INMATE’S PREVENTABLE DEATH RAISES CONSTITUTIONAL CONCERNS

The Disability Law Center (DLC) is deeply saddened to learn of the death of Mr. Ramon Estrada. The DLC is charged under federal law with protecting the legal and human rights of people with disabilities, especially those residing in institutions. Mr. Estrada, and the other inmates whose lives were jeopardized by the Utah State Prison’s inattention to their serious medical needs, represent just a few of the many vulnerable, marginalized groups for which the DLC advocates.

Once an offender is incarcerated, the Utah Department of Corrections’ (UDC) has a legal and moral duty to ensure the health and safety of each and every one of the individuals entrusted to its care. The 8th Amendment to the U.S. Constitution imposes an inviolable duty on the state to provide necessary medical treatment to a prison inmate. For reasons yet to be determined, this duty of care was clearly breached with regard Mr. Estrada or the six other Utah State Prison (USP) inmates who failed to receive their medically prescribed and life-sustaining dialysis treatment last week.

While UDC acknowledges a failure of communication, there are deeper unanswered questions about how a completely preventable incident like this could happen. How do inmates communicate medical care concerns to USP staff? How is the ongoing welfare of inmates with chronic medical conditions verified? How does USP ensure appropriate medical care is provided in a timely manner and fashion? Are USP medical staff adequately trained to provide routine medical care? What is the procedure for when a medical emergency occurs after hours or over the weekend? And what oversight procedures and redundancies are in place to ensure that medical contractors fulfill their duties?

Over the past several years, the DLC has maintained a strong working relationship with UDC focused on improving the treatment of prisoners with mental illness. While we look forward to continued collaboration in this area, we cannot ignore our legal obligation to protect incarcerated individuals with disabilities from abuse or neglect, regardless of whether the disability is mental or physical.

Therefore, we are expanding our work at USP to include monitoring of the quality and availability of medical care to offenders with disabilities. We also intend to use our federal investigative authority and resources to seek answers to questions like the ones above, and to advocate for systemic changes which will help make sure a preventable tragedy, like Mr. Estrada’s death, does not happen again.

The Disability Law Center (DLC) is a private non-profit organization. The DLC’s mission is to enforce and strengthen laws that protect the opportunities, choices and legal rights of Utahns with disabilities. Our services are available statewide and free of charge, regardless of income, legal status, language, or place of residence.

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