



**Patrick Taylor – [ptaylor@mscenterforjustice.org](mailto:ptaylor@mscenterforjustice.org)  
Mississippi Center for Justice  
For Immediate Release  
May 14, 2020**

**What: Press Conference Regarding Complaint Filed Against MDOC for Its Failure to Protect Prisoners During Pandemic**

**When: May 15, 10:00 AM**

**Where: Join Zoom Meeting <https://zoom.us/j/8605114503>**

**Meeting ID: 860 511 4503 – One tap mobile +13126266799, 8605114503# US (Chicago)**

**Who: Mississippi Center for Justice**

**Contact: Paloma Wu, Deputy Director of the George Riley Impact Litigation Campaign, Mississippi Center for Justice, 415-265-7759, [pwu@mscenterforjustice.org](mailto:pwu@mscenterforjustice.org). A high-res headshot of Wu is [available here](#).**

Today the Mississippi Center for Justice, along with the Hogan Lovells law firm, attorney Mark Whitburn of Austin, Texas, and the ACLU of Mississippi, filed a class action lawsuit against Mississippi's two largest prisons for taking inadequate steps to prevent infection and mitigate an outbreak of COVID-19. [View the complaint here](#). According to the lawsuit, the Central Mississippi Correctional Facility (CMCF) and the South Mississippi Correctional Institution (SMCI) have not implemented minimum prevention practices required to reduce transmission and identify cases of COVID-19 infection. Among other measures, the suit seeks implementation of guidance provided to correctional facilities by the Centers for Disease Control and Prevention.

MCJ's lawsuit seeks to proceed as a class action on behalf of the approximately 6,000 individuals housed at CMCF and SMCI. It also seeks to certify a subclass of persons who have disabilities that put them at increased risk of contracting, becoming severely ill from, and dying from COVID-19. The case is brought under the Americans with Disabilities Act, the Rehabilitation Act, and the Eighth Amendment of the U.S. Constitution.

"Prior to the COVID-19 pandemic, Mississippi's prisons were already in a state of crisis; men and women die in Mississippi prisons at a rate that far exceeds the national average," said MCJ President and CEO Vangela M. Wade. "Safely reducing the number of incarcerated people is the best way to prevent an unnecessary deadly outbreak, but in the meantime, minimal protective practices must be immediately implemented."

"MDOC prisons like CMCF and SMCI operate at nearly double their staffed capacity, so a single guard may be responsible for supervising hundreds of individuals across one or two buildings," said Paloma Wu, Deputy Director of Impact Litigation at MCJ. "This means there is often nobody to tell if you feel sick, and right now, there are people inside who have run out of soap and can't get cleaning supplies—the unnecessary risk of harm to our community members in custody is unacceptable."

The lawsuit alleges that Mississippi Department of Corrections (MDOC) has not implemented basic pandemic response protocols such as frequent cleaning and disinfection of living units, as well as provision of sufficient hand soap and cleaning supplies. The lawsuit also cites failures to adequately isolate and test residents, as well as failures to communicate key infection prevention information.

"People in prison are being forced to use their personal unlaundered towels to wipe down common areas for lack of rudimentary cleaning supplies to keep communities inside safe from this deadly pandemic," said Joshua Tom, Interim Executive Director and Legal Director of the ACLU of Mississippi. "The data is clear that hotspots of infection in prisons leads to increased infection in surrounding communities: it is in everyone's best interest to follow the law regarding the treatment of people in prison during this pandemic."

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The plaintiffs are represented by Paloma Wu and Rob McDuff of MCJ, Joshua Tom of the ACLU of Mississippi, Mark Whitburn of Austin, Texas, and Jonathan Abram, John Hamilton, Madeleine Bech, and Sydney Rupe of the Hogan Lovells law firm. The lawsuit was filed against the Interim Commissioner of the Mississippi Department of Corrections and the Superintendents of CMCF and SMCI.

The Mississippi Center for Justice is a public service law firm that fights discrimination, economic, and social injustice through legal representation, policy advocacy, and community education.

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