

Family Sues Allegheny County Jail Over Tragic Death of Autistic Relative Repeatedly Denied Medical Care

Allegheny Health Network and Doctor Whose License was Revoked Named as Defendants

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PITTSBURGH – A family has filed a federal lawsuit seeking damages from one of the region's major medical providers, Allegheny Health Network, the county and individual medical providers following the wrongful death of their loved one last September at Allegheny County Jail (ACJ). In a tragic case of deliberate indifference, systemic failures, and medical incompetence, Mr. Anthony Talotta, a 57-year-old autistic man, suffered untold pain and ultimately a senseless and preventable death due to untreated infections in his foot. Over ten days at the ACJ, Mr. Talotta was transported to the hospital on two separate occasions as his condition steadily deteriorated. Yet medical staff at the jail failed to provide him with the treatment prescribed by hospital physicians and even removed treatment such as antibiotic cream, crutches, walking boot, and hygienic products for wound care. O'Brien Coleman & Wright, LLC and the Abolitionist Law Center are representing the Estate of Anthony Talotta (Jeff Lagrotteria, Administrator Pendente Lite).

In the hours leading up to his death, records show that Mr. Talotta was seen by Dr. Bernales, ACJ's attending physician, on September 20, 2023, presenting with obvious symptoms of sepsis stemming from the infections in his foot. Dr. Bernales ignored sepsis as a possible diagnosis and gave Mr. Talotta Benadryl and ordered him back to his cell. Unable to walk or speak, Mr. Talotta was carried to his cell by another incarcerated person. Hours later, Mr. Talotta convulsed on the floor of his cell. He would then make a final trip to the hospital, where he died from sepsis. It has since been discovered that Mr. Bernales's medical license was revoked in at least eight states.

While the details of Mr. Talotta's death are alarming, deaths due to the failure to treat incarcerated persons with mental illness or chronic care needs have been on the rise at ACJ. At least 17 people at ACJ died from March 2020 through September 2022, something advocates say is, in part, the result of chronic understaffing and a jail culture that stigmatizes and punishes those with mental illness and systemically fails to provide the most basic medical care.

“Mr. Talotta's tragic death was entirely preventable. Jail administrators and medical staff were readily aware that a significant percent of ACJ's population had psychiatric disabilities and that

those with autism were at a significant risk of being denied life saving medical care if proper accommodations weren't provided,” said Jaclyn Kurin, staff attorney with the Abolitionist Law Center. “They were also aware that their persistent failure to provide the most basic medical care that was required by correctional standards was causing the needless death of the most vulnerable persons in their custody. Despite this knowledge, they did nothing.”

The lawsuit seeks damages from named defendants Allegheny County, one of the region's major medical providers Allegheny Health Network, Wilson Bernales (attending doctor), Donald W. Stechschulte (medical director), and John Doe Locum Tenens (an as yet unnamed staffing agency that hired Wilson Bernales) for claims including, denial and/or delay of access to adequate medical care, negligent hiring and/or supervision, wrongful death, survival, and disability discrimination.

“This lawsuit is intended not only to find full and fair justice for Anthony, but it is also intended to find justice for the individuals who came before him and took their last breaths at the Allegheny County Jail as well and to protect those who enter that jail after them with the same or similar chronic care and mental health needs,” said Alec Wright of O'Brien Coleman & Wright, LLC.

Mr. Talotta’s family is preparing for another holiday season without him while coming to terms with the fact that he is no longer with them and also with the knowledge that he suffered senselessly and that his death was easily preventable.

“None of us ever expected Anthony to pass away as he did, unexpectedly, because of improper care. Anthony was under the care of his family and various organizations for almost a decade since his mother passed and always received adequate care, unlike what happened in just a few short days at the Allegheny County Jail. Anthony loved being around his family, and we are realizing the empty feeling with him no longer around. He was definitely special to us,” said Jeff Lagrotteria and Tina Talotta in a statement from the family.

Lagrotteria v. Allegheny County, was filed in the United States District Court for the Western District of Pennsylvania. The plaintiffs are represented by Alec Wright of O’Brien Coleman & Wright, LLC; Bret Grote, Jaclyn Kurin, and Rupalee Rashatwar of Abolitionist Law Center.

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The Abolitionist Law Center is a public interest law firm and community organizing project inspired by the struggle of political and politicized prisoners, and organized for the purpose of abolishing class and race-based mass incarceration in the United States. Abolitionist Law

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O'Brien Coleman & Wright, LLC is a Pennsylvania-based law firm fighting for victims of civil rights abuses.