

NEWS

'We will be watching': After historic settlement, Elisa Serna's parents look to reform deadly jails

'I don't see change,' her mother said Tuesday, just after agreeing to end a lawsuit over her daughter's 2019 death in a Santee jail.



Kristian Carreon / For The San Diego Union-Tribune

Paloma Serna is embraced by attorney Grace Jun as footage of the last moments of Paloma's daughter, Elisa Serna, is shown to members of the media during a press conference in downtown San Diego on Tuesday, July 2, 2024. The Paloma family will





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As soon as she had thanked her lawyers, an army of social-justice activists and others during a Tuesday news conference, Paloma Serna rattled off the names of a dozen people who have died in San Diego County jails over recent months and years.

One by one, she invoked the memories of men and women who suffered fates similar to that of her daughter, Elisa Serna, who died at 24, alone on the floor of a Las Colinas jail cell after staff watched her collapse and left her alone there.

The idea was not only to introduce [the record \\$15 million](#) that San Diego County and its medical provider agreed to pay to resolve a wrongful-death claim, but to draw attention to reforms Serna demanded as part of the settlement so other families are not put through the ordeal hers has experienced since 2019.

“I don’t see change,” said Serna, who said the non-monetary terms of the deal were more important than the multimillion-dollar settlement. “There have been six deaths this year alone.”

The San Diego County spokesperson did not respond to a request for comment on the payout.

Sheriff Kelly Martinez issued a [statement Monday](#) pointing out that she was not the elected sheriff when Serna died at Las Colinas and promoting several changes she has implemented since she was elected in 2022.

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Serna and her husband, Michael, who spoke remotely from his home in Montana, said they had insisted that the county impose new training standards on jail deputies and medical staff as part of any agreement to settle. They also demanded that better health care practices be memorialized in official policies.

“We have settled, but it is with a heavy heart,” Michael Serna said via an audio hookup. “The Sheriff’s Department has grievously failed. We will never be able to tell our daughter, our sister, our aunt that we love her again.”

The Serna family agreed to the \$15 million payment and a series of pledges by the Sheriff’s Department. A federal judge will monitor the county’s implementation of the stricter training and jail practices over the next 12 months.

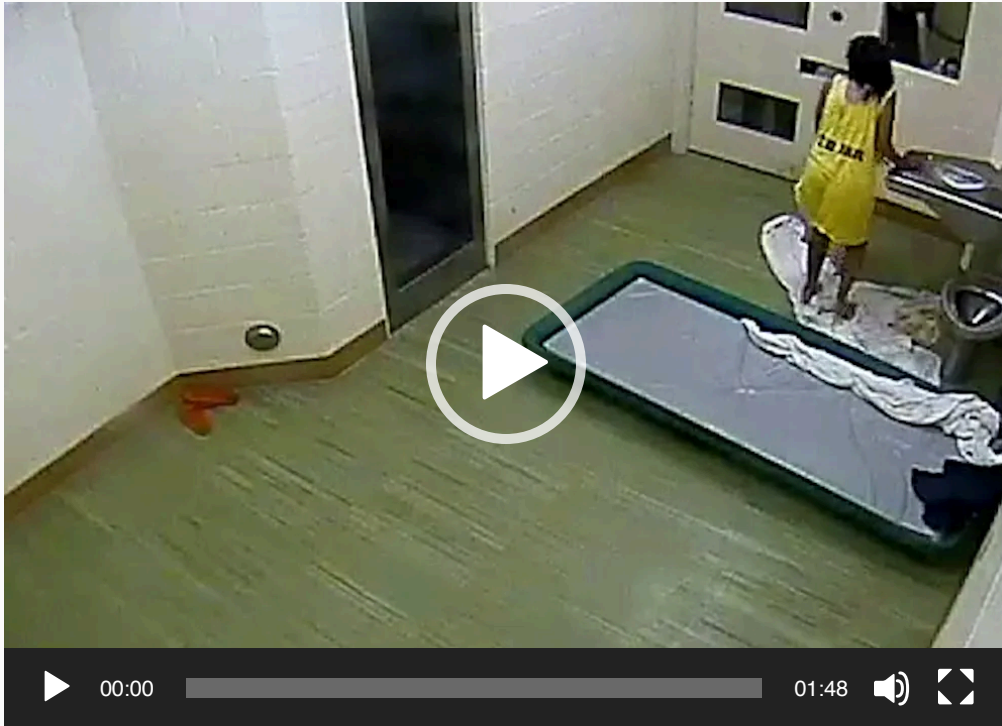
The agreement resolves a wrongful-death claim the family filed in 2020, months after Elisa Serna’s death.

Serna had told sheriff’s deputies she was under the influence of alcohol and drugs when she was arrested in November 2019. [She died five days after being booked into custody](#), having never been placed into the department’s withdrawal protocols.

One of the terms of the settlement calls for the Sheriff’s Department to work cooperatively with the plaintiffs to better implement medical protocols when men and women being booked into jail tell deputies that they are addicted to alcohol or

Serna family attorney Eugene Iredale said that provision was critical, because deputies ignored Elisa Serna when, in the last hours of her life, she fell 18 times and vomited 64 separate times.

"Despite her request, she was never given an IV," Iredale said. "She was left to die."



Iredale thanked District Attorney Summer Stephan for filing criminal charges against a jail nurse and doctor, even though nurse Danalee Pascua was acquitted of [involuntary manslaughter](#) and the jury was [unable to reach a verdict](#) in the case against Dr. Friederike von Lintig. Prosecutors later [declined to retry](#) the case.

He also noted that the sheriff has said she is committed to protecting people in her custody.

"Kelly Martinez has promised to do better," Iredale said. "We should take her at her word, but we will be watching."

Serna's death at Las Colinas was part of a pattern of unusually frequent deaths in local jails.

Two months before she died in sheriff's custody, The San Diego Union-Tribune published the results of a [six-month investigation](#) showing that San Diego County operated the deadliest jails among California's largest counties.

Their deaths have cost taxpayers millions of dollars. The settlement San Diego County agreed to pay the Serna family pushed total payments made by county taxpayers since 2019 for Sheriff's Department negligence and misconduct past \$75 million, county records show.

Attorney Julia Yoo, who co-represented the Serna family in the just-settled litigation, said the county continues to withhold critical records and other information from the relatives of people who die in sheriff's custody.

"Right now in the county of San Diego, the only way a family can find out the truth of what happened to their loved one is to file a lawsuit," said Yoo, who helped write a bill that was [signed into law](#) last year that requires sheriffs to release details of in-custody death investigations.

"We hope the county will take a new direction and treat the families fairly," she said.

2024 > July > 2