



City, medics sued over death

Crews ignored ailing Hazelwood man during snowstorm



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When Curtis L. Mitchell died during February's snowstorms after paramedics failed to reach his Hazelwood home, contrite Pittsburgh officials swiftly apologized, meted out discipline and pledged change.

That was not enough to satisfy Mr. Mitchell's adult children and ease the pain of what one of their attorneys called the "inhumane" treatment of their father.

After suggesting a \$500,000 settlement to the city and being rebuffed, attorneys for Jeremiah C. Mitchell and Theresa E. Thornton on Thursday resorted to the courts, suing Pittsburgh, Allegheny County and eight current or former emergency workers.

Now, attorney Alan H. Perer said, there is no limit to how much money the family might get.

"That's our system in this country. We aren't going to bring someone back to life. But it's about being accountable, being responsible," said Mr. Perer, who along with Paul A. Ellis, is representing Ms. Thornton.

"It's inhumane, the way he was treated," Mr. Perer said during a news conference at his 25th-story office in One Oxford Centre, Downtown. "This case represented an outrageous breakdown of the entire EMS and 911 system from the very top down."

The episode, in which paramedics would not wade through snowdrifts and instead asked the ailing 50-year-old Mr. Mitchell to walk to them, proved embarrassing to the city, particularly because of the attitude of some emergency workers. Several paramedics were taped making callous or insensitive remarks about Mr. Mitchell's situation.

"The family wants to make sure this never happens again," said Robert N. Peirce III, who represents Jeremiah Mitchell of Rankin.

While Mr. Mitchell, 31, and Ms. Thornton, 29, attended the news conference, neither addressed the media.

The 51-page suit, filed in Common Pleas Court, alleges multiple counts of willful misconduct, negligence and gross negligence by paramedics and their supervisors in how they handled 10 calls to 911 from Mr. Mitchell's home over a 30-hour period in February.

Named as individuals and in their official capacities are: Chief Robert McCaughan of the city's Emergency Medical Services; Deputy Chief Mark A. Bocian; Ambulance Division Chief Ronald A. Romano; EMS supervisors Norman Auvil and Ron Curry; crew chiefs Andrew Lagomarsino and Kim Long; and fired paramedic Josie Dimon.

None could be reached for comment.

County spokeswoman Megan Dardanell declined comment, as did Pittsburgh Solicitor Daniel Regan, other than to confirm that the city rejected the financial "demand" of Mr. Perer.

The suit alleges that ambulances were dispatched three times Feb. 6 to narrow Chaplain Way in response to calls from Mr. Mitchell or his longtime girlfriend, Sharon Edge, but could not get through because of the heavy snow.

Instead, paramedics asked that Mr. Mitchell come to them. He could not because he was either in severe abdominal pain or had fallen into a deep sleep from pain medication.

At one point, waiting four blocks from the couple's home, an irritated Ms. Dimon wanted Mr. Mitchell to walk across the Elizabeth Bridge. She stated on tape to Ms. Long, who was stationed at the county dispatch center: "He ain't [expletive] comin' down, and I ain't waitin' all day for him. I mean, what the [expletive]? This ain't no cab service."

Mr. Mitchell died Feb. 7. The suit says that firefighters dispatched to the scene arrived at the home within two minutes.

"We should have gotten there," Public Safety Director Michael Huss said nine days after Mr. Mitchell's death. "It's that simple."

In the wake of the incident, paramedics were criticized for not summoning the fire department, getting a 4-wheel-drive vehicle or going in on foot.

In addition to accusations against the paramedics who did not reach Mr. Mitchell, the suit charges that there were problems with how the county's centralized dispatch center handled the situation.

Each call by Mr. Mitchell or Ms. Edge was treated as an individual request because of communication problems; information from one call was not passed along to the next.

"Operators at the 911 dispatch center did not follow usual and standard policies or procedures for passing on details of Mr. Mitchell's and Ms. Edge's phone calls to other operators, so that each call was treated as a new incident," the suit said.

The suit alleges that Ms. Long, who worked at the dispatch center, did not inform paramedics that Mr. Mitchell could not walk because of his pain and told Ms. Edge that he "needed to take a bus."

It claims that Mr. Auvil failed to review the calls to see if EMS needed more resources. And it alleges that Mr. Curry did not check to see how long Mr. Mitchell had been waiting.

Ms. Dimon was fired as a result of the incident. Ms. Long, Mr. Auvil and Mr. Curry were suspended for three days without pay.

Anthony Weinmann, head of the paramedics union, could not be reached for comment. He has said paramedics, who wrestled with horrible weather and a high volume of calls, were told by dispatchers or EMS district chiefs to abort calls to Mr. Mitchell's home.

Mr. Mitchell's death was listed as natural, according to the county medical examiner's office. He died from an enlarged heart and had hypertensive heart disease, fatty changes of the liver and a distended gastrointestinal tract.

Mr. Perer said Mr. Mitchell's condition was treatable had he received medical care when he asked for it.

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