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AN ACT CONCERNING DISEASE PREVENTION IN THE CORRECTIONAL
SYSTEM HB 6342

Honorable Chairman, Senators, and Representatives, my name is David McGuire. I am a staff attorney at the American Civil Liberties Union of Connecticut and I urge you to vote in favor of House Bill 6342, AN ACT CONCERNING DISEASE PREVENTION IN THE CORRECTIONAL SYSTEM. This bill is important because it will spur the development and implementation of policies and procedures to reduce the incidence and transmission of infectious and communicable diseases in the Connecticut Department of Correction ("DOC") facilities.

My testimony will focus on Methicillin-Resistant Staphylococcus Aureus ("MRSA") because it is currently a serious health concern of many people directly involved in our correction system. MRSA is a painful and highly transmissible bacterial infection that is caused by overcrowded living quarters, inadequate sanitation, and poor laundry practices.

As the ACLU-CT attorney charged with monitoring the constitutionality of prison living conditions, I can personally attest to the magnitude of the MRSA epidemic in Connecticut prisons. MRSA and other inmate medical issues are exacerbated by limited resources being shared by an increasing number of inmates. Cases of MRSA are widespread and persistent. Over the last two years, our office has interviewed over two hundred inmates, many who were infected with MRSA. We reviewed many of these inmates' medical files. Further, I have personally viewed inmates with MRSA scars as well as weeping MRSA wounds.

In December 2007, our office expressed concern about MRSA in a letter to Department of Correction in which we stated:

"Multiple inmates also report that both living and common areas are filthy. We have received reports that cleaning supplies are not provided regularly and that inmates are instructed to dilute supplies in order to make enough solution to "clean" the facility. Due to the lack of cleaning supplies, many areas are not sanitized or disinfected.

Predictably, these conditions have led to an epidemic of MRSA. An already understaffed medical staff is servicing a growing population. Inmates requesting a medical visit often have to wait days or weeks to be seen by overtaxed medical staff. Further, there have been reports that many inmates who exhibit symptoms of MRSA are falsely informed that their skin irritation

is a spider bite. Numerous inmates suffered and continue to suffer needlessly from MRSA infections that are not properly diagnosed and treated.”

Unfortunately, despite assurances by the DOC that MRSA is not a problem, the MRSA epidemic rages on. We are concerned with poor MRSA detection which undoubtedly deflates the number of MRSA cases reported and leads to delays in providing adequate medical treatment. Another problem is inappropriate medical advice such as prescribing improper medication, allowing inmates to treat their own wounds, and encouraging inmates to pop puss sacks in the shower. One of the root causes of this problem is the lack of proper personal hygiene, laundry, and cleaning supplies.

Inmate letters, interviews, and medical files lead us to believe that the DOC is deliberately indifferent to inmates' serious medical needs. The Eighth Amendment which forbids “cruel and unusual” punishment is understood to encompass punishments that “involve the unnecessary and wanton infliction of pain.” This amendment is violated in Connecticut prisons on a daily basis.

In a September 10, 2008 article in the Hartford Courant, Brian Garnett, spokesman for the state Department of Correction, tried to minimize the prevalence of MRSA in Connecticut prisons. He falsely asserted that “the correction department has procedures in place to deal with MRSA, including treatment with effective antibiotics, prevention education among inmates and staff training.” House Bill 6342, as well as our experience, makes clear that these procedures are inadequate.

The ACLU-CT supports House Bill 6342, AN ACT CONCERNING DISEASE PREVENTION IN THE CORRECTIONAL SYSTEM. However, this measure could benefit from stronger language that would prevent the DOC from merely rehashing current policy. Please vote in favor of this important and necessary bill. This bill is necessary because it will require the DOC to develop and implement an effective policy to reduce the incidence of infectious disease, including MRSA, in Connecticut prisons and jails. The ACLU-CT is prepared to provide any additional information or assistance to the committee and other interested legislators.