

# Equal Justice Initiative

## Criminal Justice Issues and Prisoners' Rights

<https://eji.org/news/i-cant-breathe-death-in-georgia-jail-and-vulnerability-of-incarcerated-people/>

## Policy Issue Resources

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08.25.20

Kevil Wingo with his daughters.

On September 29, 2019, Kevil Wingo, a 36-year-old Black man, [died in the custody](#) of the Cobb County Adult Detention Center because of severe medical neglect and indifference.

After Mr. Wingo spent more than seven hours in the jails infirmary suffering from severe abdominal pain, vomiting, and fainting spells, nurses and officers with the Cobb County Sheriff's office ignored his repeated pleas to be taken to a hospital and locked him in a cell, according to a [report](#) from 11 Alive News.

[Surveillance video](#) from outside the cell shows Mr. Wingo begging for help, banging on the door, collapsing at least five times, and crying out, I can't breathe.

After a nurse accused Mr. Wingo of playing around, 11 Alive News reports, he was removed to a solitary padded cell where the jail routinely isolates people with mental health challenges. When a Cobb County sheriff's deputy opened the cell door to transfer him there, Mr. Wingo collapsed to the floor, and it took the deputy nine minutes to lift him into a wheelchair.

[Multiple officers](#) then left Mr. Wingo in the padded cell face down on a toilet grate, stripped him of his clothes, and let him die. With no officers checking on his condition, Mr. Wingo lay dead for an hour before his lifeless body was retrieved.

Mr. Wingo's death demonstrates the vulnerability of incarcerated people in the U.S. Hundreds of thousands of Americans are confined in inhumane, overcrowded, and violent jails and prisons that fail to provide even the most basic medical treatment, educational programs, or rehabilitative services.

Incarcerated people like Mr. Wingo who need healthcare are frequently denied assistance, ignored, punished, and placed in solitary confinement. The same neglect is true for people who need help managing their disabilities and other medical issues like addiction. Incarcerated people in America are also vulnerable to being [beaten, stabbed, raped, and killed](#) in facilities run by officials who often abuse their power with impunity.

A 2016 [report](#) from the U.S. Bureau of Justice Statistics documented more than a thousand deaths in local jails that year alone. Like Mr. Wingo, most people in local jails are held without having been convicted of any crime. The report concluded that at least half of the deaths from the study were preventable.

As conditions continue to deteriorate, lawmakers have made it more difficult for incarcerated people to file and win civil rights lawsuits in federal courts and have largely eliminated judicial oversight of jails and prisons. Without meaningful access to courts, people in custody are almost always left without a remedy and state officials are not held accountable, leaving them with no incentive to improve safety measures.

Mr. Wingo's case is a prime example. No one was charged, fired, or even disciplined for causing his preventable death. The Cobb County Sheriff's Office opened an investigation into itself, concluded there was no criminal activity, and closed the file.

Incarcerated people are subject to deadly abuse and neglect no matter how minor their charges. Mr. Wingo had been arrested and jailed for possession of suspected drug residue on a piece of paper. He died with the legal presumption of innocence, leaving behind two teenage daughters and an 11-year-old son. Mr. Wingo's children continue to grieve for their father, and have asked the district attorneys' office to open an independent investigation.

Tags:

[Prison Conditions](#)

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