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 17th February, 2012 | Southern Center for Human Rights

Settlement Reached In Lawsuit Filed Against Georgia Department of Corrections Officers for Alleged Beating of Handcuffed Prisoners At Hays State Prison

ROME, GEORGIA – Four prisoners who alleged that they sustained injuries after being assaulted by correctional personnel have settled their lawsuit against officers of the Georgia Department of Corrections (GDC). The settlement resolves the civil rights lawsuit, *Nwakanma v. Clark*, 4:11-cv-00188 (N.D. Ga.), filed in July 2011, which was jointly dismissed by the parties today. The settlement provides for a total payment of \$93,000 by the Defendants and requires the State to provide certain medical care to the injured inmates.

The Plaintiffs in the case were Miracle Nwakanma, Cornelius Spencer, Eric Towns, and Gregory Haines.

The four men alleged that on August 12, 2010, they were subjected to retaliatory beatings by members of the GDC's Correctional Emergency Response Team (CERT) and other officers. Specifically, in their lawsuit the Plaintiffs alleged:

- While handcuffed, **Miracle Nwakanma** was punched, stomped on, kicked in the groin and face, struck with a flashlight, hit with batons, and beaten until he was unconscious. He suffered injuries including splintered teeth, a fractured toe, a fractured jaw, and possible neurological damage. Oral surgery was later required to repair the damage to his face.
- While handcuffed, **Cornelius Spencer** was punched, kicked, and beaten with a baton-like instrument until he vomited and lost consciousness. Mr. Spencer suffered a baseball-sized hematoma to the head, a fractured toe, and other injuries.
- While **Eric Towns** was handcuffed, officers kicked him in the head, beat him with a baton on his bare feet, and struck him with a baton in the head until he was unconscious.
- While handcuffed, **Gregory Haines** was punched, kneed in the face, and kicked in the face.

"As the United States Supreme Court has stated, being violently assaulted in prison is not part of the penalty that incarcerated persons pay for their offenses against society," said attorney Atteyah Hollie with the Southern Center for Human Rights.

This is the second time that SCHR has sued Hays State Prison officials for assaults on prisoners. In 1997, SCHR settled a civil rights lawsuit on behalf of fourteen men who were subjected to unprovoked beatings during a prison "shakedown" led by former GDC Commissioner Wayne Garner.

The plaintiffs in *Nwakanma v. Clark* were represented by attorneys at the Southern Center for Human Rights and Hunton & Williams LLP.

For additional information, contact Kathryn Hamoudah at 404/688-1202 or khamoudah@schr.org

Judge Clears Way for La Grady County "Money-Is-Scheme" Case

20th August 2014

On August 20, 2014, the Southern Center for Human Rights received a great order seeking the return of so-called "admission costs" that were illegally collected from small county in South Georgia.

Process for Selecting Circuit Public Defender Reopened After Challenger Sham Process

23rd September 2014

Atlanta, GA – On September 16, 2014, officials announced that they would accept applications for the position of Circuit Public Defender and receive applications on October 17. The announcement came after attorneys with the Southern Center for Human Rights (SCHR) and Arnold & Porter LLP representing children and adults accused in *N.P. ex rel Darden v. Georgia*, filed a motion on August 25 challenging the process of a new public defender on August 25 followed by an after-the-fact sham process.

Fresh off the Presses: 2 Human Rights Report