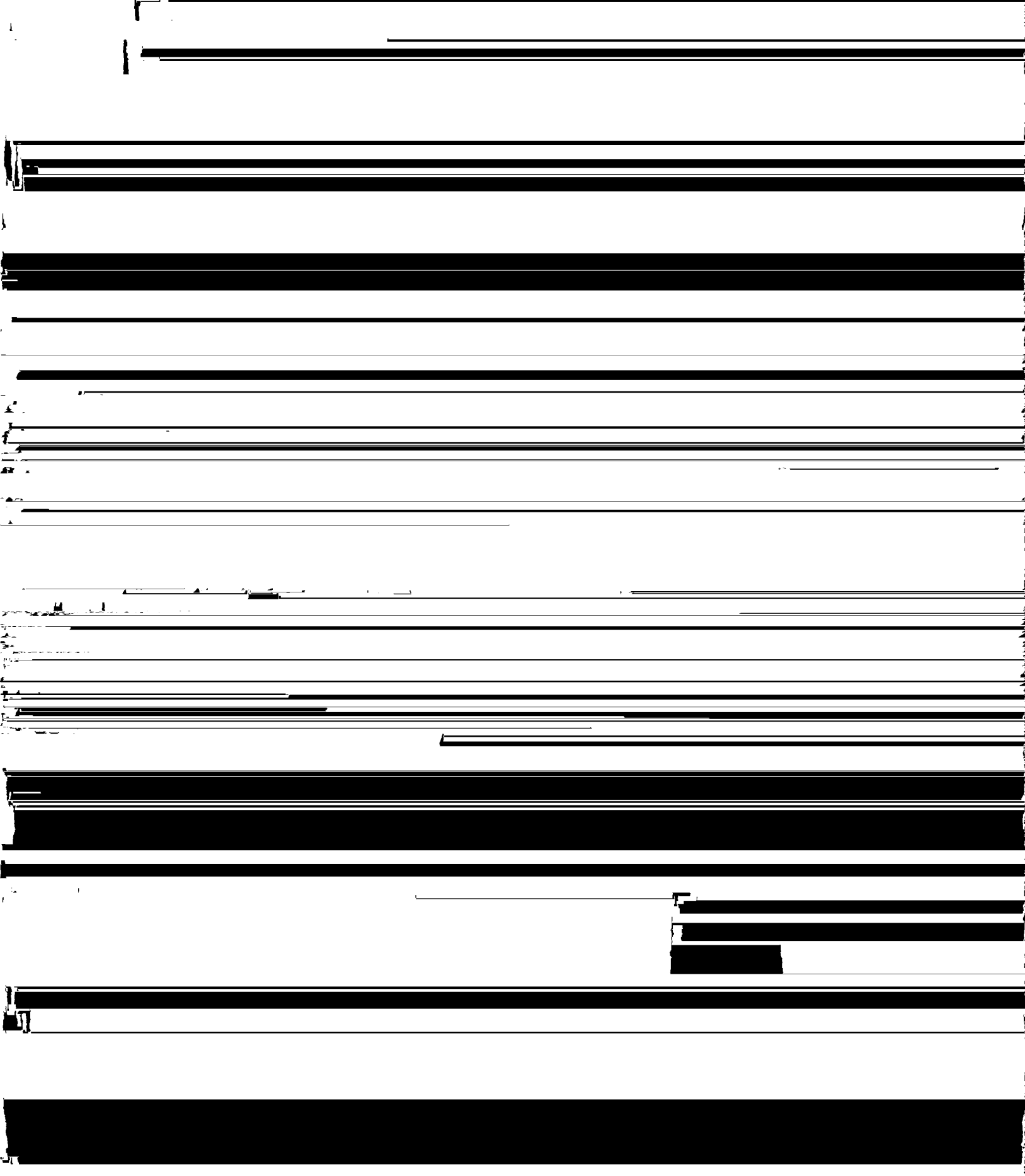


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## INTRODUCTION

1. This is a class action filed on behalf of the teenagers and young men who are imprisoned

chemical restraints on young men who are secure in their cells. Some youth are stripped naked  
and held in isolation for weeks at a time. Young men with serious health needs languish without



5 On behalf of themselves and all similarly situated youth imprisoned at WCVCE, the

[REDACTED]

9. Plaintiff C.B. is sixteen years old. Since arriving at WGYCF, C.B. has been repeatedly beaten, robbed, and threatened. C.B. fears for his safety. He brings this action through his next friend and father, Plaintiff Charleston DePriest.

10. Plaintiff Eric Ball has a learning disability and is eligible for special education, but he receives no special education or related services at WGYCF. He also has repeatedly been punished with arbitrary placements in isolation without penological justification and for the sole purpose of inflicting wanton and unnecessary discomfort, pain, and humiliation.

11. Plaintiff Erik Barnes has received grossly inadequate mental health care for his serious

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standard will be followed" HAJI.C is incorporated in the state of Mississippi and maintains its



as the head of the department oversees all of these functions. The Commissioner has the duty

**CLASS ACTION ALLEGATIONS**

31. The named Plaintiffs bring this suit on their own behalf and on behalf of all youth who are, or will in the future be, incarcerated at the WGYCF.

experienced counsel with expertise in class action prison conditions litigation in federal court.

Counsel have the legal knowledge and resources to fairly and adequately represent the interests

[REDACTED]

expanded again in 2007 when the legislature added another 500 beds. WCVCE is currently

zones hold approximately 60 youth. The prison is constantly short-staffed, so officers sometimes are left responsible for two zones at a time. Additionally, youth are often left unsupervised when the assigned officer leaves the zone for other reasons. This understaffing creates violent conditions that subject youth to serious and sometimes permanent injury.

10. Defendants WCCA, GEO, Trinn, Vinson, and Fene have long been aware that the

44. Some correctional officers and nurses have sex with youth at WGYCF. Many of these

incidents occur in isolated, camera-free areas in the facility, including the individual cells

47. Many correctional officers do not routinely conduct security checks to confirm that youth are safe inside their cells, and the security checks they do conduct are so cursory that they are ineffective in determining whether youth are actually safe. Remove emergency call buttons in the

Youth in protective custody are not safe. While in protective custody, youth have been

[REDACTED]



John Doe (referred to as J.D. throughout the complaint).

55. In late January 2010, J.D. was held hostage, violently sexually assaulted and beaten by his cellmate.

56. About three days before the attack, Captain Michael Jones moved a youth into J.D.'s cell. J.D. was fearful of sharing a room with this youth and immediately expressed his concerns to Captain Jones. Captain Jones ignored J.D.'s concerns.

57. Over the next two days, J.D.'s cellmate became increasingly violent and J.D.

1. ... fluid in an attempt to remove physical evidence of the sexual assault. Although I.D.'s

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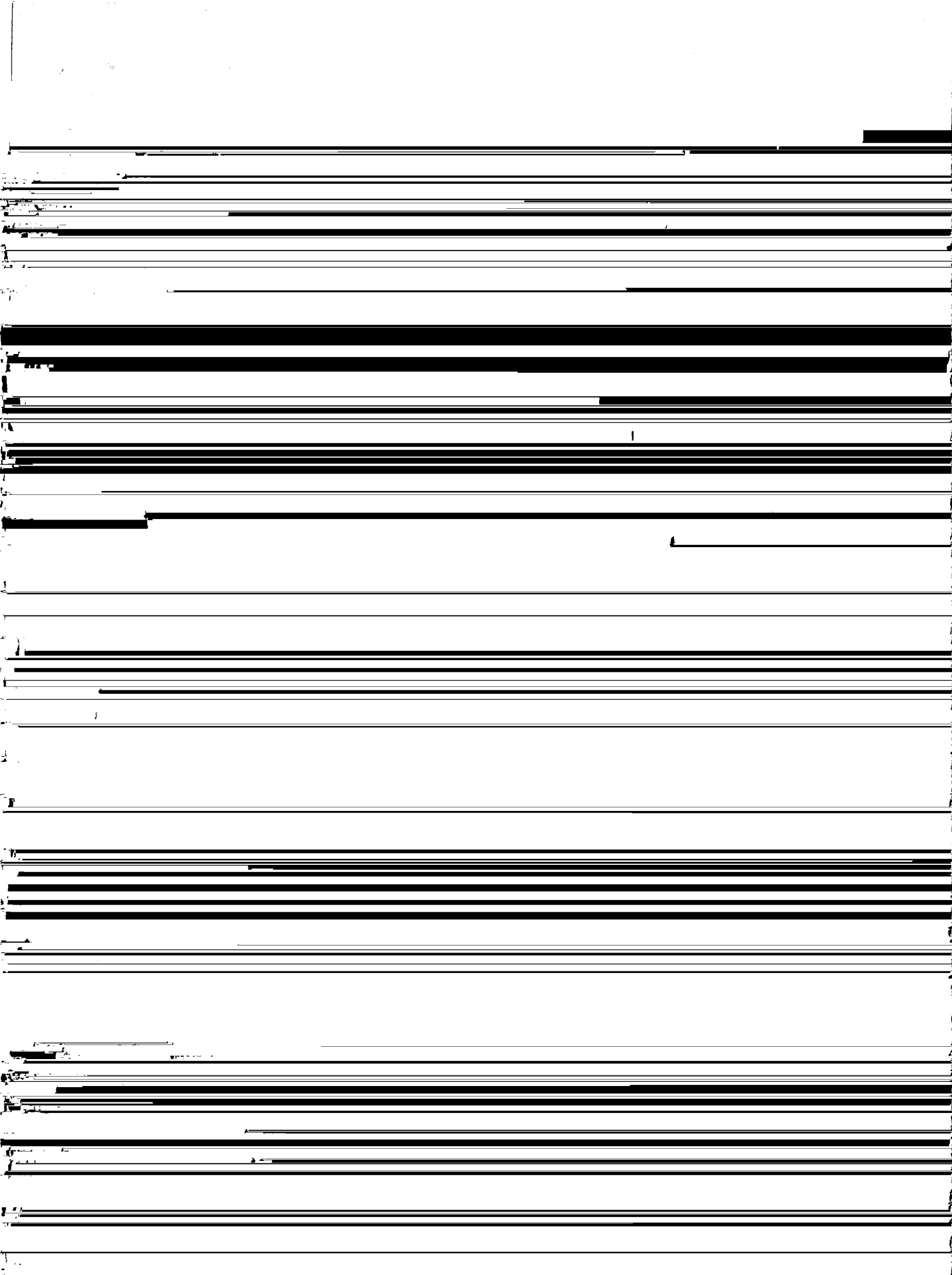
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the officer opened Christopher's door ostensibly so he could use the phone. When he came out,

May 14, 2010, Thomas submitted an Administrative Remedy Program (ARP) request claiming his life was in danger for the following reasons: officers leave the zone unattended while prisoners are out of their cells; officers conduct inadequate weapons searches; doors are easily rigged; and prisoners have shown weapons as stabbings are common. Def. 1-11



the class of weapons. Staff took considerable time to respond. By the time that 3:10

young people had suffered serious injuries that required emergency off-site medical care. There

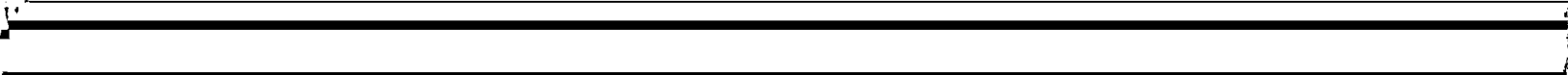
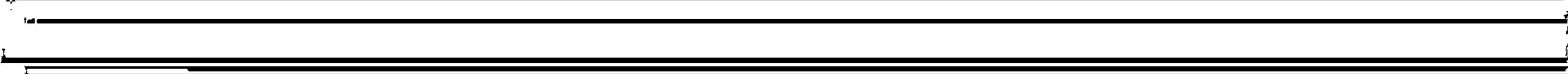
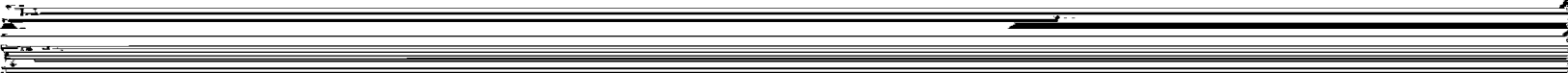
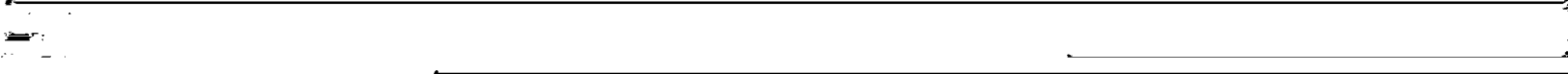
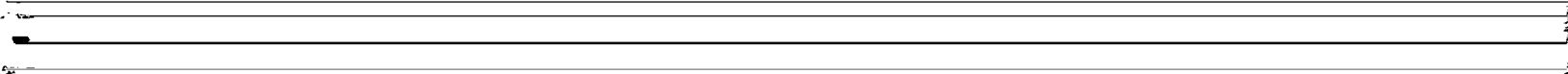
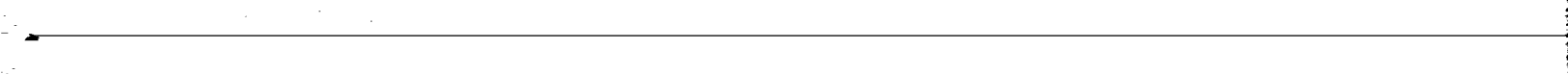
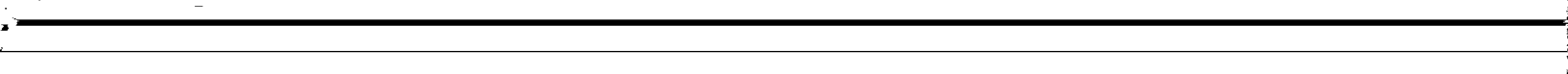
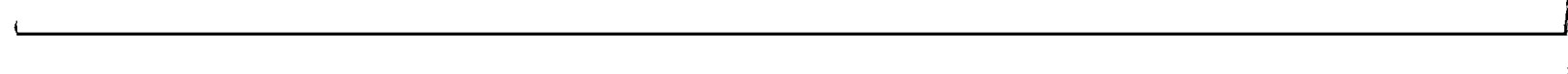
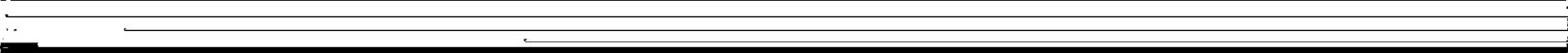
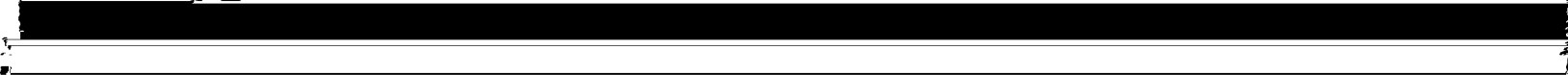
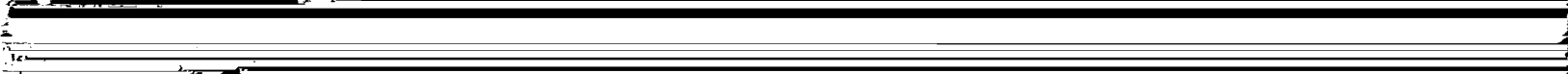


98. To this day, Joshua still suffers from pain and limited mobility in his right hand as a result of this attack. Joshua also has anxiety and severe insomnia, and is in constant fear of another attack.

**Eighth Amendment Violations: Use of Excessive Force**

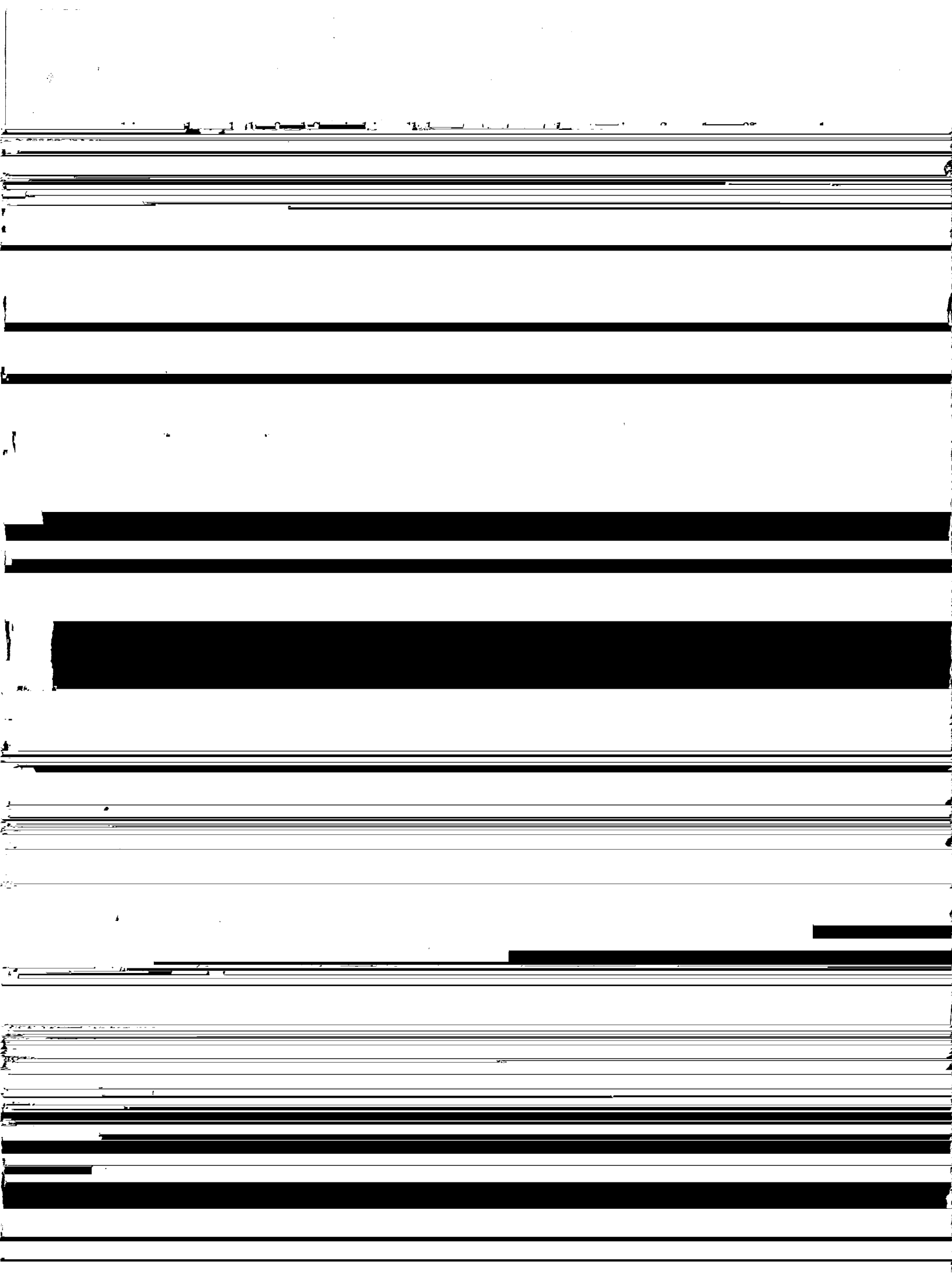
99. Youth in WGYCF live in constant fear and risk of staff abuse. Many correctional officers

104. Some youth, especially those with asthma, suffer adverse reactions from airborne



116. In April 2010, Plaintiff Brian Webster was maliciously beaten by several WGYCF staff members, including Major John Swann. Despite compelling evidence that excessive force was used against Webster, Warden Tripp failed to thoroughly investigate the incident.

117. The beating occurred on or about April 22, 2010. Brian had covered the window of his cell with a piece of paper. In response, Captain Michael Jones, Major John Swann and several other staff members (called an "Extraction Team") entered Brian's cell, slammed him to the



compromising his ability to breathe..

11/17/2010 11:11:11 AM



youth are forced to wait for days or even a week before they are evaluated and assessed.



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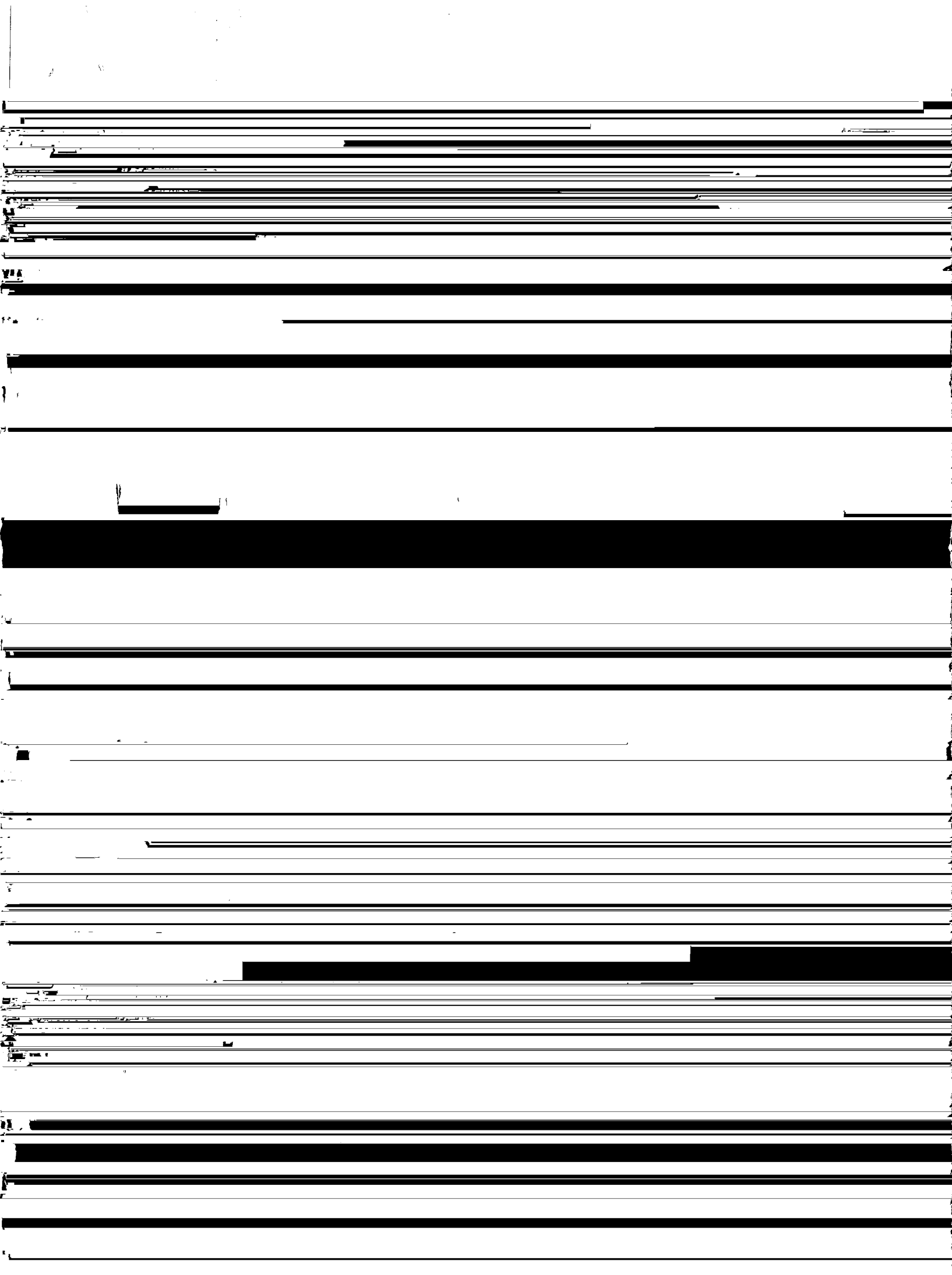
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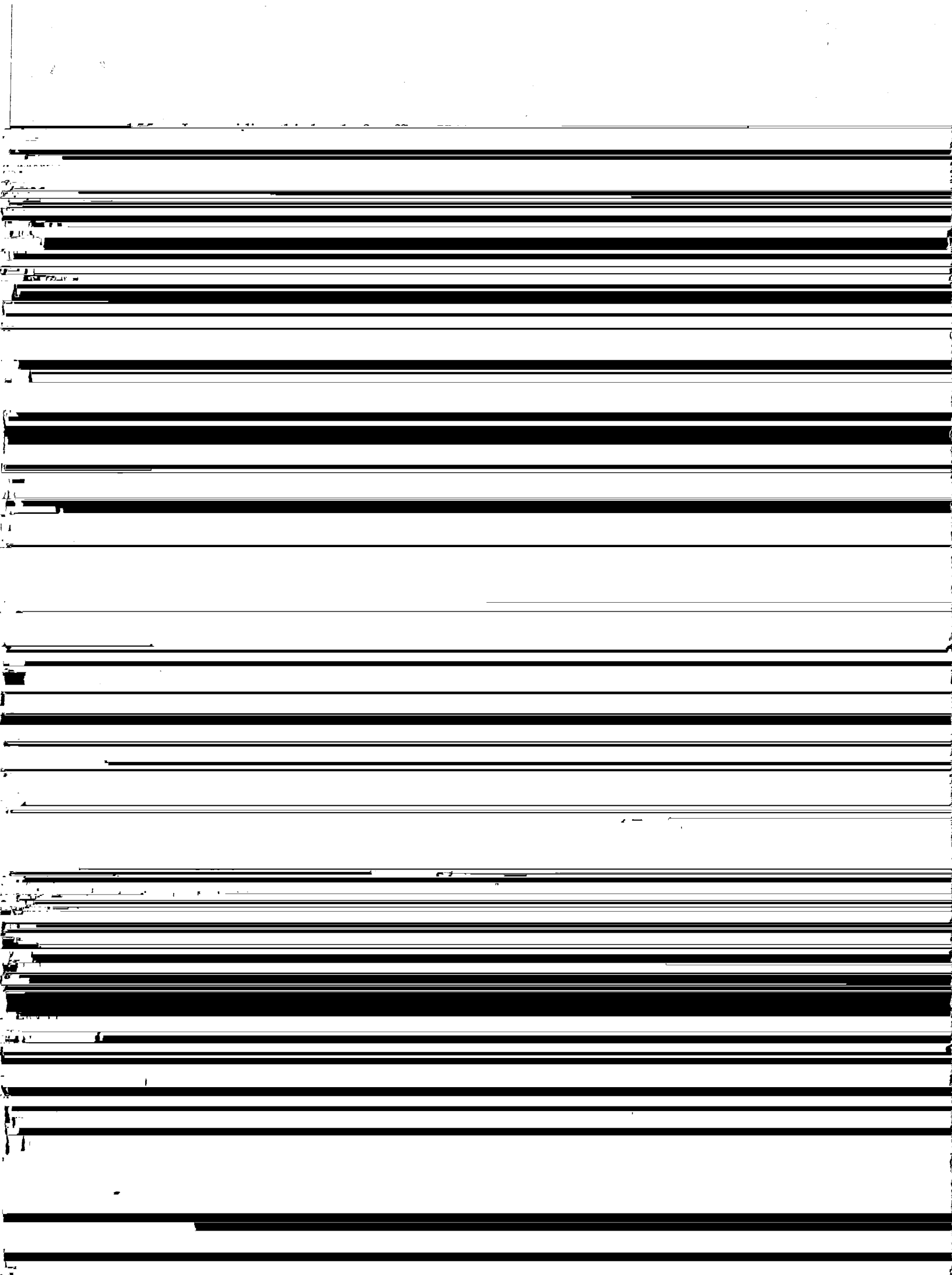
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responsibilities at WGYCF under the Authority's contract with MDOC. As the subcontractor responsible for general operation of the prison, GEO has the duty to provide "access to counseling and mental health programs," and to operate a Regimented Inmate Discipline

[REDACTED]





158. Many facility staff receive no suicide prevention training; they do not know how to

CRAIG KINCAID

161. Craig Kincaid has a metal plate in his left leg and metal screws in his right knee as a result of injuries sustained when he was hit by a car. Over the past few years, Craig has had chronic infections in his left leg that are extremely painful and make it hard for Craig to sit or exercise for long periods of time. Craig has repeatedly informed Warden Tripp, Administrator Hogue, and Commissioner Epps about the history and seriousness of his leg injuries. Defendants

this visit, Dr. Sutton again referred Craig for surgery, nearly a year after Dr. Sutton had made the



171. On August 20, 2010, Craig wrote an emergency ARP notifying Defendant Epps of the continuous problems he is experiencing accessing medical care at WGYCF. Craig still has not received a response.

JOSHUA CLAY

172. On February 27, 2010, Plaintiff Joshua Clay was stabbed multiple times in a fight and suffered a significant injury to his right arm and hand. Joshua was transported to a hospital for

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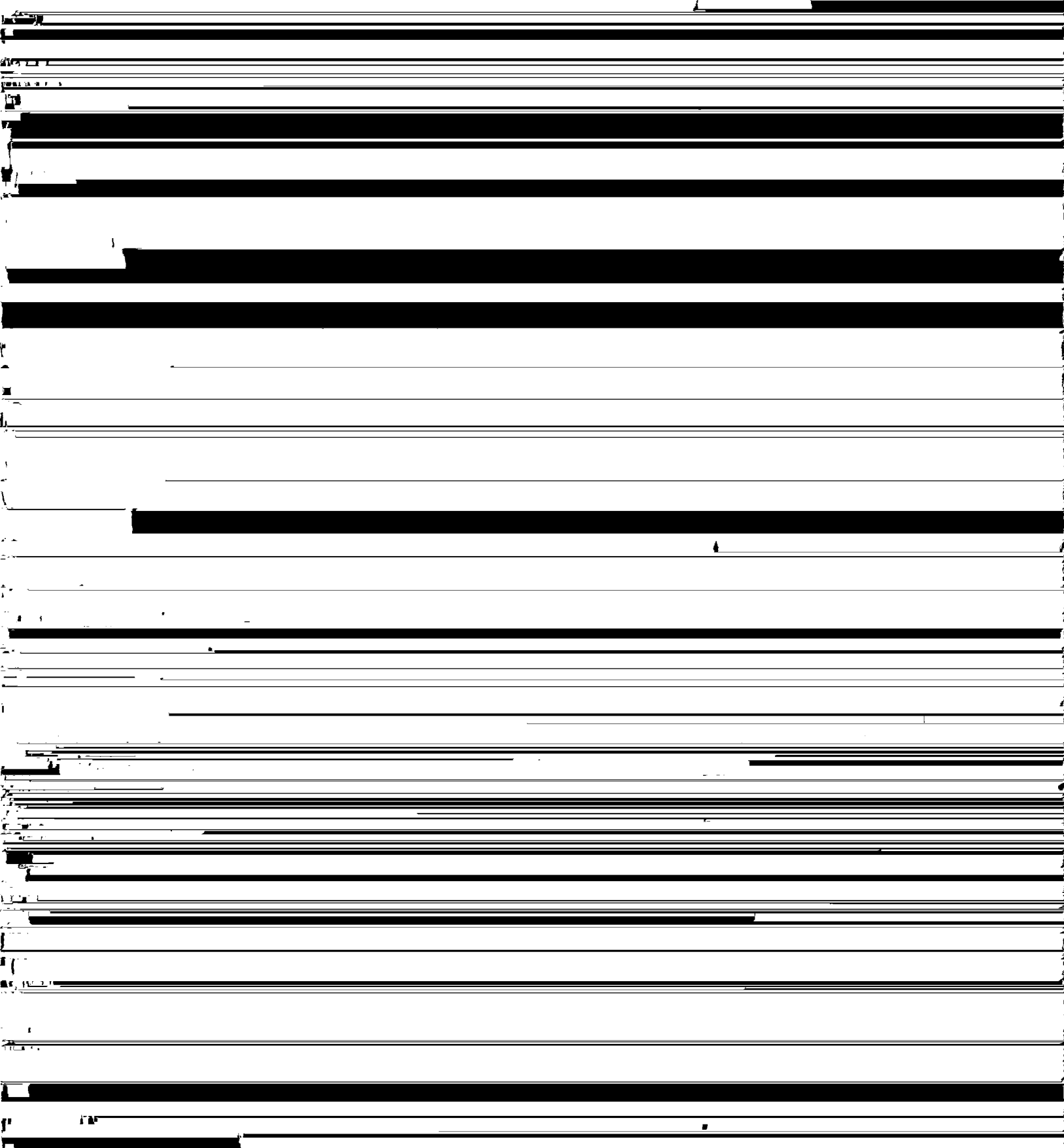
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Warden Vinson stated: "The medical staff reports 1:1

has received psychiatric outpatient treatment and been hospitalized or placed in long-term treatment facilities numerous times. He has a history of self-harming behavior. Over the years,

Erik has been prescribed various antipsychotic medications. Erik has been



health screening of Erik at WGYCF on December 22, 2009. They additionally noted that Erik felt he could lose control of his temper.

182. While at CMCF, Erik was diagnosed with "Psychotic Disorder NOS" and "Major Depressive Disorder, Recurrent, Moderate" and prescribed an anti-depressant and anti-psychotic medication. The first anti-depressant medication, Celexa, gave him headaches, so the psychiatrist at CMCF, Dr. Sandhu, switched him to Prozac.

183. Erik was transferred from CMCF to WGYCF in late December 2009. He did not receive

187. At WGYCF, he told Deputy Warden Vinson about his prior diagnoses and was instructed to fill out a sick call request form. On December 22, 2009, Erik submitted a sick call request

to deliver Jared his seizure medication at least once per week and multiple times has failed to

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disabled student be provided reasonable accommodations and modifications designed to provide

meaningful access to educational benefits, or as necessary to avoid discrimination on the basis of

related services. Related services include interventions like counseling that are required in order for a youth to receive educational benefit.

206. Nearly four years after MDE first documented and became aware of WGYCF's systemic

eligible for special education services. Mary Magee Quinn, Robert B. Rutherford, Peter E.

Leone, David M. Osher & David M. Poirier, *Youth With Disabilities in Juvenile Corrections: A*

16 youth less than 4% of the entire population of approximately 1000 youth are severely

212. Youth with cognitive and learning disabilities housed in protective custody are barred from accessing any educational services. WGYCF provides these youth with packets of worksheets, regardless of their individual educational needs, and denies them access to a qualified teacher and/or education professional who could provide instruction and feedback. The packets are not delivered on a regular schedule, but usually are given to youth every two to three

216. Plaintiff Jamaric Brady has been in WGVCE for three years and has completed 11

classes. He entered WGVCE at the age of 18 and has completed 11

220. Plaintiff Lamarcus Curry is twenty-one years old and has severe difficulties reading and

Fredrick receives no help in completing the worksheets and never receives any feedback on his

work he submits. The worksheets are not individualized for him and are not corrected. 1 1 1 1

conditions Defendants GEO, WGCA, Tripp, Vinson, and Epps violate the Plaintiffs' rights to be

United States Constitution.

**Second Claim**

**Eighth Amendment Violations: Protection from Harm and Deliberate Indifference to**



grossly substandard healthcare to continue, Defendants HALLC, Walnut Grove Correctional

Fourteenth Amendments to the United States Constitution.

**Fifth Claim**

**IDEA Violations: Denial of Free and Appropriate Public Education**

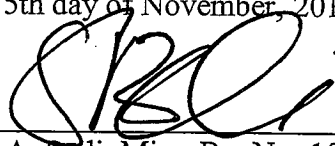
By failing to provide WCVCE youth who qualify as students with disabilities

b. Enter a preliminary and permanent injunction requiring the Defendants, their agents, subordinates, employees and all others acting in concert with them to cease their unconstitutional and unlawful practices and to remedy their violations of the Constitution and the laws.

c. Award to the Plaintiffs reasonable costs and attorney's fees and

d. Grant the Plaintiff such other relief as the Court may deem just and proper.

RESPECTFULLY SUBMITTED, this the 15th day of November, 2010.



Sheila A. Bedi, Miss. Bar No. 101652