

## Federal judge sanctions Idaho over prison health care case

By REBECCA BOONE, Associated Press

BOISE, Idaho (AP) — A federal judge has sanctioned Idaho for misleading the court about medical and mental health care for inmates.

In the ruling handed down Tuesday, U.S. District Judge David Carter said he was troubled by the degree to which employees at the Idaho State Correctional Institution manipulated medical files and took other steps to make the health care given to inmates seem better than it actually was.

"Attempts to mislead the court strike at the heart of the judicial process and cannot be ignored even if the parties have made progress since then," Carter wrote in his 19-page ruling.

As a result, the Idaho Department of Correction will remain under the court's supervision until at least the fall of 2017, Carter said. The state will also continue to have the burden of proving that the health care given to inmates at the prison south of Boise meets constitutional standards, or face further legal punishment.

The sanctions come in a class-action lawsuit between inmates and the state that has stretched for more than three decades. The inmates had several complaints, including claims that the medical care was so bad that it amounted to cruel and unusual punishment. Over the next 30 years, several of the claims were settled, but the health care issues remained a point of contention.

In 2011, hoping to bring the case to a close, a federal judge appointed an expert in prison medical care called a "special master" to investigate the conditions and report back to the court.

The special master found several problems, and his report set the foundation for negotiations between inmates and prison leaders on what needed to be fixed to close the lawsuit.

Earlier this year, prison officials were optimistic that the case would soon come to an end, and attorneys for the inmates agreed that the state had made substantial progress in fixing some of the problems.

But then a former Idaho Department of Correction employee brought to light new allegations that prison officials had misled the special master by hiding problem inmates, changing medical records and lying about how frequently mentally ill inmates were kept in dry cells without beds, sinks or toilets.

After a two-day hearing, the judge found that the bulk of those allegations were likely true.

"ISCI's pattern of allowing its employees to manipulate inmate medical files before, during and after the special master's visit for inappropriate purposes crosses the line," Carter wrote. "... ISCI attempted to paper over and mislead the special master about the inadequacies of its mental health care system rather than risk a bad finding by the special master, which might have led to a court order to improve their system in a formal and long-standing way."

IDOC Director Kevin Kempf said in a prepared statement that he is disappointed with the court's ruling, and that the department is committed to meeting its constitutional obligation to give adequate health care to inmates.

"This case has been going on for 34 years and we will do everything within our power to bring as quick a resolution to this litigation as possible," Kempf said.

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