Swine Flu Scare Leads to Unrest at Overcrowded Massachusetts Jail

by Matt Clarke

On July 5, 2009, prisoners at the Middlesex County Jail in Cambridge, Massachusetts staged a disturbance after 11 prisoners and 2 guards presented flu-like symptoms and hospital discharge papers for one prisoner indicated probable H1N1 (swine flu). [See: PLN, Feb. 2010, p.1]. However, the Sheriff, jail officials and prisoner advocates said the root cause of the riot was overcrowding.

The 38-year-old jail occupies the 17th through 20th floors of the 22-story Edward J. Sullivan Courthouse, which is vacant except for the jail and the Sheriff’s Department. The facility was built to hold 160 prisoners, but the population routinely exceeds 400. The chapel, indoor gym, visitation room and some hallways have been converted to sleeping areas. On the day of the disturbance, the population stood at 403.

“The fact of the matter is the jails are brutally overcrowded in Middlesex County,” said Boston attorney David W. White, Jr., chair of the state bar association task force that released an April 2008 report on overcrowding. The report also noted that jail populations in Bristol, Essex and Suffolk Counties were well above their capacities.

According to the report, statewide jail populations increased 522% between 1980 and 2008 while Massachusetts’ prison system experienced a 368% population increase, resulting in overcrowded state facilities. The total number of prisoners in the state’s jails and prisons exceeds 25,000.

The seeds of the July 5, 2009 disturbance were sown when a prisoner exhibiting flu symptoms was taken to Massachusetts General Hospital on June 30. After he was treated, the prisoner was given discharge papers indicating a probable H1N1 infection. Upon being returned to the jail he was quarantined and treated with Tamiflu.

On July 4, ten other prisoners were quarantined with flu-like symptoms and treated with Tamiflu. Two guards also presented similar symptoms. None of the other cases was confirmed as swine flu.

The next day, nine prisoners who were concerned about rumors of a swine flu outbreak began “throwing paper and trash.” Some broke sprinkler heads and pipes using a wooden bench, which caused extensive flooding. The power had to be cut off for a day and 193 prisoners were temporarily evacuated to jails in Essex, Norfolk, Plymouth and Suffolk Counties and the Middlesex House of Correction.

About 1,000 doses of Tamiflu were provided to jail officials in the wake of the disturbance, and by July 10, 2009 no prisoners or guards had flu-like symptoms. Four prisoners face malicious destruction of property charges as a result of the uprising.

The flooding caused damaged ceiling tiles and disabled elevators, and the cost of repairs was estimated at $400,000 or more. The Edward J. Sullivan Courthouse had been undergoing renovations at the time, including asbestos removal, which had proved to be excessively expensive. There are now plans to remove all of the remaining prisoners and relocate the jail.


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