



Cynthia Palomata

The senseless death of a Filipino nurse, who was hit in the head with a table lamp by an inmate who faked a seizure while being processed at a California county jail, has sparked a debate within health care community and prompted a legislator to draft a bill that will better protect health workers at correctional facilities across the country.

Cynthia Palomata, 55, a resident of El Sobrante and native of Nabas, Aklan, Philippines, was removed from life support on Oct. 28, three days after the suspect attacked her at the Contra Costa County Jail in Martinez even as sheriff's deputies were on duty nearby.

Before the attack, the nurse managed to tell the guards that the inmate waiting to be assigned to a cell told her he faked the seizure just to get out of the particular waiting room. Then without provocation, the inmate started attacking her with a table lamp he pulled off a desk at the nurses' station.

The suspect continued to fight deputies after striking Palomata and was eventually subdued by use of a taser and physical force, the Sheriff's Office said.

Palomata's slaying was the second involving a medical worker in the Bay Area in a week.

On Oct. 23, Donna Gross, a 54-year-old psychiatric technician from Concord, was robbed and strangled at Napa State Hospital, allegedly by a mentally ill patient.

The California Nurses Association says legislation is required to better protect health care workers at the state's jails.

The union said a 1993 California law requires hospitals to have a security plan in place, but does not mandate the same protection in correctional facilities.

"We can no longer tolerate inadequate security measures which threaten not only RNs and other staff but also put families and other patients at risk," said Kay McVay, president emeritus of the union.

State Assemblywoman Mary Hayashi, D-Hayward, has agreed to introduce a bill on behalf of nurses as early as December, said union spokeswoman Liz Jacobs.

In similar fashion, the California Association of Psychiatric Technicians said it is working with

the state Department of Mental Health, which oversees Napa State Hospital, to “prevent another tragedy in our state facilities.”

Palomata worked for 15 years as a nurse at San Francisco General Hospital until she reportedly injured her back while lifting a patient.

After a disability leave, Palomata took a job as a nurse treating inmates at Contra Costa County Jail, a move that had her relatives worried for her safety.

‘It’s not dangerous’

Palomata reassured her family, saying, “It’s not dangerous, because we have security around all the time,” according to her aunt Venus Dioso, 80, of San Francisco.

At a news conference last week, Contra Costa County Sheriff Warren Rupf said he recognized the public’s concern over safety in light of the two killings.

But he said there had been no signs that the man accused of killing Palomata, Aaron Nygaard, 34, of El Cerrito would lash out so violently.

Nygaard had been arrested for allegedly breaking into a home on Kearney Street in El Cerrito. He went through the inmate screening process without incident and then faked a seizure, which prompted the Filipino nurse to rush to his aid, authorities said.

Nygaard, who has no criminal history, faces a murder charge.

Palomata, a married mother of a grown son, joined the county’s health services department in 2005 and had worked since then at the Martinez jail.

“She was a well-respected member of our nursing staff,” said Dr. William Walker, director of Contra Costa Health Services. “Staff safety is the highest priority, and we continue to work closely with the sheriff’s office to evaluate safety procedures.”

Contra Costa County sheriff’s detectives say they will continue to investigate this case, which is being handled as a fatal incident protocol case and is jointly being investigated by the D.A.’s office.

Contra Costa nurses repeatedly have called for stronger security measures to protect staff members in the jail, the county hospital psychiatric unit and emergency room, where numerous violent incidents have occurred, Jacobs said.

Sheriff Warren Rupf said there were 48 incidents of jail staff members being assaulted by inmates in 2009, but none of them were medical workers.

Jacobs said that 45 percent of workplace violence incidents in the United States from 1993 to 1999 involved the health care industry.

In an Emergency Nurses Association survey released last year, more than 50 percent of ER nurses reported that they had experienced violence at the hands of patients, Jacobs said.