

Justice for a Pretrial Detainee Denied Medical Care

News

March 3, 2026

When Dwayne Cummings arrived at Cook County Jail as a pretrial detainee in 2022, he had not been convicted of a crime. He was awaiting resolution of a separate criminal matter, one that would ultimately be dismissed. In the meantime, however, Dwayne was subject to the conditions of the Cook County Jail.

Like many detained during that period of national crisis, Mr. Cummings had serious concerns about the jail's response to the COVID-19 pandemic. He asserted that the jail's policies were inadequate to protect his health and safety, and he said so — vocally and persistently. What followed, he alleged, was blatant retaliation. Mr. Cummings began experiencing worsening vision problems while being detained. Yet despite repeated requests for medical attention, Mr. Cummings insisted that Cermak Health Services, the medical provider for Cook County Jail, had failed to provide him with adequate care. This denial, he believed, was not accidental but rather a direct result of calling out the jail's COVID-19 policies as inadequate, and therefore a danger to his health and safety and those of his fellow inmates.

Jenner was appointed to represent Mr. Cummings in a Section 1983 civil rights action against medical employees of Cermak Health Services. The case presented significant legal and factual challenges: navigating the demanding standards of prisoner civil rights litigation, establishing the link between Mr. Cummings's protected conduct and the alleged denial of care, and holding institutional medical providers accountable in a system that too often escapes scrutiny.

After years of litigation, the case concluded in 2025 with a favorable result for Mr. Cummings. This matter reflects Jenner's longstanding commitment to using its legal skills on behalf of individuals who lack the resources to vindicate their rights, particularly those whose voices are most easily ignored. Pretrial detainees occupy a uniquely vulnerable position: they are incarcerated but legally presumed innocent, dependent on institutional systems for their most basic needs, and often without meaningful recourse when those systems fail them.

The team was led by Partners **Dean Panos** and **Chris Tompkins**, and Associates **Jeff Salvadore** and **Steven Tinetti**, with assistance from Associates **Chris LeWarne** and **Erin Murphy**, and paralegal support from **Jessica Merkouris**.

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