

SLUG	Arizona Private Prison Health Care
VERTICAL(S)	Health, Health Care, Incarceration
SUGGESTED HEADLINE	Locked in Pain: Slow progress on court-ordered reform for Arizona prison health care
SHORTENED HEADLINE	Locked in Pain
SEO HEADLINE	Arizona's Response to Prison Health Care Injunction
SUMMARY TEXT	A large portion of staff across all 10 facilities must be filled. Under Centurion in 2021, not a single prison complex in Arizona met the contractual standards for adequate staffing. The department's current private prison contractor, NaphCare, is expected to meet injunctive demands.
SEO KEYWORDS	Arizona, Incarceration, Health Care, private prison, injunction, court-order, Roslyn Silver, ADCRR, Arizona Department of Corrections Reentry and Rehabilitation, Arizona Department of Corrections, Ryan Thornell, NaphCare, Centurion
PHOTOS	 
VIDEOS	N/A
AUDIO	N/A
OTHER ELEMENTS	I have a few physical and digital documents that may need to be added if necessary

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BYLINE Xavier Brathwaite

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PHOENIX – While awaiting his transfer to prison from Maricopa Towers Jail, Darren Sappington became paraplegic after falling from a second story.

The 57-year-old's injuries required multiple surgeries and a 46-day hospitalization before he moved to the Lewis Industrial Prison Complex in Buckeye.

Sappington's incarceration began in October 2021. But since the accident, he said he hasn't seen a pain specialist even after he made multiple requests.

The prison's nursing staff rarely provides weekly checkups. "The nurse practitioner is supposed to see me every week, and I'm lucky if I see her once a month," Sappington said during a phone conversation.

He describes his wheelchair as ill-fitted, and he only gets Tylenol for pain.

Under the Eighth Amendment 'Cruel and Unusual Punishment' clause, inmates have a constitutional right to adequate health care. However, he said the [Arizona Department of Corrections, Rehabilitation and Reentry](#) provides subpar care, and correction officials ignore his basic needs.

"The pain is excruciating. I'm hopeful to walk again, but there is certain treatment that I need to make that happen," Sappington said. "It just seems like they don't care about my well-being."

Arizona has some of the highest imprisonment rates in the country, according to the [Prison Policy Institute](#). Yet, health care personnel are woefully short-staffed to treat the number of inmates requiring their help.

For example, Arizona nonprofit Prison Law Office notes that the Lewis Prison Complex was contractually obligated to have two physicians, but there is not one full-time physician to cover the 4,400 prisoners housed at Lewis.

In fact, the prison system faces intense pressure to improve the quality of health care provided to inmates.

On April 8, U.S. District Court Judge Roslyn Silver issued a permanent order requiring Arizona to make numerous changes, including establishing a three-month window to hire more health care staff.

According to testimony from the latest status conference on Dec. 1, the department has yet to meet any conditions. **However, the court issued comprehensive guidelines with deadlines the department must meet.**

The order stems from a decades-long case, and the plaintiffs' attorneys **previously** said the state is operating in "good faith" to implement changes. **However, one of the biggest barriers to moving forward is hiring permanent, qualified staff, and the judge continues prioritizing that goal.**

Representatives for the corrections department declined to answer direct questions about the case and the status of improvements. However, attorneys for the state said the changes are a work in progress.

Rita Lomio, a trial attorney with the Prison Law Office, the nonprofit law firm representing the incarcerated population in Arizona state prisons, said everyone should want the prison system to treat people so they're healthy and productive.

"That makes us all better, and just continuing to fail them outside prison, in prison, isn't making any of us safer," she said. "It's hurting their families, which they can't support and be part of."

Subhead: Impact to Inmates

Sappington, dubbed "Doodlebug" by his mother, **got to hold his first grandchild before his incarceration.** He is also the youngest of four brothers.

"He's the kind of guy who believed all the good stuff," Sappington's mother, Lyn Ommeren, said as she shifted her pearl necklace in recollection. "He has a heart for goodness."

But dealing with his health conditions now has taken a mental and physical toll. When he fell, Sappington broke 28 bones, one of which put a hole in his spine, leading to his paraplegia.

"I haven't seen a spine doctor since my accident," **Sappington** told his mother **during one of his collect calls from the prison.** "The pain that radiates throughout my hips and my back ... some nights are worse than others."

Prison reform group Middle Ground has stepped in to help facilitate Sappington with better medical care. Inmates have filed grievances with Middle Ground for everything from dental work to kidney stones. However, in greater instances, one email read about Douglas Fields, who had died from mesothelioma, the growth of lung cancer, shortly after serving a four-year sentence. His ex-wife says he didn't get the treatment he deserved.

Diseases and injuries in prison are common. In December alone, about 6,896 inmates contracted Hepatitis C, according to the [Arizona Department of Corrections, Rehabilitation, and Reentry](#). However, only 118 hospital admissions were reported that same month.

After **Sappington's** accident, he was sent to Banner University Hospital for intensive treatment and was discharged to Encompass Health for physical rehabilitation. He and his family **said** Sappington was abruptly relocated to a county jail **just as he was** learning how to treat his condition.

“His medical care came to a screeching halt,” Ommeren said. “There was no more instruction or therapy to teach him how to manage life with no legs and no feeling below his waist.”

Jail officials placed him in solitary confinement for 34 days.

“They kept saying, ‘They had no place to send me. They didn’t know where to send me,’” Sappington said.

Sappington **said he** could not maintain any sense of personal hygiene in solitary confinement. **He said the staff ignored him for long durations.** With no physical access to a shower, he developed skin sores, which became infected. His body was beginning to atrophy.

“It’s sad that I have to wait until I get released to get the proper medical care to be able to walk again,” **Sappington said.** “And I could be doing more damage to my body the longer I wait.”

Sappington has been requesting a pain specialist for over a year. He said he has yet to see one.

Sappington knows he is supposed to be given physical therapy three times a day but relies on inmates to give him a range of motion every night to regulate blood flow.

“Even though I have an order through the nurse practitioner to have a range of motion three times a day for **15** minutes, I don’t receive that,” Sappington said. “So I have an inmate do it because I know how important it is.”

When he was in the hospital, **medical staff provided a custom-fitted wheelchair. When he left,** the Department of Corrections **only allowed a standard wheelchair, Sappington said.** The wheelchair is dilapidated and adds to his pain, he said.

“Instead of providing relief, that prisoner may be … ignored and left to waste away in extended horrifying pain,” said Silver’s Permanent Injunction. “Such a prisoner may end up… suffering from lifelong disabilities because multiple providers failed to diagnose him accurately.”

Sappington has been transferred to four facilities during his incarceration, and each time, the response to his family is the same. The complex doesn’t have the facilities Sappington needs, and they are unsure where to place him.

Subhead: Over 800 pages of Testimony

In 2012, prisoners from 10 state complexes **filed** a lawsuit, accusing the Arizona Department of Corrections of deliberate indifference to health care and indecent neglect within maximum custody units.

The lawsuit first addressed constitutionally inadequate out-of-cell time, social isolation, nutrition, and mental health treatment.

Shortly after **they filed the lawsuit**, the state Legislature required “the privatization of all correctional health services, including all medical and dental services.”

“Private for-profit corporations pose a special risk of neglect,” said Dr. David Fathi, the **director** of ACLU’s National Prison Project. “When the company is paid basically a flat dollar amount, and every dollar that they don’t spend on health care is a dollar they get to keep as profit, that’s an obvious incentive, and it’s a dangerous incentive.”

Centurion of Arizona became the third private prison contractor for the department in 2019, a contract valued at [\\$216 million per year](#). The state extended its contract with Centurion for an additional 15 months despite vacancies in health care staff.

The court imposed performance measures, and the department just needed to achieve and maintain 85% compliance.

But that didn’t happen.

“They never had to be perfect,” said Donna Hamm, director of Middle Ground. “They just had to do their job. 85% of the time, they never even got close.”

From 2016 to 2020, the court implemented monitors to track the performance measures of the Department of Corrections. The monitors analyzed staffing procedures, including staffing vacancies, the amount of time worked, and mental health services.

Prison advocates and attorneys said **they consistently struggle** to get answers from the department, **and they’re frustrated by the lack of transparency**. Plaintiffs filed 12 motions to enforce stipulations, and the court twice held the Department of Corrections in contempt.

“It was at my most contentious case. We could not get a straight answer. We could not get a true answer,” Lomio said. “Everything had to be a fight in court. It just ran up the legal bills on both sides, and nothing really improved, and some things got worse. It was awful.”

In [2021](#), “the Court concluded defendants had consistently refused to perform the obligations under the stipulation,” as stated in the permanent order by Silver.

A trial hearing was pursued. Attorneys, activists, inmates, health care personnel and **court** monitors included over 800 pages of proposed findings and written and verbal testimony. Here is what the court deemed from those findings.

Subhead: Temporary Staffing: A Dangerous Stopgap in Arizona's Prison System

A large portion of **health care** staff across all facilities needs to be filled. Under Centurion in 2021, not one prison complex in Arizona met the contractual standards for adequate staffing, **according to the permanent injunction**. The department's current private prison contractor, NaphCare, is expected to meet injunctive demands.

Under Centurion, three complexes, including Douglas, Safford, and Winslow, did not “require” a staff physician. According to the injunction, Lewis and Phoenix do not have their staff physicians filled, and Florence and Tuscon are understaffed by half.

Monitors, **health care experts overseeing the state's compliance**, argue that there is more emphasis on hiring nursing staff than on licensed practitioners who administer medication and can diagnose patients with specific treatment methods.

Dr. Todd Wicox, an expert in medical care, testified, “By design, health care decisions in the [Arizona Department of Corrections system] are pushed down to the lowest possible level – nurses who are practicing poorly and far outside the scope of their licenses.”

There are simply not enough higher-level providers, such as physicians who can meet with inmates, especially in prisons in rural areas **such as** Lewis in Eyman.

As of XXX, the department had 928 filled FTE positions across all complexes, with 1,188 required. A 78% fill rate of hired health care staff, according to the attorney for the state, Dan Struck, during the most recent status conference hearing. These numbers include hired part-time staff and do not consider overtime hours, which may diminish the quality of care provided.

Similarly, within the six months stipulated by Silver, only 68% of 22 additional positions have been filled. These positions include psychiatric prescribers and mental health associates.

A status report by the Department under court order projects it will have all positions filled at the end of March 2026.

“I don't think [Judge Silver is] going to give the state an infinite amount of time,” Fathi said. “[The three to six-month time parameters] were deadlines that were approved by the monitors, that they thought were realistic.”

Attorneys contest that the demands highlighted in the injunction are certainly attainable. Yet, roadblocks remain, and Arizona's industrial prison complex struggles to maintain those positions due to high turnover with temporary staff.

“Using temporary staff is an interim measure, a Band-Aid but a dangerous one,” Lomio said. “You have more opportunities for mistakes in this field. Mistakes can cost lives or cause severe and enduring injury.”

Naphcare Arizona CEO Todd Crawford **said** hiring is challenging because most people don't want to work in prison.

“No one is knocking down the door to come work in a prison,” Crawford said. “We are all hands on deck with hiring.”

While working in prisons across the state, Crawford acknowledged his experience working on-site at various prison facilities across Arizona. He often noticed “simple fixes” regarding staff care delivery to inmates, which were sidestepped. This perpetual cycle leads to grievances from inmates and their families.

“The door can shut quickly in a prison setting where someone says, ‘No, that can't happen. We can't do it that way,’” Crawford said. “Anyone who works in a prison environment, you become institutionalized. You have to have someone constantly remind you, ‘What are you really doing?’”

Although nurse staff can quickly dismiss further levels of care to inmates who desperately need it, these barriers are not insurmountable. Vincent Gales worked in the Maricopa County jail system for 15 years before becoming the Vice President of Nursing at NaphCare. He thinks there has always been room for improvement.

“I'm a public health nurse. That's my passion. If you want to take care of the underserved, this is where you need to come,” Gales said. “We may not be perfect, but we will always have a perfect effort.”

Fathi **said** negative hiring trends were consistent throughout the trial.

“[Correctional institutions] tend not to hire enough doctors and psychiatrists and try to push those tasks down onto other staff who are less expensive, like nurses or physician assistants or master's level mental health people,” Fathi explains. “Now, all of those people have an appropriate role to play in the system, but they're not psychiatrists; they're not physicians.”

NaphCare is losing money due to hiring enough staff to provide adequate health care. The Arizona Department of Corrections [projects](#) a health care deficit of \$11.9 million for the 2024 Fiscal Year.

“We're not willing to give up the quality of our health care,” Crawford explains. “Someone who's been hurt by a health care system that was broken needs extra attention and advocacy at the highest level.”

Subhead: Darren's Dilemma

Now, Darren wonders if he'll ever be able to build back the nervous system in his legs to take one more step forward – one more step into the free world with his family, who remain supportive.

“I'm thankful I have a family that supports me like they do,” Sappington said. “I couldn't ask for a better family.” According to his mother, Sappington also receives visitations from his family and monthly payments from his brother.

Lyn Ommeren struggled to find solutions for her son to receive adequate care for his injuries. Then, she met Donna Hamm. Hamm pressured the Department of Corrections and demanded acceptable care for Darren.

Darren received some treatment; however, this didn't last long.

“What I have told every director that I've ever met with is, put me out of business. Make it so there isn't a need for a prison reform watchdog agency,” said Donna Hamm. “And, of course, that's never happened.”

For Darren, the biggest issue continues to be the lack of being able to meet with a doctor to check on how he is healing. Attorneys and prison advocates contest that “good faith efforts” are shown for meeting injunctive demands. **Some of these “efforts” include medication-assisted treatment for Hepatitis C and access to more mental health services.** Yet, so many individuals continue to face the repercussions of a health care system that has failed them.

Subhead: Civil Case Remains in Limbo

Gov. Katie Hobbs launched The Independent Prison Oversight Commission, composed of senators, lawmakers, and experts in health care, to monitor the state's prison system and track their compliance.

Crawford **said** NaphCare waits for the Department of Corrections to sign off on a new health care delivery plan. Since September, NaphCare has been ready for the Arizona Department of Corrections director Ryan Thornell's signature.

Since his leadership, Thornell's new role in the Department of Corrections has been commended by prison rights advocates and court members.

"It's been a real difference," Lomio **said**. "Instead of fighting the fact that there is a problem, [they are] recognizing that there is a problem and looking for solutions, which is a place we never were before."

"Ryan Thornell, the new director, says all the right things," Hamm **said**. "He says he is absolutely committed to compliance. Let's see how much he devotes to that."

Thornell and NaphCare **said they** are attempting to correct the misconduct that has persisted in Arizona's correctional facilities for over a decade; however, if further delays to injunctive demands continue, the court may find receivership as the only option. Although Thornell's new leadership was enacted in January of this year, at some point, the court may need to take a step back and ask if this approach is working.

"This lawsuit just celebrated its 11th birthday in March, and at some point, you have to say, 'OK this isn't working, let's try something else,'" Fathi said. "At some point, we have to consider more intrusive remedies like a receivership where someone answerable to the court temporarily takes over the management of the health care system."

DEPTH REPORTING ACCURACY CHECKLIST

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- PERSONAL NAMES, PRONOUNS** Get the correct spelling, pronunciation and pronoun. Accent marks are not optional. Use the correct surname on second reference.

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- AGES** Get the date of birth and do the math.
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This list has been adapted from NPR Training (training.npr.org)

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For the first photo:

A photograph of Darren Sappington and his firstborn grandchild, taken just before his incarceration. *Photo provided by Lyn Van Ommeren*



For the second photo:

Darren Sappington and his daughter, 20 years ago. *Photo provided by Lyn Van Ommeren*