinson was responsible for ensuring persons in custody were detained in humane conditions as required by the United States Constitution and Indiana Laws. Defendant Robinson was responsible for policymaking at the Vanderburgh County Jail and at all times was acting under the color of Indiana Law. Plaintiff is suing Defendant Noah Robinson in his official and individual capacity.

14. Defendant, David Guetling, at all times relevant to this case, is the Commander of the Vanderburgh County Jail. In his role as commander, Defendant Guetling was responsible for the supervision and training of jail staff; adopting, implementing, and enforcing jail policies and procedures; and ensuring that persons in custody received the necessary medical treatment. Defendant Guetling was responsible for ensuring persons in custody were detained in humane conditions as required by the United States Constitution and Indiana Laws. Defendant Guetling was responsible for policymaking and enforcing those policies at the Vanderburgh County Jail and at all times was acting under the color of Indiana Law. Plaintiff is suing Defendant Guetling in his official and individual capacity.

15. Upon information and belief, there are unknown defendants that were agents of Sheriff's Department that were on duty during the period of Bobby J. Norman's confinement and will likely be identified during the discovery process.

16. Upon information and belief, there are unknown defendants that were agents of QCC that were on duty during the period of Bobby J. Norman's confinement and will likely be identified during the discovery process.

III. JURISDICTION

17. The Court has both diversity jurisdiction and federal question jurisdiction.

18. The Court has jurisdiction over the lawsuit pursuant to the Fourteenth Amendment of the United States Constitution and 42 U.S.C. § 1983, §1331, and 28 U.S.C. § 1343.

19. The Court has supplemental jurisdiction over the related state law claims pursuant to 28 U.S.C. § 1367(a) as the alleged claims arise under Indiana law and are so related to form part of the case or controversy as the 41 U.S.C. § 1983 claims.

20. Venue is proper pursuant to 28 U.S.C. § 1391(b) because a substantial part of the acts and omission giving rise to Plaintiff's complaint occurred in this District.

21. This Court, without regard to the amount in controversy, has jurisdiction of the Plaintiff's request pursuant to federal statutes and Indiana statutes. Venue is proper in the Southern District of Indiana, Evansville Division, because the Vanderburgh County Jail is located within Vanderburgh County.

IV. CLAIMS

22. Defendants failed to adequately train and supervise jail staff in how to recognize and respond to serious medical problems requiring urgent professional help beyond what is readily available at the jail. It is not unforeseen, and in fact highly likely, that such practices and policy failures would lead to a deprivation of constitutional rights and result in serious injury or in this case, death.

23. These Defendants, in their official capacities and while acting under the color law, through both inaction and action, were deliberately indifferent to the medical needs of Bobby J. Norman in violation of the United States Constitution and Indiana Law.

24. The risks of harm to Bobby J. Norman, as described herein, were objectively and medically serious and highly foreseeable.

25. These Defendants knew that there was a substantial risk of serious harm to Bobby J. Norman existed.

26. These Defendants disregarded that substantial risk of serious harm to Bobby.

27. These Defendants actions/inactions were intentional, willful, and in reckless disregard for Bobby's established constitutional rights.

28. The actions and inactions of these Defendants directly caused a deprivation of Bobby's constitutional rights and proximately caused his death.

29. These Defendants actions and omissions were willful, wanton, reckless, such that Bobby's Estate is entitled to recover punitive damages.

Deliberate Indifference by Defendant Noah Robinson

30. Defendant, Vanderburgh County Sheriff Noah Robinson, was a county policymaker with final authority over jail policy and operations. His actions are directly attributable to the County for purposes of Section 1983 liability.

31. Defendant Robinson, failed to develop or enforce policies concerning confinement officer recognition and communication of inmate medical events. Defendant Robinson failed to implement a system for logging inmate medical concerns and procedures for communicating and responding to inmate complaints.

32. Defendant Robinson, with or without knowledge of Bobby's condition, never spoke with any medical professional or confinement officer regarding Bobby before he passed away. Defendant Robinson failed to take any steps to provide Bobby with care that was medically necessary as the Constitution requires. Rather, Defendant Robinson allowed Bobby's condition to deteriorate to the point he could not be provided with lifesaving measures to any meaningful extent.

33. Defendant Robinson allowed his staff to keep Bobby locked up in confinement with inadequate and/or non-existent medical care, despite the obvious risks.

34. Defendant Robinson failed to supervise and train confinement officers and staff in recognizing and responding to serious medical events.

35. Defendant Robinson's actions and inactions were objectively unreasonable, deliberately indifferent, and caused Bobby to endure unnecessary pain, suffering, and death, in violation of the Fourteenth Amendment to the United States Constitution.

36. Defendant Robinson acted with intent, malice, deliberate indifference, gross negligence, and/or reckless disregard for Bobby's Constitutional rights.

Deliberate Indifference by Defendant Commander David Guetling

37. Defendant, Vanderburgh County Jail Commander David Guetling, was a county policymaker with authority over jail policy and operations. His actions are directly attributable to the County for purposes of Section 1983 liability.

38. Defendant Guetling, with or without knowledge of Bobby's condition, never spoke with any medical professional or confinement officer regarding Bobby before he passed away. He failed to take any steps to provide Bobby with care that was medically necessary as the Constitution requires. Rather, Defendant Guetling, allowed Bobby's condition to deteriorate to the point he could not be provided with lifesaving measures to any meaningful extent.

39. Defendant Guetling, failed to develop or enforce policies concerning confinement officer recognition and communication of inmate medical events. Defendant Robinson failed to implement a system for logging inmate medical concerns and procedures for communicating and responding to inmate complaints.

40. Defendant Guetling allowed his staff to keep Bobby held in confinement with inadequate and/or non-existent medical care, despite the obvious risks.

41. Defendant Guetling's actions and inactions were objectively unreasonable, deliberately indifferent, and caused Bobby to endure unnecessary pain, suffering, and death, in violation of the Fourteenth Amendment to the United States Constitution.

42. Defendant Guetling acted with intent, malice, deliberate indifference, gross negligence, and/or reckless disregard for Bobby's Constitutional rights.

The Sheriff Department's Failure to Adopt/Enforce Adequate Policies and Procedures to Protect People with Serious Medical Complications

43. The Sheriff's Department failed to adopt and/or enforce adequate policies and procedures to protect persons in the jail's custody who were suffering from serious medical health issues and complications.

44. Under 210 IAC 3-1-14, there shall be sufficient jail personnel in the jail at all times to provide adequate supervision of inmates and to ensure staff and inmate safety.

45. A jail officer shall conduct a visual check, not including observation by a monitoring device, of each inmate at least once every sixty (60) minutes. The checks may be conducted on an irregular schedule and shall be documented.

46. During Bobby's 13-day stay at the Vanderburgh County Jail, and according to available jail records, county staff missed several observation checks daily.

47. The County's failures operated to pose a significant risk to the health and safety of the inmates/detainees, including failure to operate the facility, train staff, and provide adequate staffing, resulting in the death of Bobby.

48. Upon information and belief, there does not appear to be a policy regarding medical observation, whether it be through use of visual observation or remote observation through use of video monitors.

49. Upon information and belief, there is no policy concerning the logging of inmate medical events and concerns or communication of the same between medical staff and confinement officers or their supervisors.

50. To the extent an either policy does exist, the jail's actual practice exposed people in the jail with serious medical needs, including Bobby, to known and obvious risks and was virtually certain to result in constitutional violations.

51. Indiana law requires a licensed physician be responsible for medical services and county jails to arrange for twenty-four (24) emergency medical services according to a written plan that includes arrangement for appropriate health facilities. *See* 210 IAC 3-1-11.

52. At all times herein relevant herein, the Sheriff's Department, through its contract with QCC, only provided licensed practical nurses (LPN), a particular type of nurse with less training, skill, and medical authority than a registered nurse (RN). An LPN's licensure limits the scope of practice to such things as gathering information, taking vital signs, delivering medication, and other basic tasks. LPNs are not permitted to practice independently, allowed to diagnose or treat medical conditions, or prescribe any medications. The County's decision to allow the Vanderburgh County Jail to be without appropriate onsite medical professionals exposed Bobby to serious risk and harm.

53. Upon information and belief, the physician responsible for medical services at the time, was never physically present at the Vanderburgh County Jail at any time during Bobby's 13-day detention.

54. Defendant, Vanderburgh County Sheriff's Department, failed to adequately train and supervise its jail staff in how to recognize and properly respond to emergency medical situations requiring additional care beyond what is available at the jail. The failure led to the unnecessary suffering and death of Bobby in violation of the U.S. Constitution and Indiana law.

55. Bobby is not the only victim of the County's failure to adequately train and supervise staff to recognize and properly respond to emergency medical situations. Edwin Faulkner, 64, died Sept. 28, 2021, while in custody at the Vanderburgh County Jail. His cause of death was ruled kidney infection and dehydration. Jacob T Ziliak passed away

on August 19, 2022, of sepsis and septic shock, due to constitutional violations of the Vanderburgh County Jail. In late February and early March of 2025, Charles A. Blair, II, nearly died of sepsis because of systemic failures and constitutional deprivations occurring at the Jail.

56. By and through the Sheriff's Department, there were insufficient competent correctional officers on staff to supervise detainees, thereby denying him access to appropriate medical care in contravention of the Constitution and 210 IAC 3-1-11.

57. Regularly, jail staff failed to complete timely observations and provide medical screenings which were to be performed within fourteen (14) days after someone was booked into the jail. The regular screenings were essential to identify medical issues, track changes in symptoms, and ensure those with medical requirements received the necessary care.

58. The Sheriff's Department knew, or should have known, that staff regularly missed the required observational intervals and condoned the practice by allowing the procedural deficiencies to take place and remain.

59. The Sheriff's Department failed to adequately train staff to timely report emergency medical situations to supervising staff members or medical professionals.

60. There existed at all relevant times a systematic breakdown of communication among on-site staff, supervising staff, and policy makers. The breakdown of communication led to an inordinate reliance on a select few licensed practical nurses (who were not qualified to diagnose or treat) to make life-saving medical decisions. This practice invariably risked pain and suffering-or, as was the situation here, death.

61. The longstanding practices by the Sheriff's Department and its' staff caused Bobby damage by failing to properly identify his serious medical condition, failing to

communicate the serious condition, failing to document it, and further prevented treatment that would save Bobby's life.

A. QCC's employee's negligent medical evaluation and treatment lead to Bobby's physical decline and death.

62. All indicators for a cardiovascular event were present and Bobby died as a direct and proximate result of QCC's negligent medical treatment/diagnosing, failure to identify symptoms and failure to transfer Bobby to a qualified health professional or health facility.

63. Bobby's "treatment" was so blatantly inappropriate evidencing intentional mistreatment that was likely to, and in fact did, seriously aggravate his medical condition.

64. Defendant QCC's medical staff were aware of the substantial risk of serious harm in neglecting to transfer inmates with chest pains.

65. Defendant QCC's medical staff were deliberately indifferent to Bobby's medical condition, exhibited by knowledge of Bobby's high blood pressure.

66. Due to Defendant QCC's contract with Vanderburgh Count Sheriff's Department, QCC is considered a state actor for all legal and intents and purposes.

67. QCC owed a duty of care to provide reasonable and necessary medical care to Bobby.

68. QCC breached that duty by allowing their actions/inactions to fall below the applicable standard of care.

69. The care, or lack thereof, provided by Defendant QCC staff members was substandard, negligent, grossly negligent, and reckless.

70. As a direct and proximate result of Defendant QCC staff's medical negligence, negligence, gross negligence, and reckless acts, Bobby needlessly suffered damages and injuries, including but not limited to, permanent injuries and damages, loss of chance, medical and hospital expenses, funeral expenses, pain and suffering, and death.

B. Actions and Inactions by All Defendants Resulted in the Serious Injury and Wrongful Death of Bobby.

71. Plaintiff incorporates all preceding paragraphs of this Complaint as if fully set forth herein.

72. As a result of all above referenced acts and inactions, Bobby sustained serious injuries that ultimately caused his wrongful death.

73. As a direct and proximate result of the Defendants indifferent, willful, wanton, reckless, grossly negligent, and negligent actions and inactions as set out above, Bobby suffered mentally and physically, and the surviving beneficiaries of Bobby have suffered and will continue to suffer sorrow, mental anguish, loss of companionship, funeral expenses, loss of income and support, and other related expenses.

V. JURY DEMAND

Plaintiff demands trial by jury.

VI. REQUEST FOR RELIEF

Plaintiff asks the Court to award the following relief:

A. All the available compensatory damages, including damages for Bobby T. Norman's mental, physical, and emotional pain and suffering, his wrongful death, the loss of the value of his life, and all other compensatory damages just and proper in the premises.

- B. Punitive damages against all Defendants.
- C. Attorneys' fees and litigation costs; and
- D. Any other relief the Court deems just and equitable in the premises.

DATED this 16th day of October, 2025.

Respectfully submitted,

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