

# 2022

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# Annual REPORT



Pennsylvania Institutional  
Law Project

[www.pilp.org](http://www.pilp.org)

# TABLE OF CONTENTS

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Introduction.....	2
PILP Staff & Board.....	4
A Historic Victory!.....	6
Philly's Deplorable Jails.....	8
MOUD in Pennsylvania Prisons.....	10
Fayette County Class Action Settlement.....	12
Supporter Appreciation.....	14
2021/22 Finances.....	18
Take Action.....	19

# INTRO

By Su Ming Yeh, *Executive Director*

Dear Friends and Colleagues,

The year 2022 continued to be a challenge for those who are incarcerated and detained. While many of us in the community saw pandemic restrictions lift, those who are incarcerated continue to face the ongoing consequences of the pandemic. Various restrictions on daily living and limited access to necessary services remain, as suffering due to lockdowns, severe delays in medical care, lack of programming, and curtailment of contact with family and friends persists. This past year, PILP provided legal advice, advocacy, and representation to help those in greatest need.

At the same time, litigation picked up, with the Pennsylvania Institutional Law Project (PILP) settling multiple cases, providing resolution and relief for a number of clients.

For example, PILP and its legal partners settled the class action against the Philadelphia Department of Prisons that sought to combat severe lockdowns that confine people to a small cell for hours on end, delays in access to medical and mental health care, lack of due process before disciplinary punishment is imposed, and an increase in violence and deaths in the jail system, among other things. A key component to the settlement was the appointment of a Court Monitor, who has since issued several reports regarding the status of the City of Philadelphia's progress in meeting the terms of the settlement agreement. These reports and a short summary can be read on PILP's website. PILP continues to monitor the situation at the Philadelphia jails.

PILP and its partners also settled two other class action cases. One class action was against the Allegheny County Jail regarding the protection of incarcerated people against COVID-19 as well as related jail conditions. The other was a case against Fayette County Prison relating to its dilapidated conditions of confinement that impacted both the people incarcerated and the people who worked there.

PILP settled a number of other cases on behalf of individual clients. These cases included the lack of proper medical care for diabetes, chronic pain and mobility limitations, and a hernia. PILP also settled cases relating to religious accommodations for one client, placement in restraints while in a "dry cell," and a woman who was shackled while pregnant. PILP has also worked on representing people with serious mental illness who are placed in solitary confinement and other severe restrictive conditions, and both through a lawsuit and legal advocacy, provided pathways out of these damaging and restrictive conditions for several clients.



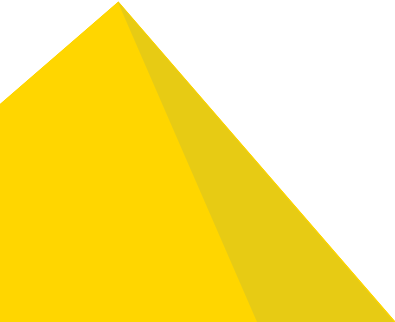


This year, PILP has advanced access to medical care through cutting-edge advocacy and litigation. We assisted a client in obtaining the first gender-affirming surgery in the history of the Pennsylvania Department of Corrections, and we have worked to increase access to medication for opioid use disorder (MOUD) among the incarcerated population. We published a statewide report on the status of MOUD in Pennsylvania prisons and jails that has been cited in various news reports and spurred discussions at several county jails. The report is available at: <https://pilp.org/moud>

PILP continues to advocate and litigate on behalf of incarcerated people, defending their constitutional and civil rights, whether they experienced assault, abuse, punitive solitary confinement, denial of medical or mental health care, or religious accommodations. We thank you for your continued support in fighting against the inhumane conditions that are pervasive in prisons, jails, and immigration detention centers, which your help enables us to do.

Sincerely,

Su Ming Yeh  
Executive Director





# PILP STAFF & BOARD

The Pennsylvania Institutional Law Project has three locations covering the eastern, central, and western regions. Our Headquarters are located in the Eastern Office in Philadelphia.

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Matthew A. Feldman, Esq. - Supervising Attorney  
Michael T. Bailey, Esq. - Intake Attorney  
Sarah Bleiberg Bellos, Esq. - Staff Attorney  
Ben Bowens - Communications Manager  
Calysta Xenakes - Legal Assistant  
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Evangeline Wright - Staff Attorney

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# PILP'S NEW STAFF & FELLOWS



Sarah Bleiberg Bellos



Richardo Brown-Whitt



Evangeline Wright

Throughout the course of 2022, the Pennsylvania Institutional Law Project hired three new attorneys to work in the various offices across the state. Sarah Bleiberg Bellos is an Independence Fellow working on issues related to access to medication for opioid use disorder in jails and prisons. Richardo K. Brown-Whitt, MLK Fellow, received his J.D. in May of 2021, from Wake Forest University School of Law. Evangeline Wright is an attorney joining the Central Pennsylvania office. Prior to joining PILP, she worked for several years at MidPenn Legal Services, providing free civil legal services for housing, consumer, and family law issues to low-income residents and domestic violence and sexual assault survivors in Central Pennsylvania.



In June of 2022, PILP Staff attended a retreat in Bedford Springs, PA.

# A HISTORIC VICTORY!

by Alexandra Morgan-Kurtz, Managing Attorney

In the U.S., one in six transgender people, and one in two Black transgender people have spent time in jail or prison. Despite this, carceral institutions are almost universally unprepared to ensure the safety and meet the medical needs of incarcerated transgender people. For example, the Pennsylvania Department of Corrections (PA DOC) primarily houses individuals based solely on their gender assigned at birth. In addition, they have a complicated policy requiring the permission of a central office committee, who do not provide any direct medical treatment to incarcerated individuals, to approve access to gender-affirming care.

Not all transgender people have gender dysphoria, but for those that do, treatment is absolutely necessary. When not properly treated, gender dysphoria is often associated with depression, substance abuse, self-mutilation, suicidal ideations, and ultimately suicide. Denying treatment for gender dysphoria is the same as denying treatment for diabetes, asthma, or any other medical condition. Treatment for gender dysphoria can include social transitioning (identifying publicly as their gender, wearing clothes, and utilizing toiletries frequently associated with their gender), hormone therapy, and for some, gender-affirming surgery.

Date Received: 10/19/2022 07:47 PM CDT

Subject: it happened.

I had surgery today, still cant believe its true. Thank you all at PILP for making this happen. I feel incredible and grateful, and also a bit nauseated, haha. When you know, pls tell how many had surgery before me. Thank you!!!



Date Received: 10/20/2022 12:49 PM CDT

Subject: RE:it happened.

Sorry my last email was so short. I was still woozy and nauseous from anesthesia. I feel a bit better today. I wont get to see it till tuesday since thats my followup with dr. Parent and he will take off the bandages. I meant it when i said that this wouldnt have gotten done without all of you. For years PILP has been the only ones on my side, you gave me hope and a reason to keep fighting when everyone was against me. you made me feel like i was worth your time and energy, when most the staff were systematically degrading me to make me feel less than human. Even though i know im going to have to face abundant backlash on this, no one can take this from me. When i am able to find a mirror, i know that it will finally be me who will be looking back. Thank you all for tirelessly championing the rights of those of us who are existing on the margain. thank you for showing me i matter.You can use anything i said or wrote for your purposes. Thank you!!!

PILP has advocated for multiple transgender clients, including Sam Doe, a nonbinary person currently incarcerated at SCI Cambridge Springs. Sam Doe was among the first individuals at SCI Cambridge Springs to receive access to hormone therapy and has faced an uphill battle at every step of the process, ultimately resulting in an act of self-mutilation. Notwithstanding years of documented self-harm and increasing distress with their body, the DOC relied on their central office committee to repeatedly deny further care to Mx. Doe.

In 2020, PILP filed a lawsuit on behalf of Sam Doe seeking access to a transgender specialist, gender-affirming surgery, and other accommodations for their gender dysphoria. After the case survived a motion to dismiss, the DOC reevaluated Mx. Doe's request for top surgery. Finally, over five years after their first request, in October 2022, Mx. Doe became the first person incarcerated in the Pennsylvania Department of Corrections to receive any form of gender-affirming surgery. This was a life-changing victory for Mx. Doe, and since their top surgery, PILP has received word that others at SCI Cambridge Springs have also begun to receive approval for similar surgeries. The litigation on behalf of Mx. Doe continues, as they still face issues with their testosterone and have not had access to a specialist to advise them on their treatment options for other issues causing them severe dysphoria. The DOC has also still not approved any gender-affirming surgery to the many transwomen in their custody. There is still a long way to go for transgender people in the PA DOC seeking medical care, but this victory has provided a beacon of hope to many.



# PHILLY'S DEPLORABLE JAILS

by Su Ming Yeh, Executive Director

NEWS



## Philly prison officials agree to an independent monitor and hiring bonuses to settle class-action lawsuit

The administrators of the Northeast Philadelphia jail complex, which houses about 4,300 people, did not admit to any civil-rights violations in the agreement.



After several years of time-intensive litigation seeking humane and safe conditions at the Philadelphia Department of Prisons, PILP, and its legal partners reached a final settlement in *Remick v. Philadelphia*, 20 Civ. 1959 (E.D. Pa), which the U.S. District Court approved in July 2022. This case was litigated by PILP, Kairys Rudovsky, Messing, Feinberg & Lin, Abolitionist Law Center, and Dechert LLP. When the lawsuit was filed in April 2020, the legal team sought protections against COVID-19 and to ensure humane conditions while people were incarcerated during the pandemic.



# PHILLY'S DEPLORABLE JAILS

by Su Ming Yeh, Executive Director

During much of the case, the Philadelphia jails not only failed to provide basics such as soap and masks but were holding people in cells over 23 hours a day, allowing only 15 minutes a day of out-of-cell time to take a shower or call their family or friends. As the pandemic continued on, the Remick legal team fought to reduce and eliminate these solitary confinement conditions, make the COVID-19 vaccines available to all people incarcerated in the Philly jails, reduce the long delays and other barriers to medical and mental health care, ensure due process before placement in disciplinary segregation, and increase the ability for incarcerated people to talk and visit with their families. The legal team also worked to ensure incarcerated people had access to the courts and lawyers and sought policies and protocols to ensure people were safe from violence.

During the case, PILP and its partners operated a confidential free hotline that incarcerated people in the Philadelphia jails could call about the conditions. The Court also held status conferences every other week for over two years.

One key component of the settlement agreement was a Court Monitor. The Court Monitor, Cathleen Beltz, and her team have since issued two (2) reports. Unfortunately, these contain concerning accounts of the lack of progress towards meeting the conditions of the settlement agreement. The legal team continues to monitor and assess the situation.

You can read the Monitor Reports and more concise summaries of the reports here: [pilp.org/legal-docket/remick](http://pilp.org/legal-docket/remick)

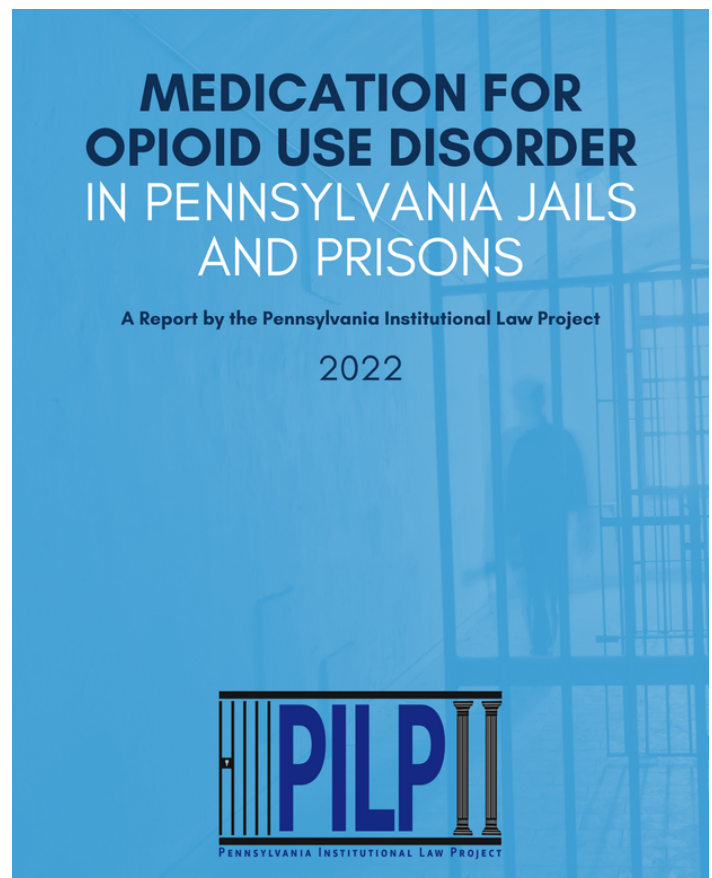


# MOUD IN PRISONS

by Sarah Bleiberg Bellos, Staff Attorney

PILP continues to work to expand access to medications for opioid use disorder (MOUD), including methadone and buprenorphine, for incarcerated people across Pennsylvania. The opioid overdose epidemic, exacerbated by the coronavirus pandemic, has devastated Pennsylvania for years, and hits people in jails and prisons particularly hard. Despite a constitutional right to medical care while incarcerated and the availability of effective medical treatment, people face numerous challenges in obtaining treatment for opioid use disorder, even though jails and prisons have a unique opportunity to address this ongoing epidemic.

In 2022, in partnership with Vital Strategies, PILP released a study on the availability of MOUD in jails and prisons in Pennsylvania. PILP's study found that that 68% of jails either do not provide MOUD or only provide it in very limited circumstances. Some will provide MOUD only to people who are pregnant during the pregnancy. Others offer only naltrexone (a less effective medication), and often offer it only shortly before someone is released. Of the jails that do provide these medications to more people, the vast majority only offer them to people who were already prescribed



# MOUD IN PRISONS

by Sarah Bleiberg Bellos, Staff Attorney

them prior to their incarceration. This practice leaves out individuals who may have difficulty accessing health care on the outside, often those who are already the most vulnerable. PILP's study also reviewed the myriad of issues that occur, even at jails with robust MOUD programs, such as taking people off their medication for unrelated disciplinary reasons or providing an inadequate dose.

PILP works with people across the state in county jails, and state and federal prisons to advocate for access to MOUD, both by advising individuals on their legal rights and through our own advocacy with jails and prisons. In 2022, PILP sent advocacy letters on behalf of three individuals, as well as a letter to the Philadelphia jails on behalf of hundreds of people who were being denied medication. PILP also continues to litigate a case in federal court on behalf of Shaun Strickland, who had been successfully in treatment for opioid use disorder but was denied methadone when he was incarcerated at George W. Hill Correctional Facility in Delaware County, *Strickland v. Delaware County et al.*, No. 21-4141, (E.D. Pa., September 17, 2021).

NEWS

## Addiction medication in Pennsylvania's jails is often inadequate or nonexistent, new report finds

Opioid addiction treatment varies across Pennsylvania's 62 county jails. Researchers found the scattershot access puts incarcerated people at risk for overdose when released.



PENNSYLVANIA  
INSTITUTIONAL  
LAW PROJECT



### STRICKLAND v. DELAWARE COUNTY

A lawsuit against George W. Hill Correctional Facility on behalf of a man who is being denied adequate treatment for his opioid use disorder (OUD). Shawn Strickland, 40, who has been diagnosed with OUD, was detained at George W. Hill Correctional Facility on August 6, 2021. Since then, the jail has refused to provide him his lifesaving prescribed methadone, a medication for opioid use disorder, which he has been on since 2010, even though the jail routinely provides this medication to pregnant people.

#### UPDATE

April 2022

PILP received a favorable opinion from the Court denying the Defendants' Motions to Dismiss. As a result of this Opinion, we will proceed to the next phase of litigation. Of particular interest is where the Court noted that the Plaintiff "asked for medically accepted treatment and was denied pursuant to an official policy" and "properly alleged a constitutional violation traceable to Delaware County and the GEO Group."

# FAYETTE COUNTY CLASS ACTION SETTLEMENT

by Julianna Brown, Paralegal

After several years of investigation and litigation, a much-needed settlement was reached in the case of *Arison v. Fayette County*, 2:18-cv-0845 (W.D. Pa), PILP's class action lawsuit against Fayette County Prison for inhumane living conditions.

This case was brought by PILP, the ACLU of Pennsylvania, and Blank Rome LLP, on behalf of all current and future individuals incarcerated at the jail experiencing deplorable conditions, including lack of adequate plumbing, insufficient heating and cooling, pest infestations and general filthy conditions.

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MIRANDA ARISON, MALCOLM DYER,  
DANTE RIPLEY, and CHARLES SMITH,  
JR., on behalf of themselves and all others  
similarly situated,

Plaintiffs,

v.

FAYETTE COUNTY, PENNSYLVANIA,

Defendant.

Civil Action No. 2:18-cv-00845-MPK

MAGISTRATE JUDGE MAUREEN P.  
KELLY

**SETTLEMENT AGREEMENT**

This Settlement Agreement ("Agreement") is entered into this 10<sup>th</sup> day of June 2022 (the "Effective Date") by and between Plaintiffs Miranda Arison, Malcolm Dyer, Dante Ripley, and Charles Smith, Jr. (collectively, "Plaintiffs") and Defendant Fayette County, Pennsylvania ("County").

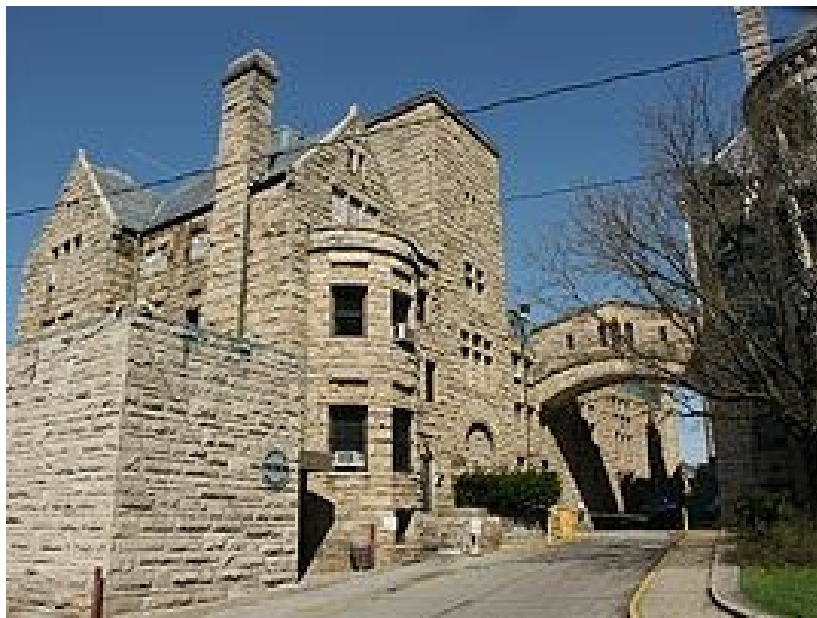
WHEREAS, on June 26, 2018, Plaintiffs filed the above-captioned lawsuit (the "Lawsuit") alleging that the County was violating their Fourteenth Amendment rights by subjecting them to unlawful conditions of confinement at the Fayette County Prison ("FCP," defined below).

# FAYETTE COUNTY CLASS ACTION

by Julianna Brown, Paralegal

The settlement agreement sought to improve the horrific conditions for the incarcerated people while a new facility was built. Notably, Fayette County agreed to limit the prison population to 180 people. The county also agreed to ensure temperatures inside the prison remain within acceptable ranges and to test and report temperatures biweekly. Furthermore, the agreement required that Fayette County limit the use of plastic cots that were placed in common areas and were frequently used as temporary beds.

A ribbon cutting for the new facility was held in May 2023, and it is anticipated that individuals will be transferred from the old facility this fall. Through this litigation, PILP was able to shed light on the dire situation within the prison and ensure that county officials paid attention to the harms being experienced by their incarcerated community members.



Fayette County Prison



# THANK YOU

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Many thanks to the following funders, donors, and supporters in FY 2021-2022.

*We deeply appreciate every single donation that make our work possible.*

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Pennsylvania Legal Aid Network  
Philadelphia Bar Foundation  
Philadelphia Foundation  
Vital Strategies

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PILP client Kerry Marshall

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PILP legal assistant Chester Hollman III recognized by the Urban League of Philadelphia

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# FINANCIAL STATEMENT

## PENNSYLVANIA INSTITUTIONAL LAW PROJECT

### STATEMENTS OF FINANCIAL POSITION

JUNE 30, 2022 AND 2021

	2022	2021
<b>Assets</b>		
Cash and cash equivalents	\$ 1,239,857	\$ 1,378,294
Client escrow funds	97,302	702
Accounts receivable:		
PLAN	45,712	31,182
Other	139,620	-
Prepaid expenses	27,354	24,860
<b>Total Assets</b>	<b>\$ 1,549,845</b>	<b>\$ 1,435,038</b>
<b>Liabilities and Net Assets</b>		
Liabilities:		
Accounts payable and accrued expenses	\$ 106,559	\$ 118,589
Accrued compensated absences	40,719	32,793
Client trust deposits	97,102	502
Loan payable	-	157,600
Refundable advances	153,142	444,367
<b>Total Liabilities</b>	<b>397,522</b>	<b>753,851</b>
Net Assets:		
Without donor restrictions	1,132,323	661,187
With donor restrictions	20,000	20,000
<b>Total Net Assets</b>	<b>1,152,323</b>	<b>681,187</b>
<b>Total Liabilities and Net Assets</b>	<b>\$ 1,549,845</b>	<b>\$ 1,435,038</b>



The Pennsylvania Institutional Law Project (PILP) is dedicated to advancing the constitutional and civil rights of people incarcerated and detained in Pennsylvania through legal assistance, advocacy, and litigation.

PILP is a non-profit organization and the only civil statewide legal aid agency focused on incarcerated people in Pennsylvania. We provide all of our services at no cost to our clients.

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Website: [www.pilp.org](http://www.pilp.org)

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