



## **Lawsuit alleges rodent infestation at New Mexico prison**

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Two former New Mexico inmates have filed a federal lawsuit accusing state prison staff and a food-service contractor of cruelty and negligence for failing to resolve a yearslong rat and mouse infestation at the kitchen in a women's lockup in the western part of the state.

The lawsuit announced Tuesday from Albuquerque-area residents Susie Zapata and Monica Garcia was filed in U.S. District Court against the prison warden and a former warden. It describes a "horrific and widespread" rodent infestation that included contact between food and rodent feces, urine and even rodents that somehow plunged into stew and a batch of oatmeal.

The Department of Corrections declined to comment on details of the suit, citing pending litigation.

The lawsuit also takes aim at South Dakota-based contractor Summit Food Service, which provides meal services the Western New Mexico Corrections Facility, a 390-bed prison in Grants. Company representatives were unavailable to comment on the lawsuit.

The suit was filed by the New Mexico Prison & Jail Project, a nonprofit advocacy group for improved prison conditions. The group was established last year and is led by attorney Matthew Coyte.

Zapata and Garcia attest to bouts of severe food poisoning during their incarceration that resulted in vomiting and diarrhea.

Attorneys say the inmates also were tormented by the risk of potentially fatal Hantavirus infection from contact with mouse droppings, though no Hantavirus infections were reported. A local wild mouse species is a known carrier.

Zapata worked as an inmate at the prison kitchen from roughly November 2017 through December 2018, and Garcia worked there from March 2018 through February 2019.

"The distinctive sour, putrid smell of rodent urine, rodent feces and decaying rodent bodies was a constant presence in and near the prison's kitchen and cafeteria," the lawsuit states.

The suit says numerous complaints were filed by inmates without an adequate response. Inmates say they risked discipline by defying orders to serve contaminated food.

The lawsuit alleges violation of constitutional guarantees against cruel and unusual punishment and seeks punitive damages and attorney's fees.

The lawsuit asserts that kitchen operators were given advance notice of sanitary inspections by the state Environment Department — allowing prison staff and contractors to conceal potential violations of workplace safety standards.

Inspections nevertheless documented the presence of rodents, mouse droppings and holes in the walls used by rodents to access dry food storage, the lawsuit says. Prison staff are accused of blocking inmates from any opportunity to reveal the true scope of the rodent infestation.

Rodent traps were ineffective because of the large scope of the infestation, as inmates were compelled to corner live rodents and club them, the lawsuit states.