

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
TERRE HAUTE DIVISION

JAUSTON HUERTA, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	No. 2:16-cv-397-JMS-MJD
	)	
JOHN PLASSE, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**Motion for Further Status Report to Address COVID-19 and the Vigo County Jail**

Plaintiffs, by class counsel, say that:

- 1 Local media, in a December 9, 2020 post, noted that 102 prisoners in the Jail have COVID-19. WTHI-TV 10, *Vigo County Sheriff John Plasse just confirmed that 102 inmates inside the Vigo County Jail have COVID-19*, Dec. 9, 2020 <https://www.wthitv.com/content/news/Sheriff-102-Vigo-County-inmates-have-COVID-19-573350341.html> (last visited Dec. 13, 2020).
2. The Sheriff has commented that “[w]e can’t afford to get that [COVID-19] in there because I know we are overcrowded.” WTHI-TV 10, *Vigo County Jail goes to lockdown as it deals with COVID-19 outbreak*, Dec. 10, 2020, <https://www.wthitv.com/content/news/Vigo-County-Jail-goes-to-lockdown-as-it-deals-with-COVID-19-outbreak-573359371.html> (last visited Dec. 14, 2020).
3. At least one prisoner has died recently who tested positive for COVID-19. *Id.*

4. According to local media, the Indiana State Department of Health has made recommendations that the Sheriff has indicated he has now implemented concerning COVID-19 issues and the Jail population. Tribune Star, *Vigo jail has 104 cases of COVID-19 – Sheriff: Health department and CDC guidelines were, are being filed*, Dec. 9, 2020, [https://www.tribstar.com/news/local\\_news/vigo-jail-has-104-cases-of-covid-19/article\\_6ae93403-534d-5eb4-8ad3-ab7ff2d0c73c.html](https://www.tribstar.com/news/local_news/vigo-jail-has-104-cases-of-covid-19/article_6ae93403-534d-5eb4-8ad3-ab7ff2d0c73c.html) (last visited Dec. 13, 2020).

5. The Jail remains overcapacity. The Jail reported 296 prisoners in the facility on this date. The Jail has only 267 permanent beds. (Dkt. 146 at 4).

6. Undersigned counsel understand the difficulties that society at large has had in controlling the ravages of the novel coronavirus and that these difficulties are compounded in an institutional setting.

7. However, in order to ensure that the safety of the Jail prisoners is safeguarded to the greatest extent possible, defendants should be ordered to file, as soon as practicable, a status report addressing:

- the number of prisoners who have been infected with the disease, including where infected prisoners are housed in the Jail;
- what type of medical attention have those prisoners received and what will be received in the future if changes are being made in treatment protocols;
- the specific steps being taken to protect prisoners who are not infected, including where noninfected prisoners are being housed in the Jail;
- the results of the Board of Health visit to the Jail, its recommendations, and the steps being taken to implement the recommendations;

- any and all COVID-19 protocols currently in place at the Jail;
- whether or not any prisoners have been transported to hospitals for emergency care or special treatment related to the coronavirus or its symptoms;
- all other pertinent issues relating to the disease and the Jail's population.

WHEREFORE, plaintiffs request that this Court order this further status report to be filed as soon as practicable, and for the above information to be incorporated into all future status reports, and for all other proper relief.

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