



NEWS RELEASE

GREENE COUNTY PROSECUTING ATTORNEY

DAN PATTERSON

---

Contact: Rhonda Ogden, Office Manager – (417) 868-4061  
1010 Boonville  
Springfield, MO 65802

02/24/2016

FOR IMMEDIATE RELEASE

WOMAN PLEADS GUILTY IN MIDWIFERY CASE

SPRINGFIELD, Mo. – Greene County Prosecuting Attorney Dan Patterson announces that Elaine Marie Diamond, 58, of Schell City, MO entered a guilty plea to endangering the welfare of a child in the first degree and unauthorized practice of medicine in connection with her involvement with the birth and death of an infant in October 2009.

In 2009, Diamond had been holding herself out as a midwife for hire and was even featured in a KOLR10 news segment regarding midwives. She was hired by the victim's parents in 2009 to assist them in their pregnancy and birth of their first son. At the time that she was hired, the defendant informed the parents that she had 20 years of experience, had delivered over 200 babies, and the only complications she experienced were the result of birth defects. On October 24, 2009, the mother's water broke. Diamond allowed the mother to labor for over 48 hours and failed to continuously monitor the mother or the child. Diamond also allowed the mother to push for over three hours and refused any requests to go to the hospital. Ultimately, the father insisted that they go to the hospital and he drove the mother to the hospital. While in the vehicle, the baby's head crowned and upon arrival to the hospital, an emergency room physician quickly delivered the baby in the parking lot at Mercy Hospital.

Upon delivery, it was discovered that the umbilical cord was wrapped around the baby's neck and the baby was described as "blue and lifeless". The baby suffered severe brain damage and was taken off life support and passed away on October 30, 2009. His cause of death was found to "anoxia following a difficult delivery."

Doctors at Mercy Hospital identified many issues with the way the defendant handled the pregnancy and delivery of the baby including providing poor prenatal care, improper tools used to monitor the baby's heartbeat, allowing the mother to labor for over 48 hours thereby increasing the risk of infection, the failure to conduct appropriate prenatal tests, the use of

Subject: Greene County Prosecuting Attorney Press Release, State v. Diamond, 1031-CR06761-01

holistic treatments that did not serve an appropriate purpose for the delivery, and the fact that the defendant did not have a relationship with any doctor or hospital in case of complications. Doctors at Mercy also noted the umbilical cord being wrapped around the baby's neck would have complicated the delivery but would not have prevented the safe delivery of the baby. Finally, the doctors believed that the defendant was negligent in her care of the mother and the baby and the defendant's inexperience and panic caused the mother to be unable to successfully deliver the baby.

Pursuant to the plea agreement with the State, the defendant pled guilty to one count of the class C felony of endangering the welfare of a child in the first degree and one count of the class C felony of unauthorized practice of medicine. In exchange for her guilty plea, she received a suspended imposition of sentence and five years of supervised probation. During her probation, she is prohibited in engaging in midwifery and any midwifery related activities. In agreeing to the plea deal, the State considered the wishes of the victim's parents request for a resolution without going to trial, the defendant's lack of criminal history, and the fact that the defendant had not received any violations of her pre-trial conditions in the years this case has been pending. As a result of the Children's Division investigation and the defendant's plea of guilty today, the defendant will be placed on and forever remain on the Child Abuse or Neglect Central Registry.

If you are looking for a health care provider to assist you with a pregnancy or child birth, the Greene County Prosecutor's Office would encourage you to be familiar with the types of providers that exist and to do research on the health care provider you are thinking about choosing. WebMD provides an article on how to choose a health care provider for pregnancy and childbirth as well as a list of questions to ask a potential health care provider (<http://www.webmd.com/baby/guide/pregnancy-choosing-obstetric-health-care-provider>). The U.S. National Library of Medicine also provides a beginner's guide to pregnancy and childbirth health care providers (<https://www.nlm.nih.gov/medlineplus/ency/patientinstructions/000596.htm>).

**This case was being prosecuted by Assistant Prosecuting Attorney Stephanie Wan. It was investigated by the Springfield Police Department and Lieutenant Eric Reece was the lead investigator assigned to the case.**

###