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Mediation hearing in Circle Bear lawsuit is Wednesday

Staff reports
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A mediation hearing in a civil lawsuit involving the 2015 death of an inmate at the Brown County Jail is set for Wednesday in Sioux Falls.

The estate of Sarah Circle Bear has sued Brown County Sheriff Mark Milbrandt, former Roberts County Sheriff Jay Tasa and others, including law officers and medical staff, claiming wrongful death.

On July 5, 2015, Sarah Circle Bear died in the Brown County jail after being transferred from Roberts County. She was arrested was after a high-speed chase in which she was a passenger in a vehicle driven by Wayne Pahl. The lawsuit filed in federal court seeks to establish whether Circle Bear received adequate care while in custody.

Circle Bear's autopsy showed she died from acute methamphetamine toxicity.

When questioned by law enforcement after her arrest, Circle Bear admitted to having "one hit" of methamphetamine. Lawsuit documents indicate that she was showing signs of agitation, pacing in her holding cell, holding her stomach and making frequent trips to the bathroom while in custody in Roberts County. The paperwork also claims she vomited outside a law enforcement vehicle before she was taken from Roberts to Brown county.

An investigation by the South Dakota Department of Criminal Investigation determined that Brown County jailers acted appropriately in how they cared for Circle Bear before she died July 5, 2015. She was taken to the jail the night of July 3 after being arrested earlier that day.

According to the investigation report, Circle Bear was asked three times whether she had taken or was under the influence of drugs, and that she denied she had or was each time. Two of those instances were at the Brown County Jail.

Both sides in the civil lawsuit were to have filed a confidential settlement conference statement by Feb. 25.

At settlement or mediation hearings, a judicial officer or judge works with parties in a lawsuit to help negotiate a resolution. U.S. Magistrate Judge Veronica L. Duffy will preside.



Jail inmate death lawsuit should go to trial this year

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