



Transgender Woman With HIV Sues for 6-Year Solitary Confinement Hold

While in a Missouri prison, Jane Roe was put in solitary confinement for six years, which violates numerous laws, claims Lambda Legal.

July 13, 2023 By Laura Schmidt

A formerly [incarcerated](#) transgender woman is suing the Missouri Department of Corrections (MODOC) for having been put in solitary confinement for over six years—between 2015 and 2021—at Jefferson City Correctional Center.

The woman’s defense team—Lambda Legal, the MacArthur Justice Center and the law firm Shook, Hardy & Bacon—claims her treatment at the maximum security prison was the result of an “unconstitutional and discriminatory policy against people living with HIV,” according to a press statement by [Lambda Legal](#), which advocates for LGBTQ and HIV equality via court cases.

The woman, identified only as Jane Roe, endured severe physical and psychological harm while in solitary confinement, added Lambda Legal. According to the United Nations Special Rapporteur on Torture, solitary confinement that lasts beyond 15 days is considered torture or cruel, inhumane and or degrading treatment that violates international human rights law.

Roe’s six-year isolation led to “self-harm, suicidal ideation and actual suicide attempts,” said MacArthur Justice Center attorney Shubra Ohri.

“The lawsuit, [Roe v. Precythe, et al.](#), filed in the U.S. District Court for the Western District of Missouri, asserts that MODOC’s policy on incarcerated people living with HIV lacks any consideration of modern medicine and does not engage in individualized assessments,” Lambda Legal [wrote](#).

The legal team claims that by holding Roe in solitary confinement because of her HIV status without meaningful review, MODOC violated the Eighth and Fourteenth Amendments of the U.S. Constitution, the Americans with Disabilities Act and Section 504 of the Rehabilitation Act.

“No person should be subjected to the inhumane and devastating effects of long-term solitary confinement, conditions that Ms. Roe faced every day for more than six years,” said Lambda Legal senior attorney Richard Saenz. “We filed this lawsuit to hold the Missouri Department of Corrections accountable for its use of an unconstitutional and discriminatory policy that singles out

people living with HIV.”

HIV is considered a disability under the [Americans with Disabilities Act \(ADA\)](#). This federal law prohibits:

- Disclosing an employee’s confidential medical information;
- Discriminating against individuals with a disability;
- Subjecting an individual to a hostile work environment because of their disability;
- Retaliating against an employee who opposes unlawful conduct.

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