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FEDERAL COURT ENTERS PRELIMINARY FINDINGS IDENTIFYING “SYSTEMATIC DEFICIENCIES” AT DAVID WADE CORRECTIONAL CENTER

United States District Court Judge Elizabeth Foote entered preliminary findings on September 20, 2022, confirming that conditions at David Wade Correctional Center, a Louisiana state prison near Homer, Louisiana, violated the rights of the men who are incarcerated there. The court determined that conditions at the prison infringed the Eighth Amendment rights of men housed in solitary confinement. The court also found systematic deficiencies regarding the mental health services and that prison officials violated the Americans with Disabilities Act and Section 504 of the Rehabilitation Act. The Court’s findings were made in a preliminary ruling on September 20, 2022, with a full opinion expected to follow in late October.

The court’s findings come in response to a February 2018 lawsuit filed by several men challenging the prolonged use of solitary confinement at David Wade. The men were joined in their suit by Disability Rights Louisiana (“DRLA”), the state protection and advocacy (“P&A”) organization. In their lawsuit, the men recounted stark and abusive conditions, including people with serious mental illness being housed for years on end in cells with virtually no mental health care. When confined to cells for 23 or 24 hours per day, men with serious mental illness deteriorated to a point of screaming, talking to themselves and self-mutilation. In January 2022, the court heard four weeks of testimony and took evidence from the men, prison staff and expert witnesses.

"This victory on behalf of hundreds of men at David Wade is the result of seven years of work by our clients who are incarcerated there, who refused to give up their rights, or the hope that things can be different," said Melanie Bray, DRLA Assistant Legal Director and lead counsel. "When people with mental illness are sent to the state prison as punishment for a crime, the state has an obligation to provide baseline mental health



care. The proof in this case showed that there was virtually no mental health care at David Wade, and that men there are suffering greatly as a result of the state's indifference."

"This case has taken years and millions of dollars to litigate," continued Bray. "The State could have fixed the conditions at David Wade many times over by now, had it chosen to do so rather than spend millions in taxpayer dollars for private counsel for the

Attorney General's office to litigate this case. Just fix the conditions at the prison. Provide people with basic mental health care."

In January 2023, Judge Foote will begin a three-week trial to evaluate what court orders need to be put in place to redress the constitutionally deficient conditions. The lawsuit has been primarily litigated by attorneys from Disability Rights Louisiana and cooperating counsel for ACLU of Louisiana, with support from lawyers with the Promise of Justice Initiative and the law firms of Adams & Reese and Cohen Milstein.