



LEGAL AID
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**WOMEN AT FLUVANNA PRISON FILE CONTEMPT MOTION ALLEGING VDOC
CONTINUES TO FAIL TO PROVIDE ADEQUATE MEDICAL CARE**

Charlottesville, Va., September 6, 2017—

Women incarcerated at the Fluvanna Correctional Center for Women (FCCW) filed a motion for contempt in the Federal District Court in Charlottesville on Wednesday, asking the court to enforce a class action Settlement Agreement decided upon last year. The agreement, approved by Judge Norman K. Moon on February 5, 2016, requires supervision of the medical care systems at the prison by an independent Compliance Monitor for at least three years. The women charge that FCCW continues to fail to provide constitutionally adequate medical care in violation of the agreement.

The women, represented by lawyers at Legal Aid Justice Center (LAJC), Wiley Rein LLP, and The Washington Lawyers' Committee (WLC), contend that the Monitor's reports reflect a disturbing, continuing resistance by the Virginia Department of Corrections (VDOC) to implement needed changes to the medical care system at FCCW. Given this resistance, counsel for the women believe court intervention is necessary to protect their clients' lives.

In their motion, the women recount the horrific results of VDOC and FCCW's failure to provide adequate care. A woman with Stage IV melanoma cancer was left to suffer debilitating, painful side effects from immunotherapy after a prison doctor said she simply had a sinus infection and ordered a nasal spray. By the time FCCW rushed her to UVA Medical Center, she was septic. Another woman, Sherry Richburg, recounts how FCCW failed to adequately treat a fungal infection in her leg resulting from an earlier surgery. As a result, and since her release, Ms. Richburg's leg has been amputated up to her hip. Ms. Richburg says, "Not only was I punished for my crime, I was punished a second time when FCCW denied me critical medical care."

"Although we were hopeful that VDOC would create meaningful change to the health care system at Fluvanna prison after the Settlement, we are disturbed to learn of continued severe suffering the prisoners experience," Ted Howard, an attorney from Wiley Rein for the Plaintiffs in the case, said. "VDOC continues to fall far short on its legal obligations to provide adequate health care to the women at FCCW. As a result, we are filing this Court action to protect our clients' rights and their health."

Brenda Castañeda of Legal Aid Justice Center added, “It’s outrageous that we continue to hear about VDOC’s neglect and mismanagement from the women at FCCW. Virginia spends over a billion dollars a year on DOC expenditures, yet the health and well-being of the tens of thousands of women and men the state choses to lock away is still under threat. It’s well past time for Virginia to consider whether it should continue to imprison so many of its residents, if in doing so, the state cannot comply with the constitutional mandate to provide them with adequate medical care.”

The women of Fluvanna request the Court find that VDOC disobeyed the court and order VDOC and medical staff at FCCW to abide by the Settlement terms requiring improvements to medical care. In addition, the women are requesting that the Judge sanction the Defendants by ordering VDOC to pay monetary fines and that Defendants be ordered to submit a comprehensive report on how they will meet their obligations under the Settlement Agreement.

About the Legal Aid Justice Center

The [Legal Aid Justice Center](#) (LAJC) fights injustice in the lives of individual Virginians while rooting out exploitative policies and practices that keep people in poverty. LAJC uses impact litigation, community organizing, and policy advocacy to solve urgent problems in areas such as housing, education, civil rights, immigration, healthcare and consumer finance. LAJC’s primary service areas are Charlottesville, Northern Virginia, Richmond and Petersburg, but the effects of their work are felt statewide.

About Wiley Rein

Wiley Rein LLP is a leading law firm with offices in Washington, DC and Northern Virginia. Wiley Rein is a dominant presence in Washington, DC, with more than 270 attorneys and public policy advisors. Wiley Rein has earned international prominence by representing clients in complex, high-stakes regulatory, litigation, and transactional matters.

About The Washington Lawyers’ Committee for Civil Rights and Urban Affairs

From its inception in 1968, the mission of the Washington Lawyers’ Committee for Civil Rights and Urban Affairs has been to mobilize the resources of the private bar to address issues of civil rights violations and poverty in our community. The Washington Lawyers’ Committee provides pro bono representation in a broad range of civil rights and related poverty issues impacting every group protected by our federal, state and local civil rights laws.

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