

# NOTICE OF TORT CLAIM

Against a Political Subdivision of the State of Idaho

*Pursuant to Title 6, Chapter 9, Idaho Code (IC § 6-901 et seq.)*

**CLAIM FILED AGAINST:** Kootenai County, Idaho — a political subdivision of the State of Idaho — including the Kootenai County Sheriff's Office, Kootenai County Jail, and all employees, agents, and contractors acting within the course and scope of their employment, including but not limited to WellPath LLC (contracted jail medical services provider).

**CLAIMANT:** Mary Erin Molyneaux

**CLAIMANT ADDRESS:** South Boise Women's Correctional Center, 13200 S Pleasant Valley Road, Kuna, Idaho 83634

**CONTACT (Authorized Representative):** Jason Stanley, (509) 589-1843, admin@kcgovcorruption.org

## (1) Date and Time of Injury / Incident

---

The injuries and constitutional violations described in this claim occurred during the continuous period from **December 19, 2025 through approximately January 20, 2026** — a period of approximately 32 days during which Claimant was detained at the Kootenai County Jail, 5500 N Government Way, Coeur d'Alene, Idaho 83815.

Specific dates of actionable events include but are not limited to:

- **December 19, 2025:** Claimant booked into Kootenai County Jail following sentencing (RIDER — Retained Jurisdiction).
- **December 19, 2025 – January 5, 2026 (continuous):** Jail medical staff repeatedly denied Claimant her prescribed H. pylori antibiotic medication despite having documentation of the diagnosis and active prescription from an outside physician. This denial was continuous and ongoing.
- **January 5, 2026:** Claimant's public defender filed an emergency Motion for Medical Furlough due to the jail's inability or refusal to provide adequate medical care.

- **January 6, 2026:** First Temporary Release Extension Order signed by Judge Barry McHugh, First Judicial District. Order included a requirement that the jail administer a urinalysis upon Claimant's return. The jail did not comply with this court order.
- **January 7, 2026:** Christy Barsh, ARNP, at CHAS Health (Spokane, WA) examined Claimant and wrote directly to the presiding judge: *"PCP not able to access patient or be able to properly care for patient since pt is in Jail."* Barsh also requested the court authorize emergency evaluation of a suspected leaking breast implant.
- **January 8, 2026:** Second Temporary Release Extension Order signed by Judge McHugh. This order also required a urinalysis upon return to custody. The jail did not comply with this court order.
- **On or about January 9–11, 2026 (upon return from furlough):** Jail staff subjected Claimant to a body scanner and falsely claimed an object was detected inside her body. No object existed. Claimant was placed in a holding cell contaminated with feces and vomit for over 30 consecutive hours without a bed, blanket, access to water, or toilet paper. During this confinement, Claimant's blood pressure was recorded at **168/128 mmHg** (Stage 2 Hypertension). The sole medical intervention provided was two Tums (antacid tablets).
- **On or about January 9–11, 2026 (ongoing):** Deputies mocked and laughed at Claimant while she cried and pleaded for help from the contaminated cell. Claimant was pulled from the cell three separate times, re-scanned, told the object was "still there," asked to "give us what you got up there," then returned to the same cell. On the final scan, nothing was found. No explanation or apology was given. Claimant was moved to a different unit without comment.
- **Approximately January 20, 2026:** Claimant transferred from Kootenai County Jail to South Boise Women's Correctional Center (IDOC) to begin RIDER program.

## **(2) Place and Location of Injury / Incident**

---

### **Kootenai County Jail**

5500 N Government Way

Coeur d'Alene, Idaho 83815

Operated by: Kootenai County Sheriff's Office

Medical services contracted to: WellPath LLC

Specific locations within the facility include: the intake/booking area (body scanner), the holding cell used for body cavity watch (contaminated with feces and

vomit), G Pod (post-incident housing), the medical unit (where blood pressure was recorded and Tums were dispensed), and the general population pods where Claimant was housed and denied medication throughout her detention.

### **(3) Details of Conduct Causing Injury**

---

#### **I. Denial of Prescribed Medication (Continuous — December 19, 2025 through January 2026)**

Claimant entered Kootenai County Jail with a documented diagnosis of *H. pylori* bacterial infection and an active prescription for antibiotic treatment from an outside physician. *H. pylori*, if untreated, can cause stomach ulcers, internal bleeding, and carries a documented risk of gastric cancer. Jail medical staff — employed by or contracted through WellPath LLC — repeatedly refused to administer or honor the prescription. Claimant requested the medication daily. She was denied daily. The denial was not based on any medical determination that the medication was unnecessary or contraindicated; it was an administrative refusal to honor a valid prescription.

#### **II. Obstruction of Court-Ordered Medical Furlough (January 5–8, 2026)**

After Claimant's public defender filed an emergency motion for medical furlough and Judge Barry McHugh approved the motion, the Kootenai County Jail engaged in a pattern of deliberate interference:

- Jail staff monitored Claimant's phone calls with her authorized representative (Jason Stanley) using the jail communications system.
- Jail staff blocked or delayed communications between Claimant and her representative.
- Jail staff deliberately delayed Claimant's release past the time of her scheduled medical appointment — an appointment the jail had been notified of in advance.
- Upon information and belief, jail staff monitored the parking lot and waited for Claimant's authorized representative to leave before allowing Claimant to place a phone call. The representative had not left; he was still present in the parking lot. This caused Claimant to miss her scheduled medical appointment.
- Both court orders signed by Judge McHugh (January 6 and January 8, 2026) required the jail to administer a urinalysis upon Claimant's return to custody. The jail failed to comply with either court order.

#### **III. False Body Scanner Allegations and Retaliatory Confinement (On or about January 9–11, 2026)**

Upon Claimant's return from her court-ordered medical furlough, jail staff subjected her to a body scanner and claimed to have detected a foreign object inside her body. No such object existed. Despite Claimant's repeated assertions that she had nothing concealed, jail staff scanned her at least three additional times on separate occasions, each time claiming the object remained. They repeatedly asked: *"Have you had a bowel movement? Just give us what you got up there."* On the final scan, nothing was detected. No explanation was given. No apology was issued. Upon information and belief, these false scanner results and the resulting confinement constituted retaliation for Claimant having obtained a court-ordered medical furlough — an action the jail had actively attempted to obstruct.

#### **IV. Confinement in Unsanitary Cell — Over 30 Hours (On or about January 9–11, 2026)**

Based on the false body scanner claim, Claimant was placed in a holding cell that was visibly contaminated with human feces and vomit. Claimant was held in this cell for over 30 consecutive hours under the following conditions:

- No bed or mattress — Claimant slept on a bare concrete floor.
- No blanket — Claimant pulled her arms inside her shirt to attempt warmth.
- No consistent access to water — water was offered only when a deputy chose to ask.
- No toilet paper — Claimant was forced to urinate in a hole in the floor without sanitation supplies.
- No access to food she could consume — Claimant refused to eat due to the presence of vomit and feces throughout the cell.
- Deputies walked past the cell and laughed at Claimant as she cried. One deputy, when asked a question, responded: *"I don't know, I don't work here"* while other deputies stood nearby laughing.

#### **V. Deliberate Indifference to Serious Medical Emergency (On or about January 9–11, 2026)**

During Claimant's confinement in the contaminated cell, medical staff pulled Claimant out to conduct an EKG. Her blood pressure was recorded at **168/128 mmHg** — classified as Stage 2 Hypertension by the American Heart Association and requiring immediate medical evaluation. At the time of this reading, Claimant was: actively infected with untreated H. pylori; severely dehydrated; had not eaten; had not slept; had a known kidney condition; and had been under extreme physical and psychological stress for over 24 hours. In this clinical context, a reading of 168/128 carries imminent risk of hypertensive crisis ( $\geq 180/120$ ), stroke, heart attack, and organ failure.

The medical response provided by jail medical staff (WellPath LLC employees or agents): **two Tums (calcium carbonate antacid tablets)**. Claimant was then returned to the contaminated cell. Claimant demanded to be transported to a hospital. She was refused. The attending nurse accused Claimant of lying about the thoroughness of her prior medical examination at Sacred Heart Medical Center.

#### **VI. Additional Medical Neglect**

- Claimant had a suspected leaking breast implant that the jail refused to evaluate despite the outside physician's request to the court for emergency evaluation.
- Claimant experienced a documented allergic reaction during detention that jail medical staff refused to treat.
- Claimant has a known kidney condition that was exacerbated by the deliberate denial of water access during the 30+ hour cell confinement.

#### **VII. Communications Surveillance and Data Harvesting**

The jail's inmate communications application (used for messaging between inmates and outside contacts) attempted to request access to the Google password manager of Claimant's authorized representative (Jason Stanley), a licensed software developer. No legitimate communications application requests access to credential storage. This constitutes an unauthorized data collection attempt and potential violation of federal electronic surveillance statutes.

#### (4) Names of Persons Involved and/or Witnesses

---

##### County / Jail Officials:

- **Sheriff Robert "Bob" Norris** — Kootenai County Sheriff, responsible for the operation and conditions of the Kootenai County Jail.
- **Captain Jeremy Hyle** — Jail Captain, Kootenai County Sheriff's Office. Has stated publicly on the record regarding jail transparency: *"It's up to us as an agency to determine if it's something the public wants to know."* Responsible for jail operations and policies during the period of Claimant's detention.
- **Deputy Knight** — Jail Deputy, Kootenai County Sheriff's Office. Records indicate Deputy Knight was not POST certified until approximately 20 months after her date of hire — 8 months past Idaho POST's mandatory 12-month certification deadline. Deputy Knight was on duty during the period of Claimant's detention.
- **"Jim" (last name unknown), Nurse Practitioner (NP)** — Medical staff at Kootenai County Jail, employed by or contracted through WellPath LLC. Phone: (208) 446-1400. "Jim NP" was the jail medical provider who communicated with Claimant's outside physician regarding her medical needs. A Nurse Practitioner (NP) is a licensed advanced practice registered nurse with authority to diagnose, prescribe medications, and manage patient care. As the NP on site, "Jim" bore direct clinical responsibility for Claimant's medication management and medical treatment decisions.
- **Unnamed deputies** — Multiple deputies who walked past the contaminated cell, mocked and laughed at Claimant, and refused assistance during the 30+ hour confinement. Names not yet known; to be identified through discovery and public records requests.
- **Unnamed nurse(s)** — Medical staff who administered the EKG, recorded blood pressure at 168/128, dispensed two Tums, accused Claimant of lying about her Sacred Heart examination, and refused to authorize hospital transport. Names not yet known; employed by or contracted through WellPath LLC.

##### Medical Provider — Contracted Entity:

- **WellPath LLC** — For-profit corporation contracted by Kootenai County to provide all medical services at the Kootenai County Jail. Contract value: approximately \$3.8 million per year (FY2026). WellPath filed for federal bankruptcy in November 2024 with \$644 million in debt and over 1,500 active

lawsuits for wrongful death and medical malpractice nationwide. Kootenai County renewed the WellPath contract despite this public record.

**Judicial / Legal (Witnesses — Not Defendants):**

- **Judge Barry McHugh** — First Judicial District, Idaho. Signed two separate court orders temporarily releasing Claimant for medical care. Both orders included urinalysis requirements the jail ignored.
- **Ben Onosko** — Public Defender, Kootenai County. Filed the emergency motion for medical furlough and arranged hearing coverage.
- **Christy Barsh, ARNP** — CHAS Health, Spokane, WA. Claimant's outside medical provider who examined Claimant on January 7, 2026 and wrote directly to the court confirming the jail could not provide adequate care.

**Claimant's Representative / Witness:**

- **Jason Stanley** — Claimant's authorized representative and fiancé. Iraq War veteran (2004, 88M). Witnessed jail interference with communications and medical furlough. Was present in the jail parking lot when staff delayed release. Received real-time messages from Claimant documenting conditions inside the contaminated cell via the InmateSales messaging system. Contact: (509) 589-1843 / admin@kcgovcorruption.org.

**(5) Amount of Damages Claim**

---

**\$5,000,000.00**

(Five Million Dollars and No Cents)

This amount reflects compensatory damages, special damages, general damages, and punitive or exemplary damages to the extent permitted by law for the injuries described herein, including but not limited to: physical injuries and medical consequences; emotional and psychological trauma; pain and suffering; medical expenses past and future; loss of quality of life; and constitutional rights violations under the 4th, 8th, and 14th Amendments to the United States Constitution and corresponding provisions of the Idaho Constitution.

This claim does not limit or waive any rights to pursue separate and additional causes of action against non-governmental entities or individuals in their personal capacity, including but not limited to WellPath LLC, under 42 U.S.C. § 1983 or other applicable federal and state law.

## (6) Description of Injury or Damage

---

### Physical Injuries:

- Untreated *H. pylori* bacterial infection for the duration of detention — a condition that, left untreated, causes stomach ulcers, internal hemorrhaging, and carries a documented risk of gastric cancer.
- Severe dehydration from denial of consistent water access during 30+ hours of confinement, exacerbating a pre-existing kidney condition.
- Stage 2 Hypertensive crisis (168/128 mmHg) — documented by jail medical staff — untreated except for two antacid tablets. This blood pressure level in a symptomatic, dehydrated, infected patient carries imminent risk of stroke, heart attack, and organ damage.
- Swollen eyes to the point of impaired vision upon removal from the contaminated cell.
- Physical exhaustion and inability to walk normally after 30+ hours on a concrete floor without sleep, food, or adequate water.
- Unresolved suspected leaking breast implant — jail refused evaluation; outside physician documented the need for emergency assessment.
- Untreated allergic reaction during detention.
- Kidney condition aggravated by deliberate denial of water access.

### Psychological and Emotional Injuries:

- Severe emotional distress and psychological trauma from 30+ hours of confinement in a feces- and vomit-contaminated cell.
- Trauma from being mocked and laughed at by uniformed deputies while in distress, crying, and pleading for help.
- Psychological harm from repeated false accusations of concealing contraband, including invasive questioning and multiple forced body scans.
- Fear of death — Claimant stated in contemporaneous messages: *"They want me to die"* and *"I'm truly scared of this place. I don't know if I'm gonna make it out of here alive."*
- Ongoing post-traumatic stress from the totality of the experience.

### Constitutional Violations:

- **8th Amendment — Cruel and Unusual Punishment:** Deliberate indifference to serious medical needs in violation of *Estelle v. Gamble*, 429 U.S. 97 (1976). Confinement in unsanitary conditions constituting punishment. Use of conditions designed to degrade, humiliate, and coerce.

- **14th Amendment — Due Process:** Failure to comply with two separate court orders. Obstruction of court-ordered medical release. Denial of adequate conditions of confinement.
- **4th Amendment — Unreasonable Search:** Repeated body scans based on false or fabricated results, used as pretext for retaliatory confinement.

**Pattern and Practice:**

The conduct described in this claim is not an isolated incident. At least seven (7) individuals have died in Kootenai County Jail custody between 2020 and 2025, with zero public notifications issued by the Sheriff's Office for any of these deaths. Captain Jeremy Hyle has publicly stated that disclosure of jail incidents is determined solely at the agency's discretion. The jail's medical contractor, WellPath LLC, accumulated over 1,500 lawsuits for identical patterns of medical neglect before filing for federal bankruptcy — yet Kootenai County renewed the contract at \$3.8 million per year. These facts establish a pattern and practice of deliberate indifference to inmate health, safety, and constitutional rights.

I, **Mary Erin Molyneaux**, declare under penalty of perjury under the laws of the State of Idaho that the foregoing is true and correct to the best of my knowledge and belief.

---

Signature of Claimant (sign in ink)

**Printed Name:** Mary Erin Molyneaux

**Date:** April 2, 2026

**Address:** South Boise Women's Correctional Center, 13200 S Pleasant Valley Road, Kuna, Idaho 83634

---

**FILED WITH:** Kootenai County Clerk, PO Box 9000, Coeur d'Alene, Idaho 83816 — pursuant to Idaho Code § 6-906.

**COPIES SENT TO:** Kootenai County Prosecuting Attorney; Kootenai County Board of Commissioners; Kootenai County Sheriff's Office.

**METHOD:** USPS Certified Mail, Return Receipt Requested.