

Prisoners' Rights Advocates File Class Action Lawsuit Against Allegheny County Over Failed Mental Health Care System at ACJ.

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CONTACT:

William Lukas, Abolitionist Law Center, (508)-340-6507, wjlukas@alcenter.org
Rebecca Susman, PA Institutional Law Project, rsusman@pailp.org, 412-254-4771

PITTSBURGH – The Abolitionist Law Center (ALC), Pennsylvania Institutional Law Project (PILP), and Schnader Harrison Segal & Lewis LLP filed a class action lawsuit today on behalf of people with psychiatric disabilities incarcerated in Allegheny County Jail (ACJ). The lawsuit alleges severe and systemic constitutional violations, as well as violations of the Americans with Disabilities Act, for the jail's failure to provide adequate mental health care and its discriminatory and brutal treatment of people with psychiatric disabilities.

The lawsuit asserts that although ACJ houses hundreds of people with psychiatric disabilities, including anxiety, depression, PTSD, bipolar disorder, and schizophrenia, ACJ is lacking a functioning mental health care system. Every aspect of a comprehensive system for mental health care, from intake screening, to medication management, provision of counseling and therapy, suicide prevention, and training is either non-existent or wholly deficient at ACJ.

"We recognize there are many employees at ACJ who try their best to provide care, yet face an impossible task due to inadequate systems, resources and direction," said Keith Whitson, Schnader Harrison Segal & Lewis LLP. "This lawsuit focuses primarily on the illegal systemic failures that make treatment nearly nonexistent, and the frequent imposition of punishment in place of treatment."

The complaint contends that instead of ensuring proper staff training and adequate mental health staffing levels, or creating policies that provide adequate care, Warden Orlando Harper and Deputy Warden Laura Williams oversee a system that responds to people in mental health crisis with brutal levels of force and solitary confinement. People with psychiatric disabilities are tased, sprayed with OC, beaten, and placed in restraint chairs for several hours for minor infractions and for simply requesting mental health care. They are commonly placed in solitary confinement for weeks and months on end, often without having a hearing, in conditions universally acknowledged by correctional experts, courts and the United Nations as torture.

"An extensive investigation of the conditions at ACJ, including hundreds of interviews of those currently and formerly incarcerated at ACJ as well as former employees, and review of medical records, have reinforced what we already knew--the system of mental health care at ACJ is appallingly and unconstitutionally inadequate," said Jaclyn Kurin, staff attorney for the Abolitionist Law Center.

As a result of the systemic lack of mental health care and discrimination against people with psychiatric disabilities, the jail has one of the highest suicide rates in the nation. These dehumanizing conditions leave a lasting impact on communities outside of the jail, primarily

Black communities. While Black people only make up 13.4% of the population of Allegheny County, they constitute a striking 61% of those held at ACJ. Most people invariably leave ACJ worse off than they enter it, making it more difficult to re-integrate into their communities and further fueling the cycles of incarceration, poverty, and trauma.

“Allegheny County is failing its most vulnerable communities by incarcerating people with psychiatric disabilities and then refusing to uphold its moral and constitutional obligation to provide treatment,” stated Alexandra Morgan-Kurtz, Managing Attorney at the Pennsylvania Institutional Law Project. “Without a complete overhaul of the practices at ACJ, people will continue to suffer long lasting trauma and grievous harm.”

The class action lawsuit seeks to represent all people with psychiatric disabilities who are currently, or will in the future, be held at the Allegheny County Jail. The lawsuit was filed in the United States District Court for the Western District of Pennsylvania and names Laura Williams, Orlando Harper, Michael Barfield, and Allegheny County as defendants. The plaintiffs are represented by Bret Grote, Quinn Cozzens, Swain Uber, and Jacklyn Kurin of the Abolitionist Law Center; Alexandra Morgan-Kurtz of the Pennsylvania Institutional Law Project; and Keith Whitson of Schnader Harrison Segal & Lewis LLP. A copy of the complaint is available at pailp.org/s/ACJ-MH-Complaint.pdf.

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