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Fresno Jail Prisoners Sue Over Dangerous Conditions

Prisoners Are Suffering Daily from Serious and Unnecessary Harm and Injuries

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FRESNO, California (December 13, 2011) - Four prisoners in the Fresno Jail filed a class action lawsuit today in federal court in Fresno claiming that Fresno Sheriff Margaret Mims is violating prisoners' Constitutional rights by maintaining dangerous facilities and failing to provide basic health care. A copy of the complaint is available at: www.prisonlaw.com and www.disabilityrightsca.org.

Plaintiffs in the suit have been subjected to cruel and unusual punishment at the jail. They have been regularly denied treatment for life-threatening illnesses, severe mental health symptoms, and serious dental conditions. They have also been subjected to violence due to preventable defects in the jail's design, operation, and staffing. Plaintiffs seek only an order from the court requiring Sheriff Mims to provide basic health care and protection for prisoners from violence from other prisoners.

Earlier this year, plaintiff Bob Merryman, a 57-year-old prisoner at the Fresno Jail, was slashed in the face with a razor by another prisoner who was suffering from acute and untreated psychosis. Staff failed to protect Mr. Merryman, who has Chronic Obstructive Pulmonary Disease (COPD) and was too frail and weak to defend himself from such violence.

Quentin Hall, a plaintiff in the suit, had to be removed from the jail and hospitalized in a state psychiatric facility because jail staff refused to provide the anti-psychotic medication that has proven effective in treating his suicidal depression, extreme anxiety, insomnia and hallucinations.

Dawn Singh, another plaintiff in the suit, has been waiting nearly two years in the jail's custody to receive diagnostic testing and proper treatment for her Crohn's disease—a potentially life-threatening intestinal disorder. Ms. Singh's condition has required her to be removed from the jail and taken to a hospital emergency room for internal bleeding, fevers, dehydration and fatigue.

"Most detainees in the jail are awaiting trial and have not been convicted of any crimes. They are dependent on the jail for all their medical needs," said Kelly Knapp, an attorney at the Prison Law Office. "To leave them in pain, at risk of life-threatening injury and permanent disability is simply inhumane."

"Since Fresno has radically cut back outpatient mental health services, the jail has become a costly dumping ground for people with mental illness who need care but

cannot find it elsewhere,” said Rachel Scherer, an attorney at Disability Rights California. “It would cost the county far less to provide mental health treatment in the community through alternative diversion programs or supervised release of those who pose a low risk to public safety.”

“Counties such as Fresno have a simple choice: increase spending on jail services, or develop cost-effective community programs to divert prisoners with mental illness or drug dependence out of the jail and into programs of close supervision where they will pose no public safety risk,” said Melinda Bird, Senior Counsel at Disability Rights California.

National experts point to how many “counties and local governments have developed a rich array of alternatives to jail incarceration and community-based corrections that supervise people outside of the jail environment,” according to the Justice Policy Institute in its 2008 report, “[Jailing Communities.](#)”

Similarly, the State Council of Governments has sponsored the “[Consensus Project on Mental Health and Criminal Justice,](#)” which reports that the majority of people in jail with a mental illness have not committed a serious crime and are instead arrested for displaying symptoms of their untreated mental illness in public. Community supervision and treatment will actually improve public safety by reducing the risk of recidivism and freeing costly jail beds for violent offenders.

The prisoners are represented by three law firms: (1) the Prison Law Office, a non-profit legal organization, which has successfully challenged many unlawful conditions on behalf of California prisoners; (2) Disability Rights California, a state-wide disability rights agency that has represented the rights of people with mental and physical disabilities in dozens of federal lawsuits, including two recent cases against the Los Angeles County Jail; and (3) Cooley LLP, a nationwide, full-service law firm that received the State Bar of California's President's Pro Bono Service Award in 2009 for its deep commitment to pro bono work.