

Oregon woman struggles with permanent disability after untreated head injury in prison

Jacqueline Orr sued the Oregon Department of Corrections after the agency allegedly failed to provide care for a traumatic brain injury

BY **BEN BOTKIN** - NOVEMBER 22, 2024 6:00 AM



Jacqueline Orr talks in her Albany home about her experience while incarcerated at Coffee Creek Correctional Facility, Oregon's only women's prison. Orr received a \$1.5 million settlement after an injury. (Ben Botkin/Oregon Capital Chronicle)

Jacqueline Orr walks gingerly through her Albany home, clutching a cane.

She keeps her living room dim because overhead lights can hurt her eyes. She can no longer play the six-string acoustic guitar that hangs on her wall. The 57-year-old woman talks gently, pausing to collect her thoughts at times.

Yet she wants to share her story of suffering and her struggle for financial compensation. She wants to give Oregonians a glimpse of conditions inside the state's 12,000-inmate penal system and the damage that can follow poor medical treatment. She said her situation is not unique. A number of cases have emerged in recent years of inmates struggling to access medical care.

Orr was a healthy individual when she entered Coffee Creek Correctional Facility in 2017 on a store theft and burglary conviction. She was active in prison and even participated in 5-kilometer races with other inmates.

In 2018, she suffered a traumatic brain injury. She slipped off the bumper of a truck that the prison used to transport women in custody to work sites. She hit her head, leaving her permanently injured.

She left the Wilsonville prison in 2019 needing around-the-clock care and help with simple tasks like taking a shower.

The prison failed to provide the care she needed for the injury, she said, and so after she was released, she took the Oregon Department of Corrections to court for civil rights violations. The case in U.S. District Court in Portland lasted nearly three years. In September 2023, the agency's attorneys agreed to a \$1.5 million settlement to end the case, records show.

"I don't understand because it costs more money than it would take for them to take me to a doctor," said Orr at her home in Albany.

Amber Campbell, a spokesperson for the Oregon Department of Corrections, said in a statement the agency is "continuing work to improve" health care of incarcerated people at Coffee Creek and other prisons throughout the agency. Campbell said the agency has changed its transportation for inmate work crews to improve safety.

The agency has nurses and primary care physicians on staff and a process for referrals when incarcerated people need to see neurologists or other specialists, Campbell said. Campbell said that inmates have received treatment from neurologists.

One of many

Earlier this year, a voluntary accrediting organization flagged myriad problems with medical care at Coffee Creek, including a backlog of nearly 600 appointments to see specialists and a lack of adequate health services.

Orr said a lack of care can have a lasting effect.

"I just want to be heard, and I want them to know that they changed everything about my life when they didn't give me help," Orr told the Capital Chronicle.

In December 2018, Orr was due out of prison in less than a year. She was assigned to work on an ecology project called the "Viola Project" that grows violets to help an endangered butterfly species thrive.

To get inmates to the job site at a nearby greenhouse, the prison transported them in a box truck, where they stood inside without seatbelts, seats or windows. The rear door of the truck remained open during the transport, and inmates had to climb in and out of the truck, using a metal bumper as a step, the lawsuit said.

Without proper steps or handrails, the incarcerated women would help each other in and out of the truck and down 3 feet to the ground, the lawsuit said, noting prison staff did not help them.

This transportation system had a record of problems. A year earlier, another woman fell from the back of the same truck bed and suffered shoulder and back injuries. But no changes were made.

On Dec. 20, 2018, Orr exited the truck and stepped on the bumper in the rain. Her foot slipped on the slick metal and she fell face forward. Her head hit the ground and she was transported to the emergency department at Legacy Meridian Park Medical Center in Tualatin.

After emergency treatment, Orr returned to the prison – but not for long. On Jan. 1, 2019, less than two weeks later, prison staff sent her back to the hospital emergency room, where doctors recommended a neurologist and physical therapy. They noted her balance was impaired and other problems.

Her teeth were knocked out and unsteady on her feet, she was unable to shower.

"My face was all blue and black and I couldn't walk," she said.

Two days later, Coffee Creek medical staff ordered physical therapy but noted "no neurology approved," the lawsuit said.

But Orr never got to see a neurologist, even though the emergency room physicians recommended it. And she didn't have physical therapy beyond one appointment. She shuffled through the prison with a walker and eventually a cane, with heavy doors slamming behind her throughout the day.

"They never took me," Orr said. "I never got on the list to go to the neurologist."

Coffee Creek medical staff noted a host of problems related to the traumatic brain injury: light and noise sensitivity, impaired balance, headaches, burning eye pain, dizziness, sadness, an unsteady gait and difficulty speaking.

Orr was due out in August 2019, but unable to secure housing to accommodate her disability. That bumped her discharge date back nearly two months to Sept. 26, 2019.



Jacqueline Orr keeps her acoustic guitar in her Albany home but since her traumatic brain injury at Coffee Creek Correctional Facility, she's not been able to play it. (Ben Botkin/Oregon Capital Chronicle)

The aftermath

Even after injuries, prison staff were slow to change the transportation arrangement for inmate workers, the lawsuit alleges.

A week after Orr's injury, a third woman fell while entering the truck when her foot slipped on the bumper, injuring her back in a fall.

Three injured women and several months later, the corrections agency added an anti-slip step to the truck and grab bars on each side, the lawsuit said.

Orr now lives on Social Security disability and cannot work. She cannot drive and crowds make her uncomfortable.

Years later, Orr still struggles with anger knowing she likely would be in much better shape if she had received more treatment right after her injury.

She goes to counseling to work through her emotions.

"I have a lot of anger for those people that make the decisions to not help you," she said. "I never was an angry person before. It's a new emotion."

In Orr's case, she said, the agency never apologized to her, even after agreeing to settle her case for \$1.5 million.

At one point in the case, the government's attorneys met with her, she said. But they didn't do what Orr would have liked all along – acknowledge their mistake.

"They never said, 'We're sorry, Jacqueline,'" Orr said.