

Class Action Status Allowed in Deaf & Hard of Hearing Inmates' Lawsuit

OCTOBER 13, 2015

Winston's pro bono representation of deaf and hard of hearing inmates in the custody of the Illinois Department of Corrections (IDOC) was featured in a variety of outlets on October 13, 2015, including the *Associated Press*, *Chicago Tribune*, and Bloomberg News. The lawsuit alleges that IDOC violated the statutory and constitutional rights of deaf and hard of hearing inmates by failing to accommodate their disabilities and limitations. On October 11, 2015, a federal judge granted class action status to the lawsuit and denied nearly all aspects of IDOC's motion for summary judgment.

The complaint alleges that IDOC's deaf and hard of hearing inmates are denied adequate access to sign language interpreters, hearing aids, and other accommodations that are required to allow them to communicate effectively while incarcerated. As a result, the suit alleges deaf and hard of hearing inmates in the custody of IDOC face potentially dangerous exclusion and isolation and are denied the means to adequately participate in and communicate during their orientation, emergency procedures, medical examinations and treatment, disciplinary and other hearings, religious services, work and educational programs, and other important aspects of prison life.

"The court properly concluded that we have presented significant proof of systemic violations of the rights of deaf and hard of hearing IDOC inmates, and that our clients should be treated as a collective group that faces similarly unacceptable and dangerous conditions, not merely as individuals facing isolated or unconnected infractions of the law," said Partner Bob Michels, who is leading the Winston team handling the case.

More details on the case are available [here](#). Winston was involved in a similar case brought in Virginia, which [settled a lawsuit in 2010](#) pursuant to an agreement by which Virginia prisoners are now provided certain accommodations needed to allow them to communicate more effectively while incarcerated, including videophones, interpreters, and visual notification of meals.

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