

# Theodore Howard Recognized by Legal Aid Justice Center for Defending Inmates' Rights in Landmark Pro Bono Case

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May 7, 2015

Wiley Rein Pro Bono Partner Theodore A. Howard was recognized by the Legal Aid Justice Center (LAJC) of Charlottesville, Virginia, for his outstanding work defending the constitutional rights of prisoners at the Fluvanna Correctional Center for Women (FCCW). The nonprofit organization recently ran a feature article about Mr. Howard as part of its 2014 Annual Report, noting that he had spent six years and thousands of hours on a landmark pro bono case that changed the lives of 1,200 women at the facility.

Mr. Howard led the Wiley Rein team that negotiated a favorable December 2014 settlement for the women after several years of contentious litigation. The class action lawsuit had been filed on the inmates' behalf by Wiley Rein, the LAJC, and the Washington Lawyers' Committee for Civil Rights and Urban Affairs.

The suit alleged that the Virginia Department of Corrections (VDOC) and its private, for-profit medical care contractors violated the female inmates' constitutional rights by failing to provide adequate medical care in contravention of the Eighth Amendment prohibition against "cruel and unusual punishment." Some of the women had been diagnosed with serious illnesses, including cancer, but were never treated, and most suffered from long-term medical neglect.

"The conditions under which people are incarcerated generally are abysmal," Mr. Howard, a member of the LAJC's advisory council, said in the article. "A thing as fundamental as not being able to resolve health problems exponentially worsens those conditions. It can feel like hell. There were all these women with all these issues and

## Related Professionals

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## Practice Areas

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nobody to care for them. It just seemed like something really important that needed to be done.”

The settlement provided a framework for significant reforms of the medical care at FCCW. It also outlined a process for the parties to jointly review and revise VDOC policies regarding health care that are applicable in all of its prisons, and directed the parties to nominate a court-appointed monitor to oversee the medical care provided at FCCW going forward.

“The agreement will finally grant dignity to 1,200 women who have only asked for fair treatment and access to the quality medical care they so desperately needed,” the LAJC said in its profile of Mr. Howard.

Mr. Howard has a national reputation as a litigator, and has been recognized by the Legal Aid Society of the District of Columbia with the Servant of Justice Award, in honor of his numerous pro bono contributions. His pro bono practice has included death penalty cases, housing and family law matters, and important impact litigation involving prisoners' rights issues. He is a member and former co-chair of the board of directors of the Washington Lawyers' Committee for Civil Rights and Urban Affairs, and previously served as president and chairman of the board of directors for the District of Columbia Prisoners' Legal Services Project.