

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

SEAN SWAIN,	:	Case No. 4:14-cv-2074
Plaintiff,	:	Judge Benita Y. Pearson
v.	:	
GARY C. MOHR, <i>et al.</i> ,	:	
Defendants.	:	

AFFIDAVIT OF DR. JAMES KLINE

STATE OF OHIO)
)
COUNTY OF TRUMBULL) ss

Now comes Dr. James Kline, having been first duly cautioned, and states and affirms as follows:

1. My name is Dr. James Kline.
2. I have personal knowledge of the facts in this affidavit.
3. I am competent to testify about these facts.
4. I am employed by the Ohio Department of Rehabilitation and Correction (“ODRC”) as the Chief Medical Officer at the Trumbull Correctional Institution (“TCI”) and the Ohio State Penitentiary (“OSP”). I have been the Chief Medical Officer for about 3^{1/2} to 4 years. I have worked at TCI for about 11 years.
5. Inmate Sean Swain (#A243205) was incarcerated at OSP until he was transferred to the Southern Ohio Correctional Facility (“SOCF”) as part of a mass move of Security Level 4A inmates.
6. I am familiar with Inmate Swain’s medical history.

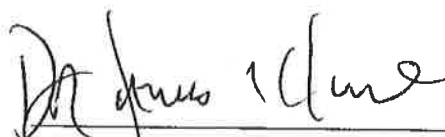
7. On or about February 12, 2015¹, a Nurse Practitioner saw Inmate Swain because he had failed to take his blood pressure medication for a few days.
8. On or about February 13, 2015, the Health Care Administrator (“HCA”) contacted me because the Warden was concerned about Inmate Swain refusing to take his blood pressure medication.
9. I told the HCA that it would be acceptable to bring Inmate Swain down to the infirmary where inmates with health conditions that need monitoring are placed. Inmates cannot refuse “placement” in the ODRC Institutions. Inmate Swain came to the Infirmary of his own free will, however.
10. The infirmary is in the basement of OSP, however, there are plenty of lights and it is a nice facility with plenty of room. There are holding cells, medical admission cells, and strong cells for suicide watch.
11. Nurses occupy the infirmary 24 hours a day and, therefore, there are always lights on in the infirmary.
12. Inmate Swain was placed in a cell near the nurses’ station.
13. Inmate Swain arrived in the infirmary on or about February 13, 2015, in the late afternoon.
14. Swain’s blood pressure and vital signs were checked when he arrived in the infirmary and were monitored at intervals thereafter. Swain’s blood pressure was elevated. He was educated on the risk of uncontrolled Hypertension.
15. Inmates can refuse treatment, however, after a day or two in the infirmary, Inmate Swain agreed to take his blood pressure medication. After Inmate Swain took his medication,

¹ I do not recall the exact dates of the events in question as I am not looking at Inmate Swain’s chart as I testify.

his blood pressure and pulse returned to a normal range and, therefore, he was released back to his cell on the prison block.

16. Inmate Swain "carries" his blood pressure medicine, meaning he keeps it in his cell and takes it; it is not nurse-administered. As a result, when Inmate Swain was transferred, his medication would have gone with him to the new Institution in his pack up. The new Institution could provide Inmate Swain with the same or similar medication once he was evaluated in the medical department.

FURTHER AFFIANT SAYETH NAUGHT.


DR. JAMES KLINE

Sworn to me and signed in my presence this 27 day of February 2015.


NOTARY PUBLIC

My commission expires: NANCY SCIARRA
NOTARY PUBLIC • STATE OF OHIO
My commission expires May 4, 2019