

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA

JOSHUA DON CHERRY BAER EDWARD
BRIGGS THERESA BROOKS CARMIE
BOYES QUACQUA RICARD
BRUNNIE BRYAN COLEMAN HOWARD
CARRIE CANNON OWENS ROBERT
DILLARD CHRISTOPHER COLBERT
DIGITAL GOOD DAVID ERIC HARRY
SYLVESTER HARVEY GABRIEL
HENDERSON CHRISTOPHER JACSON
BRAND JORDAN JOHN MARIE RICARD
MARTIN ILLIENOR HENDERSON ROBERT
MICY JERMANE NICHOL ENGLISH
MICHELLE TOWNSEND MITCHELL
MR. ROBERT MICHAEL ZERIC
MAYOR BRADLEY PEARSON LECTICUS
FRUIT TERRY ROBERT JOSEPH AN
SANDY TONYE SAYS BLAN
SHIRLEY AGNES SMITH RICARD
TERRILL HUBERT TOLAR DANIEL
TOLEY JOSEPH HUBERT TOLAR DANIEL
TURNER ILLIAM ILLIAM JANE
ALAE ROBERT NIVASA
ILLIENOR HENDERSON ROBERT
CHRISTOPHER JACSON
DILLARD CHRISTOPHER COLBERT
DISABILITIES ADOPTION PROGRAM

Partiffs

v

IM TOMS in his official capacity as
Commissioner of the Alabama Department of
Corrections RICH NICHOL in her official
capacity as Associate Commissioner of Health
Services for the Alabama Department of

NATURE OF THE ACTION

The prisoner ~~RANHS~~ and the Plaintiff Class are incarcerated in ~~Aaaa~~ Department of Corrections ~~ACC~~ prisons. Plaintiff ~~iffs~~ bring this case to remedy the defendants' failure to provide constitutionally adequate medical care to persons in the custody of the ~~ACC~~. The defendants' failure to provide constitutionally adequate mental health care to persons in ~~ACC~~ custody is the defendants' failure to provide due process when ~~edcting~~ persons against their will and the defendants' failure to provide prisoners with disabilities with the accommodations and services to which they are entitled under the Americans with Disabilities Act and section 14 of the Rehabilitation Act of 1973. Plaintiff seeks declaratory and injunctive relief for the inhumane and discriminatory practices and conditions they face every day in ~~ACC~~ custody.

² The prisoner ~~RANHS~~ and all those in ~~ACC~~ custody are entirely dependent on ~~DEENS~~, ~~IM~~, ~~TOS~~, ~~RCH~~, ~~MICH~~ and ~~ACC~~ collectively for medical and mental health care. ~~DEENS~~, ~~TOS~~ and ~~MICH~~ is grossly inadequate. If the system of care provided by ~~DEENS~~, ~~TOS~~ and ~~MICH~~ is grossly inadequate and subjects all prisoners to a substantial risk of serious harm, including serious pain, loss of function, injury and death.

Because of the ~~DEENS~~ deliberate indifference to the obvious medical needs of the prisoners in their custody, plaintiff prisoners go for months or years without appropriate diagnosis of medical conditions. ~~Nier~~ as prisoners have died from a failure to treat medical conditions from cancer to diabetes to hepatitis. ~~Ches~~ have required emergency surgery or lost the use of legs, arms or eyes after being left to suffer with untreated symptoms for lengthy periods. Prisoners with mental illnesses or serious psychological problems are entirely denied mental health care or provided only with medication with little or no education and no follow-up or concern for side effects, some of which are debilitating.

Mental health care other than education is rarely
provided to inmates. After one psychiatric
evaluation at the facility, the inmate is placed
in the general population. The Department of
Prisons and Correctional Services is the
responsible agency for the provision of
mental health care to inmates in the
State of California.

Prisoners with a history of self-harm
are placed in segregation. A correctional
officer said that if you have a history of
self-harm, you will be placed in segregation
for the remainder of your sentence.

4 Prisoners who do not want psychiatric care

HANES seek declaratory and injunctive relief t
TOM and NECH th sed in their official cap
constitutionally adequate edal and etal health
dass e ers they represent to dsist fro edca
vltout de pcess and to copy with the Aeric
Rhailitation At of

o copel DEENS
aity and ACC to proide
care to all prisor HANES and the
ting etalyill prisors against their will
ns with Deailities At and 14 of the

JURISDICTION

This Court has jurisdiction over the da s herein

cracked lens in his right eye DEENS TOM a
LANIHFDN's right eye cause his left eye is
and MICHAEL also failed to provide LANIHFD
after he was sta ed ultiple ti es y prisoners P

nd MICHAEL refused to treat
funtional DEENS TOM
UNwith appropriate edcal care
LANIHFDN is a person with a

and 2 USC 1k A and B HANIF ROS is engaged in appropriate care and reasonable accommodations for his disabilities under the Americans with Disabilities Act and 14 of the Rehabilitation Act of 1973. HANIF ROS entered AOC's custody in August 2014. He is currently housed at B County Correctional Facility. He has a very severe medical condition that causes him significant pain and difficulty moving. His condition has gone mostly untreated while in AOC's custody. He has been forced to share a cell with other inmates although this does not help his condition whatsoever. HANIF ROS is a person with a disability as defined in 28 USC 12512 and 28 USC 12512. A and B HANIF ROS is engaged in appropriate care and reasonable accommodations for his disabilities under the Americans with Disabilities Act and 14 of the Rehabilitation Act of 1973.

is engaged in appropriate care and reasonable accommodations for his disabilities under the Americans with Disabilities Act and 14 of the Rehabilitation Act of 1973. HANIF ROS entered AOC's custody in August 2014. He is currently housed at B County Correctional Facility. He has a very severe medical condition that causes him significant pain and difficulty moving. His condition has gone mostly untreated while in AOC's custody. He has been forced to share a cell with other inmates although this does not help his condition whatsoever. HANIF ROS is a person with a disability as defined in 28 USC 12512 and 28 USC 12512. A and B HANIF ROS is engaged in appropriate care and reasonable accommodations for his disabilities under the Americans with Disabilities Act and 14 of the Rehabilitation Act of 1973.

4 HANIF ROYAL has been in the custody of AOC since he is currently housed at E County Correctional Facility. He was previously housed at D County Correctional Facility. He is hearing impaired requiring hearing aids for others. He was provided with hearing aids for others in or around 2013. He has difficulty hearing. HANIF ROYAL is harassed and discriminated against on the basis of his hearing impairment. HANIF ROYAL is a person with a disability as defined in 28 USC 12512 and 28 USC 12512. A and B HANIF ROYAL is engaged in appropriate care and reasonable accommodations for his disabilities under the Americans with Disabilities Act and 14 of the Rehabilitation Act of 1973.

of DEFENDANT. HANIF ROYAL is currently housed at E County Correctional Facility. He was previously housed at D County Correctional Facility. He is hearing impaired requiring hearing aids for others in or around 2013. He has difficulty hearing. HANIF ROYAL is harassed and discriminated against on the basis of his hearing impairment. HANIF ROYAL is a person with a disability as defined in 28 USC 12512 and 28 USC 12512. A and B HANIF ROYAL is engaged in appropriate care and reasonable accommodations for his disabilities under the Americans with Disabilities Act and 14 of the Rehabilitation Act of 1973.

with Disabilities Act and 14 of the Rehabilitation

Act of 1973 and has had his right to refuse

education violated without de process

2

HANIF GHISOR GIBET has been in the custody

of

being dried adequate medical care and reasonable

conditions for his disabilities under the

Americans with Disabilities Act and 14 of the R

ailitation Act of

2

HANIF DAERC HARY has been in the custody of

f DEENAT

ACC sine H is currently housed at S Ca

ir and has previously been housed at il y

Dpr B Esterling Fountain Correctional Fac

ility Fountain Lestoe Block and

Dulden HANIF HARY is severely mentally ill

l and has a long history of suicide

attempts H is not receiving any mental health tr

eat et and has been in segregation at S Car

sine M HANIF HARY is a person with a

disability as defined in 4 USC

2,2 k and 2 USC k A and B HANIF

HARY is being dried adequate

medical and mental health care and reasonable acco

ditions for his disabilities under the

Americans with Disabilities Act and 14 of the R

ailitation Act of

2

HANIF SYLISIR HARY has been in the custody

of DEENAT

ACC sine H is currently housed at S Ca

ir HANIF HARY has a long

history of serious mental illness it does not kno

whis diagnosis H is also on dialysis H

likely has an undiagnosed learning or developmental

disability HANIF HARY is a

person with a disability as defined in 4 USC

2,2 k and 2 USC k A and B

da u k i 2 44c Uk 2 c 4 2 Tl Ak k 2

sprev in the custody A

AD C 4 22 4 4 s 4 i 2 n k 4 c k e k ds k 4

HANIF JACSON was previously on the etal heal
It was not given any edctions for side effects
of Hadd cause it abli shle It has not r
een in segregation since 2 k It is transferred
units at H an Daldon and S Car HANIF
as dfined in 4 USC 2 k and 2 USC k
eing drial atpate etal and etal health car
dsailities untr the Aricans with Dsailities

th case od and was taking Hadd
and in or around April 2 k asked to etal en
eeived any etal health care since It has
every few oths etwen the segregation
FJACSON is a person with a dsaility
A and B HANIF JACSON is
e and reasonle axo otions for his
At and 14 of the Rehabilitation Act of

2 HANIF BANO JACSON has een in the custody o
ACC since 1 HANIF JACSON is currently ho
at Daldon HANIF JACSON has a signifcat
dagnosed with traumatic brain injury as a child f
receiving any edction or othr etal health tre
srious cognitive dsailities ste ing fro a seri
is proidd with roasistane in filling out edc
atters HANIF JACSON is a person with a dsa
ad 2 USC k A and B HANIF JACSON
health care and reasono f 2 pn k 4 d k 4 k 4 k 4 k k H 2 k 4 S k 4 k 22 N k

f IDENT
used in a Residential Treatment Unit
cognitive dsaility It dies he was
dloing a srious car accidt It is not
at et HANIF JACSON also has
as injury wh he was a child However he
d for s or understadrng rules or disciplinary
ility as dfined in 4 USC 2 k
Nis eing drial atpate etal

services and having necessary accommodations. He is
denying to access programs and services. ~~DEEN~~
HANNIFMAN is a person with a disability as defined
in USC 1618. A and B HANNIFMAN is in
reasonable accommodations for his disabilities under

14 of the Rehabilitation Act of

2

HANNIFMAN has been in the custody of DE

since he is currently housed at S. Cair

Dalton. HANNIFMAN has a long history of

injuring himself again in April 2014 after

TAC has declined to treat him

found in 42 USC 12202 and 2

g. denied adequate medical care and

for the Americans with Disabilities Act and

~~HANNIFMAN~~

He has previously been housed at [illegible] and

2,2 USC k A and B HANIF
edical and mental health care and reasonable accommo-
dations for his disabilities. At and 14 of the Rehabilitation Act of 1973, and
right to refuse education without depro

2 HANIF JEMANEVICH has been in the custody of DEBENT
ACC since He is currently housed at Hilto
HANIF NICHIL uses a wheelchair and has limited
and a half housed in an infirmary because of his disability.
infirmary he was denied access to programs and
has been informed that he is eligible to walk again
and being given physical therapy HANIF NICHIL

defined in 2,2 USC k and 2,2 USC k
being denied adequate medical care and reasonable accommo-
dations for his disabilities. At and 14 of the Rehabilitation Act of 1973,

HANIF ENFMORIE has been in the custody of DEBENT
ACC since k following a parole violation. He
previously housed in the Mental Health Unit at Hill
schizophrenia bipolar disorder anxiety disorder
required to discontinue his psychiatric education
placement was a facility does not accept residents
mental health education HANIF ENFMORIE has dis-
continued He is not currently receiving any mental health
person with a disability as defined in 2,2 USC

ENFMORIE is being denied adequate
conditions for his disabilities under the
Rehabilitation Act of 1973 and has had his
access

of DEBENT
in A I and has also been housed at B
due to his hands He spent a year
in the infirmary because he was housed in the
infirmary and services HANIF NICHIL
in if he received physical therapy that he is

IL is a person with a disability as
defined in 2,2 USC k and 2,2 USC k
A and B HANIF NICHIL is
being denied adequate medical care and reasonable accommo-
dations for his disabilities under the
Rehabilitation Act of

of DEBENT
is currently housed at Hill estate and was
work He has been diagnosed with paranoid
and major depressive disorder He was
in order to go on parole because his parole
would take psychiatric education that
facility controlling his impulses and

that treatment HANIF ENFMORIE is a
2,2 USC k and 2,2 USC k A and B

HANIF MOHE is being denied adequate medical
and options for his disabilities under the American
Rehabilitation Act of

health care and reasonable
accommodations with Disabilities Act and 14 of the

4 HANIF MOHE has been in the custody of D
ACC since 2/1/11. He is housed at military HANIF
facility. He has not been treated for his gastroan-
tacid disease because DREFUS refuses to pay for the procedure
in a district with high incidence of violence and
eligible for a district of that classification level
that would HANIF MOHE due to his disability P
disability as defined in 4 USC 222k and 2 U
MOHE is being denied adequate medical care and rea-
sonable accommodations under the Americans with Disabilities

HANIF MOHE has gastroan- and is legally
disabled. He has been denied the surgery he requires
because DREFUS MOHE resides
in a district because his disability only does li-
mit. Correctional officers have harassed and
discriminated against HANIF MOHE is a person with a
SC 1k A and B HANIF
reasonable accommodations for his
Disabilities Act and 14 of the Rehabilitation Act of

HANIF MOHE MOHE has been in the custody of D
ACC since 2/1/11. He is currently 1k4 2k Ak 222 c t. 2. 1k4 2k 2k 4k 2k 2k 2k 2k 2k

HANIF MOHE MOHE has gastroan- and is legally
disabled. He has been denied the surgery he requires
because DREFUS MOHE resides
in a district because his disability only does li-
mit. Correctional officers have harassed and
discriminated against HANIF MOHE is a person with a
SC 1k A and B HANIF
reasonable accommodations for his
Disabilities Act and 14 of the Rehabilitation Act of

a car accident. HANFORD had for surgery
accident before entering ACC custody. He was on
physical therapy in order to walk again. HANFORD

es on each of his knees shortly after the
found to a wheelchair and had again
ACC has refused to provide

HANIF FRUIT is being denied reasonable access

options for his disabilities under

the Americans with Disabilities Act and 14 of the

Rehabilitation Act of

HANIF IETICS FRUIT has been in the custody

of DEENDAT

Since 1/1/14 he is currently housed at [redacted] and

he has previously been housed at [redacted] in

HANIF FRUIT has a history of depression. Over

the last six months HANIF

FRUIT has repeatedly attempted suicide with

and has requested mental health treatment

but has been denied day and night health care. He rec-

ently underwent an assault by other prisoners

who threw urine into his cell while he was on su-

icide with which he was not taken to

medical staff for more than a day after the assault

when he was taken to the hospital

HANIF FRUIT was also denied adequate medical treat-

ment after he sustained an injury to

his hand caused by correctional officers. He was a-

lso denied medical treatment for four hours

after he engaged himself in a fight with a razor blade in

his segregation cell. HANIF FRUIT is

a person with a disability as defined in 42 USC

12201 and 12202 USC 12201 A and B

HANIF FRUIT is being denied adequate medical treat-

ment and health care and reasonable

access options for his disabilities under the Ameri-

cans with Disabilities Act and 14 of the

Rehabilitation Act of

1/1/14 HANIF TURK ROES has been in the custody of

DEENDAT

Since November 1/1/14 he currently resides at

the jail in HANIF ROES has

cataracts and a spot in the white of his eye that p-

resents a medical condition. He is 40 years old, 5'10" tall, 140 lbs, and has brown hair and brown eyes.

4 HANIF JOHAN SAKO has been in the custody of DEFENDANT since 1/1/2018. Since his initial stay at the facility he arrived at the facility he was housed in the mental health unit until the mental health unit was opened in 1/1/2018. He was moved to the mental health unit when it opened and has been there ever since. HANIF SAKO has been diagnosed with schizophrenia, depression and post-traumatic stress disorder. He has not received any mental health education or treatment. SAKO also suffers from a seizure disorder that is not controlled. HANIF SAKO is a person with a disability as defined in 42 USC 12101. A and B HANIF SAKO is eligible for mental health care and reasonable accommodations for his disabilities. At and 14 of the Rehabilitation Act of 1973.

of DEFENDANT he has been housed at the facility since he arrived at the facility until the mental health unit was opened and has been diagnosed with bipolar disorder, PTSD, HANIF SAKO is not receiving any mental health treatment. HANIF SAKO is untreated and often unaccommodated as defined in 42 USC 12101 and 12102. He is not receiving adequate medical and psychiatric care for his disabilities under the Americans with Disabilities Act.

4 HANIF TIMOTHY SEAS has been in the custody of DEFENDANT since 1/1/2018. He is currently housed at the Federal Correctional Institute in Carson City, Nevada. HANIF SEAS has been diagnosed with schizophrenia and has lost significant weight. He was placed in a disciplinary unit where he could not receive any mental health care for long periods of time although his disability is not being treated. HANIF SEAS suffered a severe weight loss that

of DEFENDANT he was previously housed at the Federal Correctional Institute in Carson City, Nevada. HANIF SEAS was placed in a disciplinary unit where he could not receive any mental health care for long periods of time although his disability is not being treated. HANIF SEAS suffered a severe weight loss that

and options for his disabilities under the American
Rehabilitation Act of

cars with Disabilities Act and 14 of the

4 HANIF BLANCHES has been in the custody of

DEFENDANT ACC

since 1/1/14. He is currently housed at St. Clair

It has also been housed at Darden and

atress Dapr Esterling and il y He suffers

from high blood pressure and heart disease

hepatitis C and has recently had surgery for kidney

stones HANIF BLANCHES was taken off

of his blood pressure medication resulting in a he

art attack Also DEFENDANT TOMAS

and MICH delayed more than three years before ap

proving a HANIF BLANCHES

surgery for kidney stones Also despite being pre

diabetic and having recently passed out

repeatedly HANIF BLANCHES is not receiving app

ropriate treatment HANIF

BLANCHES is being denied adequate medical care

4 HANIF ACHSUS SMITH has been in the custody of

DEFENDANT

ACC since 1/1/14. He is housed at Saton HANIF

SMITH came into ACC custody

shortly after dates given in a catheter and docu

ment regarding anticipation of surgery that was to

happen within three months He has not had the sur

gery and continues to be required to use the

catheter and docu toy ag He suffers from freque

nt infections from the catheter HANIF

SMITH is being denied adequate medical care

4 HANIF RICHARD TERREL has been in the custody o

f DEFENDANT

ACC since 2/1/14. He is currently housed at Bllok

in the Mental Health Unit He has

previously been housed at il y Esterling and He

l an He has been in either the eta

health directory at Bllok or the free standing M

ental Health Unit at Bllok since

HANIF TERREL has been diagnosed with bipolar

disorder schizophrenia depression

and PTSD He has been given a shot of either Pdi

in or He did every two weeks for the last

years. He does not know currently which he is receiving or if he receives the same one every time. He is also given ~~hand~~ but receives no oral health treatment. ~~HANIF~~ TERLL has been assaulted and then denied dental care and is likely to lose his two upper front teeth due to fear of learning disability or cognitive disability as defined in 42 USC § 12102 and 12102. TERLL is being denied adequate dental and oral care options for his disabilities under the American Rehabilitation Act of 1973 and has had his right to process

ing or if he receives the same one every time. He is also given ~~hand~~ but receives no oral health treatment. ~~HANIF~~ TERLL has also been denied dental care and is likely to lose his two upper front teeth due to fear of learning disability or cognitive disability. ~~HANIF~~ TERLL is a person with a disability as defined in 42 USC § 12102 and 12102. ~~HANIF~~ TERLL is being denied adequate dental and oral care options for his disabilities under the American Rehabilitation Act of 1973 and has had his right to process

4 ~~HANIF~~ ~~HANIF~~ ~~TOLAR~~ has been in the custody of ~~DEENDAN~~ ~~AD~~ since. He is currently housed at S. C. A.

~~HANIF~~ ~~HANIF~~ ~~TOLAR~~ has been in the custody of ~~DEENDAN~~ ~~AD~~ since. He is currently housed at S. C. A. In response to a not a risk of tuberculosis

lived at Id an HANIF ILLAR suffered a stro
hs since en dned adequate edcal care Te f
stroke has resulted in the pralysis and dtr effe
Firthr DEENAS TOMS and MICHAEL failed
enale hi to hae ctarat surgery and nassary d
of his left ar hand and leg and vision in his le
lathr and two teeth His vision in his right ey
HANIF ILLAR is a prsn with a dsaility as d
USC k A and B HANIF ILLAR is e
reasonable acc otions for his dsailities un
k of the Rehabilitation Act of

le while incarcerated at Id an and
ailure to treat hi in the years since his
cts fro the stroke coing pr ant
to take the steps nassary to
ctal wrk Id has pr antly lost the use
fit eye uh of the cotrd of his owl and
e is severely i paired y untreated ctarats
efind in 4 USC k and
ing dned adequate edcal care and
r the Amicans with Dsailities Act and

HANIF JAME ALAE has en in DEENAN ACC
since k Prior to his conviction HANIF ALAE
copet to stand trial and spnt a year at Taylor
currently housed in Residential Treatment Unit at D
Mental Health Unit at Black HANIF ALAE h

s custody
ALAE was initially found nt to e
Hrdn Sure Mical Facility Id is
ouldn and was prviously housed in the
as neros physical irth dfects

and has s k a k²² k⁴ i² a² r k²² n⁴ o k⁴ u k² k² aa k² 4² p k² k²

~~IDENT ACC~~ sine No er k^2 Se is husd
●

4 DEEAN IMTOS is the Commissioner of the AD

Cardle is sued

in his official capacity. As the Commissioner
responsible for leading the Aaaa Department of C
supervision and control of the Aaaa Department o
issuing administrative regulations and changes. As
responsible for providing constitutional conditions
relevant hereto he has acted under color of state

of the ACC DEEANTOS is
operations for the independent direction
of Corrections and for approving and
Cae 4. 2kk He is
of confinement in all facilities. All times

law

DEEANT RICHMECH is the Associate Commissioner

of Health

Services for the ACC DEEANTMECH is such
Commissioner DEEANTMECH is responsible for
enforcing system wide health care policies and prac
provision of adequate medical and health care
of the Department including but not limited to the
Sanitation Units and segregation units. All t

in his official capacity. As Associate
establishing, monitoring and
policies. He is responsible for supervising the
medical care for all prisoners within the custody
base in Residential Treatment Units, Intensive

FACTUAL ALLEGATIONS

DEFENDANTS and MICHAEL have long underfunded medical and mental health care. In 2012, DEFENDANTS recognized that AAAA pays less for health care than other prison systems. The failing of s in the health care system are well documented. For the years 2011 through 2012, AAAA a prisons had among the highest mortality rates in the country, although generally for illness related deaths.

DEFENDANTS and MICHAEL track all deaths in custody all trips to the emergency room and all hospital admissions. DEFENDANTS and MICHAEL require their medical and mental health care providers to give the truthful reports on a wide variety of metrics.

During the process of soliciting bids for a comprehensive medical and mental health provider in the summer of 2012, DEFENDANTS MICHAEL responded to numerous questions about the provision of care. She was asked whether persons in need of mental health/psychiatric services currently residing at Brixingham Re-relocated. DEFENDANTS MICHAEL should that they would. They have not seen Easterling has 2012 prisoners on psychiatric education including two on an industry education orders and has no coverage by a psychiatrist or psychologist. Fountain has 4 people on psychiatric education and no coverage by any psychiatrist or psychologist. Brixingham has people classified as M2 and one person on an industry education order has less than a quarter of 2012 2012 psychiatric coverage.

In ~~1~~² ~~DEFEND~~ ACCs And Report admitted that
ACCs facilities at the federal prisons with

at Act me of

Facilities At requires

Sating in around July ~~1~~² ~~DEFEND~~ ACCs came
of ot ajor correctional facilities in ACC RA
any of the ostades in the facilities for persons
nt to ~~DEFEND~~ ACCs and s knowledge resolved

I could site inspection

INHS could provide feedback on

with dsilities ~~DEFEND~~ ACCs

1. Additionally HANHS could set ~~IDENTI~~ ~~AS~~ a letter on
April 2nd detailing the failures of edca and etal health care and the violations of the
Americans with Disabilities Act and 14 of the Re habilitation Act of HANHS
could invite ~~IDENTI~~ ~~AS~~ to enter into disc

1

~~DEANS TOM and MIC~~ have a policy and pa

dice of nt

proding adequate edcal staff to address the ser

ios edcal needs of prisoners in ~~ACC~~

4 The extraordinary understaffing for medical service leads to a host of problems with the delivery of medical care including long delays, failures to diagnose and treat failures to follow protocols and decisions not to treat seriously ill prisoners.

B. DEFENDANTS Routinely Deny Medical Care To Prisoners With Serious Medical Conditions.

DEFENDANTS and MIC have a policy and practice of denying medical care to prisoners with serious medical conditions or providing such prisoners with care

2. **DEFENDANTS routinely deny care to plaintiffs and other prisoners, causing serious harm, pain and risk of harm to prisoners in ADOC custody.**

k
o

was sent back to his territory with an ice pack. Th

~~NO~~ was supposed to be seen by the doctor. u

the following ~~My~~ ~~PLAN~~

that he was not put on the sick call list

HANIFFOR s ar HANIFFOR s ar swelled
edical care In late April 2014 the same thing
his forearm came loose from the incident A
said he should have an x-ray when he asked to e
from the incident no x-ray was taken and now has
one is rotten

In the fall of 2013 HANIFFOR fell ill He
stating and stopping urinating and it turned when
provided a urine sample The nurse looked at the s
nothing was wrong No tests were done For several
week to get hi self down the hall to the dining are
food another prisoner roght hi He submitted a
three days later He told D Dahi about the voi
D Dahi did not care hi ut told hi that not
to his dr He continued throwing up that evening
e sent to the emergency room at Jackson Hospital
and kept at the hospital for two days He has had
since he returned to the prison Since he came out
He told D Dahi of this development ut was more
additional weakness

On one occasion in the last four years HANIFFOR T
vices and he grew loud regarding to the A cor
HANIFFOR making his jaw and his ri thump hi

up from this ut he received no
apart again with his left ar The one in
nurse who passed yhis cell during rounds
taken to edical to document any injuries
can taken since He does not know if the

was having difficulty
he urinated He went to see edical and
sample and stated that it looked clear so
1 days he did not eat because he was too
a One day he threw up after eating some
sick call slip He saw D Sngeta Dahi
telling the weakness and the difficulty urinating
hing was wrong with hi and set hi ask
That night HANIFFOR had to
He was diagnosed with a kidney infection
no follow up care for the kidney infection
of the hospital he has been unable to stand
re aimed to document the case of the

HANIFFOR was hearing
ational officer at HANIFFOR
into segregation HANIFFOR HANIFFOR

was not given any medical attention at the time. She
was seen in medical and given X-rays at which point

In spring 2014 HANIF BERIL tried to do a get

in the driveway. A correctional officer told her

HANIF BERIL tried to get away from the office

that HANIF BERIL at least one of the using

a wand on his head was taped up. He was then set

in segregation his head was

in months later because he was in pain he
that the red ones were damaged

he heard of a television

not to go and hit and spit in his face

he called for back up. The officers then

a station. He was taken to medical where

to segregation for a couple of weeks while

4 HANIF III suffered a stroke on Dec 2

Id an Base he was unable to stand and reach

11 while in his cell at

he dor of his cell he was unable to obtain

HANIF BROS's chest wrist and ankle
he often experiences pain in his chest and feels like
BROS receives pain medication so often that
provide HANIF BROS with anything for the itch
his request to take in the toilet in the facility is
the keloids in the doctor's office HANIF BROS
on his back. As a result, he relies on prisoners with
his back with a cotton swab. When HANIF BROS
keloids and the odor that intensifies in winter

1. HANIF BROS has requested surgery to remove the
approximately five keloids between October 2011 and April
Medical staff informed HANIF BROS in December
a surgery to remove the keloids. He did not have to
2. HANIF BROS was finally sent to a doctor at
keloids had grown so big that they could only be re-
doctor also prescribed a medical soap that
HANIF BROS

to lift from stretching. As a result
he his chest is caving inward. HANIF
consistently. Medical staff refuse to
ing caused by the keloids and refused
firmly to avoid the pain caused by water hitting
is unable to wash even the keloids
who are willing to clean even the keloids on
is unable to clean even the
temperatures

the keloids
1. His requests were denied
2. that he has been approved for
he treatment. In or around March or April
doctor who informed him that the
could through radiation treatment. The
medical staff failed to provide the soap to

to the infirmary to be treated. How

as given a cream to be used on the

protect the wound and the wound actually healed

k HANIF BGS has a grapefruit sized hernia. The

prison doctor has told

the state would not pay for glaucoma surgery because
an appointment with the eye doctor was in the summer of

HANIF MOSES spoke with the Director of the Prison

and there was inadequate money to pay for his surgery

2 HANIF MOSES has not been able to see out of his

eyes because the problem is cataracts. Also the white

vision. He had cataract surgery on his right eye a

while in vision. He has been given glasses but they

received no other treatment for his eyesight

Larry Shepard then a prisoner in the custody of D

developed cataracts in both eyes in or around April

2 letters on the eye chart by June 2014. He was sent

2 The ophthalmologist prescribed that he undergo

2 SR. As of November 2014 he had not had the surgery

because of the fact that he was unable to have surgery

because it did not have the money. His last

2 f 2014. In or around February 2014

2014 and Prison Director also told

2014

2 s left eye since 2014. He

2 of his eye is swollen and blurry looking his

2014 at eight years ago but his right eye now has

2 do not help with his eyesight at all. He has

2 HENRY ACO

2 He was unable to read any of the

2014 at to see an ophthalmologist in November

2014 go surgery on the cataracts in both eyes

2014 surgery. He was released on medical

2014 on his right eye in February 2014

4. DEFENDANTS do not treat hepatitis C.

4 DEFENDANTS TOMS and MICH have a policy and pra

2014 dice of not

2014 treating hepatitis C. According to a report provided

2014 ed to DEFENDANTS TOMS and

2014 MICH in April 2014 2014 prisoners in the custody

2014 of DEFENDANT ACO had been

2014 diagnosed with hepatitis C but just send the

2014 were receiving treatment

2014 The failure to treat prisoners for hepatitis C creates

2014 a significant risk of serious

2014 health. One prisoner at Idaho recently died from complications

2014 from untreated hepatitis C

gessed were to place the catheter. It was significantly more painful than when the procedure was done in the hospital.

HANIF HEBSON has made several requests for hepatitis C treatment including on June 2nd and July 2nd, 2014. He has been denied in the facility medical staff at Block told HANIF HEBSON that he did not qualify for the hepatitis C treatment because he had a shot in his left arm. I told HANIF HEBSON that all of the possible treatments for hepatitis C to his liver condition. In 2014, medical personnel refused to provide HANIF HEBSON treatment for hepatitis C to his liver condition.

2014, while residing at the store in 2014, HANIF HEBSON learned that the lack of treatment for hepatitis C has led to high levels of ammonia in his brain causing him to

experience confusion, memory loss, and cognitive dysfunction. The education that

DEENAS TOMAS AND MICHAEL offered HANIF HEBSON to treat the

high ammonia levels cause severe dementia. DEENAS TOMAS AND MICHAEL have

not offered HANIF HEBSON treatment to offset the effects of the dementia nor an

alternative education that does not have this side effect.

5. DEFENDANTS deny prisoners treatment for diabetes.

2 DEENAS TOMAS and MICHAEL have a policy and practice of not providing adequate care for diabetes in any of the different ways

2 DEENAS TOMAS and MICHAEL have a policy and practice of not providing appropriate nutrition and exercise to control diabetes. For example, HANIF

GIBBY's diabetes has not been well controlled in the cell he has been in at custody. Some of

has been at a level his blood sugar level in the early morning is typically around 11k or 4k.

illigas per diliter gL the target lead
in the day he feels his low sugar lead dropping
He has passed out from low sugar even a
ACU custody when he first came to the hospital
the so they could eat when needed Now da
point in the evening for snacks The snacks are
when they are needed Prior to coming to ACU he
controlled his diabetes better He has asked if he
told ya doctor that he cannot because it is too

² At the hospital several times each week someone has a su
crisis that they are carried to the infirmary

² In approximately ² HANIF BGS's right leg
knee due to lack of medical treatment while in prison
BGS who has diabetes complained of numbness and
staff for approximately three weeks Prison medical
athletes foot HANIF BGS is currently experiencing
foot Medical staff at Hilton A I have provided
for the foot numbness but have not addressed the r
HANIF BGS does not know the name of the medical
numbness when he asked about possible side effects

before eating is ² k k gL Another point
and he gets shaky and reaks out into a sweat
and ² kti is in the two years he has been in
we provided to diabetics to keep with
diabetics are called to the cafeteria at some
eat at the time they are offered rather than
was on a long acting ² 4hr insulin that
can be taken on the ² 4hr insulin it was
passive

sufficiently serious diabetic

was amputated at the
on Prior to losing his leg HANIF
dangling in his foot to prison medical
staff told HANIF BGS he had
resembling similar poles with his left
d HANIF BGS with a prescription
because his foot is numb and tingling
circumference he has been given for the

2

HANIF BRYES also has diabetes that is not well

controlled while he

was at Block he collapsed for times from having
in his bed fell out and hurt his head His sugar
transferred to E one in January 2014 and has also

low blood sugar On one occasion he was
blood sugar level was 40 mg/dL He was
collapsed there from low blood sugar

2

HANIF GHANM has poorly controlled diabetes a

small His blood sugar

levels are generally between 10 and 15 mg/dL On
was toward the lower end of the target range good
This would have brought his blood sugar level down

one occasion when his blood sugar level
L a nurse tried to give him insulin anyway
likely to dangerously low level

2

DEENAS TOUS and MICH have a policy and pra

ctice of not

having diabetic prisoners toenails dipped for the
and pruned on one side of his body from a stroke
his own toenails is dangerous because he can easily
diabetic creates a risk of infection and amputatio
were not in the prison to dip his toenails

HANIF HAKOD who is diabetic
asked to have his toenails dipped Clipping
give himself a small cut that because he is
n The nurses laughed and told him that they

2

DEENAS TOUS and MICH have a policy and pra

ctice of denying

diabetic prisoners appropriate foot care HANIF
came into ACC custody although he visited F44 E is mei y

FRAN has not seen a podiatrist since he

ut outside edcal staff instructed her to hae an
infor ing facility edcal staff she has nt reci
that the luphs nt grow or eoe aligat

nal dck ups to onitor the lup Despite
val ay fdlowup care nassy to cofir

4 In April 2014 a prisoner at S Clair had an infec
utreated for long enough that his foot eae gang
April 2014 a prisoner at B had an infection in
enough that the front portion of his foot had to e

tion in his left foot that was
remains and had to e aptated Also in
his right foot that was utreated for long
aptated

4 Sating in the su er of 2014 HANIF SHEES
in his lower back and difficulty urinating and eoe

egntoe patient pain
asionally saw blood in his urine He told

edcal staff ut was given only I upden 40 k k i 2 n k k e - 4 k T i a k i 2 t 2 i 2 n k k t 2 w

He asked to be admitted to the infirmary at 5 o'clock

in the infirmary he was left in a storage

4 A ~~ds~~ ~~ss~~ ~~ae~~ in January ² ~~k~~ ~~4~~ a prisoner who was injected with something incorrectly during dialysis at St. Clair went into cardiac arrest. Although there was a crash cart in the dialysis unit, none present knew how to use it.

for a sick call slip they stated they did not have
he has secured three sick call slips and submitted
pressure and temperature are checked but there is
at several times. On one occasion he was in the
blood sugar level tested. The level was tested and

one hour of his cell for unrelated reasons
the fact that he submitted his blood
no mention relating to his having passed
infirmary and asked specifically to have his
that he has not confirmed the results

E. DEFENDANTS THOMAS and NAGLICH Fail to Adequately Provide and Manage Medications and Medical Supplies and Devices.

4 ~~DEFENDANTS THOMAS and NAGLICH~~ have a policy and pra

actice of not e²vide s

HANIF BROS had a prescription for pain medication for his kidney condition. He had had the prescription for approximately two years. In February 2014 the prescription was discontinued. He had not had any discussion with the doctor about discontinuing the medication. He only learned of the medication being discontinued when he went to get it at a pill call.

4. Additionally, nearly all prisoners interviewed reported that they did not give information to doctors. They were not informed of the purpose, risks, side effects and benefits of the medications prescribed to them.

On two occasions HANIF DILAO has been given the wrong medication. On one occasion he was given the wrong medication during a pill call. He went to the infirmary and lay down. He got up about an hour later and a prisoner called for correctional officers and he was given a shot and then brought back to his dormitory. On another occasion HANIF DILAO was given the wrong medication by the nurse. He saw that he had the wrong medication and told the nurse. The nurse told him that the doctor had changed his medication. He said that was not his. The nurse then gave him the medication he had previously been taking.

HANIF BAK takes several elections for heart

diagnosed with active TB. Medical staff at S. Clara
diagnosed in February 2014 had likely seen infection
with TB worked in the kitchen until the day he was
not have a TB test done during their physicals in 2012.

4. A correctional officer who was known by DEGENS
MICH to have active TB was allowed to continue working
2012. He was stationed in places in the facility where
contact with prisoners and other employees and continued
working until he was physically unable to

he has determined that a man who was
us for a year. One of the men diagnosed
diagnosed. Many prisoners at S. Clara did

k

TOMS and

working at Twiler during September
here it was decided that he would have limited
rations of food but he was allowed to
also

only that in the event of a cardiac arrest cardp

ulmonary resuscitation not be initiated

Notwithstanding DEEMNS TOMS and MICHELYN

DR to deny medical care to

prisoners

4 A Saton in My 1k4 there were five individuals

who were on a list of persons

who had DR who did not know that they were though

not to have DR One of these

individuals was HANIFF OELAND HANIFF OEL

LAND's friend None spoke to

him about signing a DR or ever told him that a doctor

was being asked to sign was a

DR Another prisoner who has been listed as having

given a DR is Michael Emery Emery

has end stage liver failure from untreated hepatitis

is C In early 1k4 Emery learned from a

doctor at Saton that Dr By Gorder the Grizo

Regional Medical Director for the state

had placed a DR order in his file although Emery

had not agreed to it Emery asked to

have it removed from his file As of My 1k4 Emery

was not on the list of individuals who

are considered to have DR

A Saton prisoner Roy Ideth resides in the facility

at the infirmary due to his health

He did not sign a DR In June 1k4 he learned that

that he has a DR in his medical file despite

not having signed one HANIFF OELAND has CD

He experiences extreme shortness

of breath and low oxygen levels and has periodic C

CD crises that require him to be admitted to

the infirmary Prior to late spring or early summer

1k4 medical staff gave HANIFF

OELAND a shot of Solu Medrol every six to eight

hours whenever he had a CD

crisis along with a breathing treatment oxygen and

and several inhalers during an CD crisis In

or around late spring or early summer 1k4 HANIFF

OELAND was admitted to the

infirmary due to an exacerbation of the CD See

several days into his stay in the infirmary Dr

Gorder asked to see HANIFF OELAND requiring

HANIFF OELAND to

temporarily stop using oxygen to eat with Dr. Greer considered how he would feel to be on life support told Clearts that if he signed a DNR he could avoid because he was not using an oxygen mask and die without saving measures in the event of a heart attack or cardiac arrest.

In or around August 2011, HANIF CEMNS separated from his wife and moved into a nursing home. He had difficulty breathing and was in the hospital for his respiratory condition. He stayed in the hospital for several days. Despite HANIF CEMNS's condition, the hospital did not arrange for his transport to a hospital.

HANIF CEMNS returned to the hospital in or around February 2012, experiencing difficulty in breathing. His oxygen level was low. HANIF CEMNS asked the nurse to provide him with oxygen. The nurse responded that if he had not signed the DNR, the medical staff would do something to help him. It was at that point that he learned that the medical condition due to the DNR. Although the DNR is rescinded, he was not informed that he could rescind the DNR. The medical staff gave him pain medication and put him on a ventilator. Facility physician Mr. [redacted] ultimately gave Clearts anti-infectives.

Dr. Greer asked Clearts if he had a heart attack or was in a coma and if that fate was making difficulty breathing that the DNR only pertained to life support. HANIF CEMNS signed the

document at the time his oxygen level was low. HANIF CEMNS only one shot of medication. Medical staff did not arrange

in or around February 2012, he lay in the hospital with some effective treatment. The medical staff could do something to help. Medical staff was refraining from treating his chronic condition. He stated that he wanted to rescind the DNR.

HANIF CEMNS requested that he be moved to a room in the hospital to receive several shots of Solumbar and

A il y prison Larry Shepard signed a DR in A

pil ² ~~k~~ ² without knowing

what he had signed Shepard was blindfolded

ted carats and no one told him about the

document he was signing when he learned that he had

signed a DR he asked to have it

rescinded DENNIS did not rescind it To the

contrary DENNIS relied on it in

their response to the lawsuit Shepard had filed else

where to have carat surgery

A Incident Report from Hilton A I reflects that

that on Site er ² ~~k~~ a

In late er 2014 HANIF FRUIT was on suicide watch. A
approximately 10:30 a.m. on late er 2014, another
HANIF FRUIT's cell and the other suicide watch
prisoners on the second floor of the unit who
threw urine into the cell. The correctional
to do anything to stop this assault. The assault continued
HANIF FRUIT asked to go to see the medical staff
dismissing his injuries as "inmate and nothing"
the morning of late er 2014.

4. Starting on late er 2014, other prisoners started
HANIF FRUIT. Some of the disciplinary actions were in
take him to get medical attention until the following

On June 2, 2014, HANIF FRUIT was in segregation
for mental health care for others. He told himself
the correctional officer that he was leading the other
approximately for five hours before taking him

In March 2014, HANIF FRUIT was in segregation
had an infection from a wound that had not been properly
had returned to the infirmary and given the infection
medical staff told her she should return to the infirmary

at the A
er prisoner threw urine into
cell using HANIF FRUIT's
are the suicide watch cells are located also
1 officers came and put out the fire, but failed
continued for approximately three hours. Then

if the correctional officers refused
He was not taken to see medical staff until
told them to get out of the cell.
to his eyes. Correctional officers did not
regarding

on. He had been asking
with a razor on other's hands. He informed
officer ignored him and left him in the cell for
to the nurse

in a Fortain. She
properly treated by the medical staff. After she
ed wound properly cleaned and dressed
again twice a day to have it redressed

Corrections officers are often present before or during medical examinations. They sometimes accompany the examination, suggesting or stating that the prisoner is lying to the medical professional. BANNERS R, CIES, BGS and RUIT have experienced corrections officers interfering in their discussions with medical staff.

II. DEFENDANTS FAIL TO PROVIDE ADEQUATE MENTAL HEALTH CARE TO PRISONERS.

DEFENDANTS TOS and MICH fail to provide constitutionally adequate mental health care in a number of ways. Their mental health care delivery system is severely understaffed and lacks adequate personnel with sufficient expertise to properly treat the individuals within its care. DEFENDANTS TOS and MICH fail to identify treat and educate individuals with mental illness. Additionally, these systemic failures rise to the level of causing significant injuries and the unnecessary and wanton infliction of pain. Each of these deficiencies in isolation and in conjunction result in a violation of the Eighth Amendment.

DEFENDANTS TOS and MICH recognize that they must provide constitutionally effective mental health services. A LA ADMIN CODE 11k 1k DEFENDANTS TOS and MICH are aware that provision of mental health care includes providing various levels of care to include a full range of psychiatric and psychiatric services. The NCM e 440 k

are receiving treatment for serious mental illness

must be properly evaluated and placed in

segregation *Id.* ² ² ~~14~~

~~1~~ ~~DEFENDANT~~ and ~~MI~~ have long been aware

that the staffing

of mental health professionals is inadequate and

that ~~DEFENDANT~~ and ~~MI~~

have chosen to contract with an outside entity to provide

A of April 2014 of the 114 prisoners were housed in facilities that have no assigned psychiatrist. Considering only those individuals on the mental health caseload

44 prisoners reside in a facility with psychiatric staffing

A of April 2014 Esterling had 4 people on the mental health caseload. Of the 4 prisoners are on psychiatric caseloads including two on involuntary caseloads. Esterling had no psychiatrist

A of April 2014 Fountain had 14 people on the mental health caseload. Of the

2
k A of April 2
k 4 etress had 2
k people on the e rta health caslod 0
these were on psychiatric edctions indud ing two people on indutay edction
orders etress had psychiatrist

2
k A of April 2
k 4 there was only one work release c eter that had a psychiatric
coverage at all Atogthar the other work releas e centers housed people on the etal
health caslod of who were on psychiatric ed ictions

2
k A other facilities the lead of psychiatric staff ing was so low as to e dearly
insufficient A of April 2
k 4 B had people on the etal health caslod 0 these
people were on psychiatric edctions indudng o re person on an indutay edction
order B had less than a quarter ti e psychiar ist

2
k A of April 2
k 4 Hilton A I had people ont he etal health caslod as
well as seven people ont the etal health caslod despite having DSM Ais I digress
A total of people were on psychiatric edction s Hilton A I had si hors per week of
psychiatrist coverage

2
k The facilities that are designated to house the os t seriously etally ill prisoners
in AOC custody also have very little psychiatric coverage

2
k Block contains a Residential Treatment Unit RT U a unit designated for
inpatient treatment of etally ill prisoners Block also contains an Intensive Sailization
Unit SU for the ost outdy etally ill peopl e in AOC custody A of April 2
k 4 there
were people housed in the RTU 0 these 4 w ere prescri ed psychiatric edctions
indudng 2 on indutay edction orders The re were people housed in the SU 0
these eight were prescri ed psychiatric edction s indudng two on indutay edction
orders There were an additional 2 4 people on the etal health caslod in the general

population of who ² are psychiatric

education ~~Block~~ do full time and

² ~~1~~ Duden aims to ~~RS~~ A of April ² ~~1~~ 4 D

based in the ~~RS~~ In the ~~RS~~ people are pr

education including voluntary

relief psychiatric

national prisons

psychiatric education including

²4 In ~~AD~~ issued its request for proposals for a e mental health services contract in ²k it identified the in u staffing need fr o the provider to e ~~4~~ full ti e equivalent employees under the current contract. ~~MM~~ Correctional Services ~~MM~~ is not providing even this inadequate nu er of etal hea lth staff. The staffing provided under the current contract is just ² full ti e equivalent employees.

² ~~DEFENDANTS~~ ~~AD~~ and ~~MM~~ require ~~MM~~ to provide reports of their staffing and provision of care every oth. In the oth of ~~April~~ ²k~~4~~ these reports show that ~~MM~~ had fewer than ² full ti e equivalent employees providing etal health related services. ~~2~~ prisoners on the outpat iet etal health caseload just ² were skilled to participate in any etal healthgop during the oth.

A. DEFENDANTS Fail To Identify Mentally Ill Prisoners And Understate The Acuity Of Mental Illness Even In Those Identified.

² ~~DEFENDANTS~~ ~~AD~~ and ~~MM~~ have a policy and pra ctice of under identifying etally ill prisoners and understating the acuity of prisoners' etal illness. As a result, etally ill prisoners go untreated and sev erely etally ill prisoners receive a far lower level of treatment than they need.

² Just ² percent of the ~~AD~~ population is identified as having a etal health care of ~~MM~~ or greater. This does not certainly ind icates that ~~AD~~ is not identifying prisoners with etal health disorders. In a ²k study of prison and jail prisoners throughout the country, the Department of Justice conducted th at on average, a ot half of prisoners in state correctional facilities met the DSM criteria fo r a etal illness.

² Further, any prisoners who are clearly suffering f ro a etal health disorder or psychological distress go untreated. For eapl e, ~~RAMPHRUIT~~ was employed in ²h ~~MM~~ ²k~~4~~. On one occasion he was

on side with for appropriate days. He has
asked for mental health treatment several times since
informed DENNIS TOUS and NICHOLAS HANIFF
mental health care on May 2, 2014. HANIFF
placed on the mental health calendar.

2

Similarly, HANIFF HILLAS engaged in self-harm

2
4. On one occasion she continued to cut herself
with a razor. After her third day of self-harm in a
year, two weeks later she asked to be placed on the

previously untreated for depression. He

2
4. On one occasion she continued to cut herself

HANIFF HILLAS engaged in self-harm

This treatment was given any treatment or

repeatedly in March

with a razor. Later she found in the suicide

day she was threatened with forcible relocation.

²² HANIF MOHAMED has been diagnosed with paranoid schizophrenia in addition to bipolar disorder, anxiety disorder and major depressive disorder. He was taken off all medications and the mental health caseload. He was told that the mental health staff did not believe in his diagnosis.

²⁴ Further, DENNIS TOMS and MICHAEL informed BA INHIS counsel that they are aware of 1,000 prisoners who have been diagnosed with SM. As I discussed in my report, the 1,000 are housed at the E. Oregon State Penitentiary complex facilities that do not have a psychologist or psychiatrist on staff.

²² DENNIS TOMS and MICHAEL also categorically urged the state to lead the way in the treatment of inmates who are mentally ill. According to AOC mental health codes, M1 and M2 are used for prisoners with mild to moderate mental illness. M3 is for moderate to severe mental illness. M4 is for severe mental illness. M5 is for severe mental illness with a high risk of harm to self or others. M6 is used for severe mental illness with a high risk of harm to others. M7 is used for severe mental illness with a high risk of harm to self or others and a high risk of harm to others. M8 is reserved for prisoners who have been committed to a hospital. As of April 1, 2014, just 4 prisoners in AOC custody less than 1 percent of the total inmate population met the criteria for M8. In contrast, the Department of Justice study cited above found that nationally only 4 percent of state prisoners met the criteria for any of the M codes.

²² Numerous prisoners who clearly met the criteria for M1 or M2 are classified as M3 or M4.

has a prescription for three other medications. He does not know the name of any of these medications or the potential side effects.

He does not know the name of any of these

2. HANIF MOY receives a shot once a week by a medical staff and soetes receives additional shots against his will. I thought the week he knows he has taken Pdi in in the past but does not know the name or purpose of the medication in the weekly shots or the other shots he receives currently. He knows that they soetes are his musculos and dehis are hurt but otherwise does not know the potential side effects.

medical staff and soetes receives additional shots against his will. I thought the week he knows he has taken Pdi in in the past but does not know the name or purpose of the medication in the weekly shots or the other shots he receives currently. He knows that they soetes are his musculos and dehis are hurt but otherwise does not know the potential side effects.

2. HANIF BERL does not know what medication he is either Pdi in or he did. HANIF BERL does not recall receiving individualized information about the medications he is taking or giving.

is taking. He thinks it is not really receiving individualized

Some prisoners take education for years and are
 and often the mental health caseload despite still
 who continue to exhibit suicidal thoughts and at times
 these prisoners who have been properly received for
 education are not even returned to the caseload and
 suicide attempts. For example HANIF QADIR was
 years his mental illness is sufficiently severe that
 health unit at Bellingham and only once in five
 incarceration and from 2011 until 2012 he had a few
 education were abruptly discontinued and he died
 caseload

that taken off the education
 regarding treatment. These include prisoners
 who despite continued self-injurious actions
 on the caseload and even denied needed
 and their education reinstated after numerous
 sessions prescribed in and held for
 at he has been placed at the residential mental
 occasions throughout the period of his
 received education order. In October 2011 all
 because he is no longer on the mental health

²/₄ HANIF MOHAMED who has long been treated for depression was taken off Prozac and Trazodone. He has asked to have additional medications for his depression since it has been refused.

²/₄ HANIF ALAE was taking several psychiatric medications including lithium. In ²/_k the lithium was discontinued without explanation.

²/₄ Other prisoners simply do not receive medication for their mental health needs. For example HANIF HALEY has trouble sleeping. In late ²/_k he does not eat for at least eight days without sleeping. He receives no medication to help him sleep. Also as stated above there are ²/_k people DEEN TAO who has identified as not being on the mental health calendar who have AIDS diagnosis.

²/₄ There is little regard for side effects of psychiatric medications. DEEN TOMS and MICHAEL are two of the prisoners who are particularly sensitive to heat and are vulnerable to heat related illnesses such as heat stroke. Yet prisoners on psychotropic medications that increase heat sensitivity are exposed to leads of heat that are potentially lethal risks. Other than the RU and SS the ACC facility which routinely house prisoners taking psychotropic medications are not air conditioned and the ambient air temperatures in the facilities during the summer frequently exceed degrees.

²/_k HANIF DILAD takes Haloperidol and Clozapine. He is in a mental health directory but not the RU at Block. There are any other people in the directory who are on psychiatric medications including HIFE ²/_c ²/₄ i.

education a different psychiatric education

DEENS TO S and MIC also contains

ized units for the

of autely entally ill within its contd at B

look and Tivler la ded as the Intensive

Sailization lits SU with a total capacity of

Te April 2¹ report to DEENS

TO S and MIC indicates that as of the end of

the oth there were en in the SU

experiences auditory and visual hallucinations. He
to each other in the evening. He sleeps out of the time
in addition to taking medication he sees a counselor
psychiatrist for about five times one a month
He has not committed to participate in any pro-

has great difficulty placing orders in relation
societies for a day and a half at a time. In
for about five times every two weeks and a
He receives no other mental health treatment
going for several years.

2 HANIF IDN was placed into segregation in or ar
around August 2011 HANIF IDN did not comply with
this copulsion he asked to see etal health staf
razor that was provided to him for shaving His on
some care y his suicide watch cell on the third
suicide He stated that he was not and was retur
for one ti es during his nine oth stay in sege
see etal health He was never referred to etal

and June 2011 In or
ohr li self file still resisting
f ut was denied He cut his forearm with a
ly contact with etal health staff was when
day after he cut hi self to ask if he was
red segregation This process was repeated
gion each ti e preceded y his request to
health

22 Near the end of March 2014 HANIF ILLASI asked
health She was told that she had to ask M Ndro
Fountain She spoke with M Ndro and asked to
e pressed that she thought she needed psychiatric
the past een on the etal health caseload and has
She repeatedly cut herself earlier in the oth and
M Ndro told her that she did not need edcati
caseload

d to see etal
Is the AOC psychological associate at
e placed on the etal health caseload and
ed cation HANIF ILLASI has in
een prescri ed psychiatric ed cations
had een threatened with forced ed cation
could not need to e on the etal health

2 In or around 2011 HANIF MORE had a etal
He was taking Prozac and Tazadrol He saw a psych
practitioner After a out a year his etal healt
of all ed cations He currently takes no ed cat
ut e denied it that his ed cation and treat e
and anger

health care of MI
iatrist occasionally and he saw a nurse
h care was reduced to MI and he was taken
ion He has asked for etal health treat et
nt he has difficulty controlling his i pulses

²
4 HANIF KRY has a lengthy history of etal lea

lth issues and

2

On two occasions while in ~~AD~~ custody ~~EA~~ ~~HE~~ ~~HS~~

~~AD~~ actually

ate ~~pe~~ ~~al~~ ~~side~~ ~~he~~ ~~vs~~ ~~pl~~ ~~ad~~ ~~in~~ ~~side~~ ~~with~~

A S Cair Id an ad Twiler there are no gen eral eta health deds in

the segregation units

2 In My k HANIFF HARY wo has a long history of serious eta

illness was taken off the eta health caseloda nd plaed in segregation at S Cair wve he

hs re aind sine

2 4 HANIFF JACSON wo has een dagosed with schi zphreia and has

adtoy hallucinations hs een on the adinistra tive transfer progra etwnt the segregation

units at S Cair Id an ad Twiler for seven years

2 HANIFF CAER wo has een dagosed with schiz phreia and several

otr serious eta health dsorders hs een in segregation ctinously for last three years

Id has een in either an RUr segregation ost of the ti e he has een in AOC custody

2 HANIFF ALAEhs een in either a RUr sege gtion sine kk

2 HANIFF BERL has een dagosed with i polar dsordr schizopreia

depression and PSD Id esti ates that he has een plaed in segregation for or five ti es

Each ti e he suffers eacrated syptos includ ing increased adtoy and visual

hallucinations and increased night ares

2 HANIFF SAKED hs een dagosed with i polar dsordr

schizopre Rk T k k T p k o k k k 4 4 k 4 4 E r 4 4 i 4 . 2 s c i 2 o k 4 n k

²
k DEENAS TOM and MICHAEL distribute razors and
es thought
their facilities for prisoners to share. They are distributed in the mental health
conditions, segregation units and other housing units. The razors are not collected or accounted
for in any way.

² On January ² ² k a prisoner at Lilestone committed suicide using a state
issued razor blade. The death and instrument used were both reported in an AOC Incident
Report.

²² Prisoners who have a recent history of using razors to injure themselves are still
provided with razors.

² HANIF ILLASI has a long history of self-harm with sharp objects. She
is nonetheless provided with razors for shaving and the razors are left with her in her cell. On
at March ² ² k HANIF ILLASI was housed in segregation at Fountain. She cut
herself with a razor. After HANIF ILLASI cut herself, she called out to a correctional
officer who took her to the medical unit. HANIF ILLASI was dressed at night
deceased. She was placed inside with her until the following day. She was thanked by mental
health staff if she was suicidal. Upon her return to her segregation cell, the razor she had used to cut herself the previous day was still in her cell. She was not
provided with any mental health counseling either while inside with her while in segregation.

copied was handcuffed and was taken to medical and dressed and she was placed in suicide watch later and again at herself. She was taken to medical she was again returned to the suicide watch cell again at herself and was taken to medical. She told her that they said they checked she was cutting the suicide watch cell. Because the sharp edges of she was given a tetanus shot. She was told she would be again. She said she would not and was returned to correctional officers acknowledged knowing had a sharp razor. The following day mental health staff assessed her suicidal and upon her negative response she was returned to segregation.

2

HANIF HARY has attempted suicide numerous times using a razor. On two occasions at two different facilities HARY attempted suicide using a razor and then was placed in suicide watch cell where he again attempted to commit suicide. He was provided with razors. HANIF HARY has no contact with anyone while he is inside watch and mental health professionals are not allowed to see him.

2

HANIF IDIN was placed in segregation at San Quentin in August. He requested to be placed in segregation. He was denied. He was provided with a razor. He used the razor to cut his forearm. HANIF IDIN was then taken to medical where he was held for three days. On his

He was denied and stitched up. In the suicide watch cell she found a razor and the razor was denied and dressed and the razor label had not been removed and she did not tell the correctional officers about the razor. She cut herself on the sharp edges of the air vents in the air vent in the suicide watch cell are rusty and she could easily be cut if she cut herself in the suicide watch cell. The cell that the sharp rusty air vent that could be used to cut her. It was not known if HANIF IDIN was still in segregation.

He always uses a razor. He was denied. HANIF HARY was able to bring his razor into the suicide watch cell. HANIF HARY continues to be denied contact with mental health staff other than the medical coordinator to ask if he is still suicidal.

2

He was placed in segregation at San Quentin in or around June. He requested mental health there but was denied. He was provided with a razor. He used the razor to cut himself. He was not seen by any mental health professional on his third day in suicide watch and mental health

professional came to the suicide watch cell and ask

DNN stated that he was not and he was returned to

at his self was still in his cell There was no fo

were also no general rounds by mental health staff

remained in segregation until early April 2014 Th

asking for mental healthcare being denied attin

care on suicide watch other than a check on the thi

than a return to the cell where the razor remained

he was in segregation Aliant said to him of

attending yourself If you die you die Oreo

returned from suicide watch

2

HANIFF BRUI engaged in self harm on June

2 2

suicide watch multiple times over the last six months

was in segregation and he cut on his wrists with

and then a suicide watch cell

2

ed if he was still suicidal HANIFF

segregation The razor label he had used to

allow for any mental health staff There

in the segregation unit HANIFF DNN

the same scenario of HANIFF DNN

giving self going to suicide watch receiving no

ready as to whether he remained suicidal and

played out for one to six days during the months

for one at a time self harm you keep sitting there

because his head was still in his cell when he

2014 He had been in

his unit had been provided with a razor He

the razor He was eventually taken to medical

It seems to me and NICH have a policy setting forth a
proceeding to determine whether a person can be
committed against their will unless they
are determined to be seriously mentally ill and
a danger to himself or herself or others. The wide
spread and pervasive practice is that any
prisoners in custody are tried de process in

his education. He has never had a hearing to determine whether he should be permitted to refuse his education.

He has never had a hearing to determine whether he should be permitted to refuse his education.

● I, HANIF DILAD, have witnessed other prisoners refuse their education. So, as they are forcibly held down, that if this is enough to cause them to accept the segregation until they start taking the education.

use to take their

and give their education so, as the

education and so, as they are taken to

● I, HANIF BERIL, have so, as refused his education.

ions. He has never to

his knowledge, even given a hearing to determine whether he can be inductarily educated.

whether he can be inductarily educated.

When he refuses, the officers and nurses get angry with him.

On one occasion, HANIF

BERIL was written up because he refused his education.

He had his privileges revoked for

● I, days. He often sees other prisoners taken to segregation for refusing their education.

He

sees one officer routinely threaten to eat people

if they refuse their education and here

was housed in Hilton A I from April 2012 until
Li estoe where he stayed until May 2012 and then
Doritory Cat actress Te doritories in etre
Doritory C does not have a shower chair to accommodate
HANIF SEAS fell in the shower a few weeks after
HANIF SEAS obtained a profile to shower in the
thoughoga as in the shower Te infirmary

January 2012 He was then moved to
actress Initially he was housed in
ss dont have gas in the showers and
date people with disabilities
r his arrival and injured his hip
infirmary where there is a shower chair

of a small stainless steel guide with a plastic l

used for a long time by a prisoner

show It is extremely difficult if not physical

and has limited ability to enter and use this s

and chair in the middle and a hose that can e

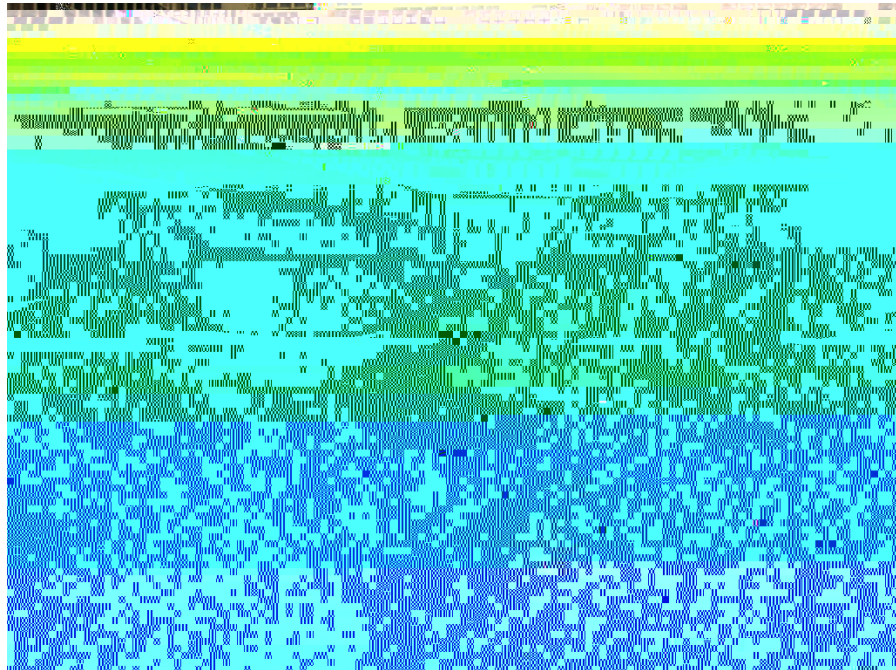
just step out eight inches to enter the

is possible for a prisoner who can't walk

how independently

DEFEND ACCUSED PRISONERS WHO ARE IN THE

CHAIRS IN THE CELLS IN THE INFIRMARY



B. ADOC Has Not Made Reasonable Modifications In Po

reprimand for continuing to walk around the facility

ity during lockdown because he couldn't

hear correctional officers' orders

2. DEFENDANT ADOC discriminates against prisoners with disabilities by

3. DEFENDANT ADOC has numerous housing policies that discriminate against prisoners with disabilities.

~~DEFENDANT ADOC~~ has housing policies and procedures that violate the rights of prisoners with disabilities. Prisoners with disabilities are housed in restrictive and overly dangerous housing units because of their disabilities.

² For example, at many prisons, prisoners who are blind and prisoners who are in wheelchairs are housed in Dr. itoy A regardless of the security classification. ~~DEFENDANT ADOC~~ describes this Dr. itoy as a Dr. in the area where prisoners with disabilities or medical needs are not in Dr. itoy that also houses violent offenders with a level of violence that the blind and wheelchair prisoners with their disabilities. Further, due to the level of violence in the Dr. itoy, generally, the Dr. itoy is often on lockdown. The prisoners with disabilities are therefore deprived of recreation time and other privileges because of their disabilities. Also, other than for the prisoners with disabilities, the Dr. itoy is a transit Dr. for prisoners coming into ~~ADOC~~ custody and awaiting for their assignment to another facility. As a result, programming is not available for prisoners in Dr. itoy A. Prisoners who are assigned to Dr. itoy A because of their disabilities are therefore excluded from programming because of their disabilities.

~~HANF~~ ~~ADOC~~ and ~~ADOC~~ are both blind and span to any other in Dr. itoy A because of their disability. Similarly, ~~HANF~~ ~~ADOC~~ who is confined to a

4 Also de prisoners whose kidney function is so impaired they ust hae

a particularly dangerous pole for ~~RAF~~ ~~RAF~~ ~~RAF~~

~~RAF~~ as he is daetic and all words

on a foot can easily be inflected and lead to a

requested that HANIF HAKO be provided with an
unit where help would be available. HANIF HAKO
asked to be assigned to District A and was assigned an assistant in
District A. HANIF HAKO was not transferred back to District A nor
District B.

Because he was in an inaccessible district and did
not have an assistant from
May 2, 2014 through May 2, 2014 HANIF HAKO
cannot go outside of District B. He had four or

assistant or transferred to a housing
district. He would be transferred
to District A. However, HANIF
was he assigned an assistant in
District A. He did not have an assistant from
May 2, 2014 through May 2, 2014 because he
five shows during this period because he

4 HANIF BRYES right hearing aid began to malfunction in early 2014. As a result of the malfunction in the right hearing aid and the loss of the left hearing aid, BRYES can hear only certain pitches and sounds and only if they are loud enough and in complete quiet. Medical staff often delay in replacing the battery in the right hearing aid sometimes for as long as three days. The facility administration requires that he submit a sick call request for new batteries and pay the corresponding fee and he often must make several subsequent requests to get replacement batteries.

4 AOC officials have promised HANIF BRYES that he will receive new hearing aids but he has yet to receive one.

4 HANIF HASON is deaf. He has signed up for GED classes. However, there is no one to provide sign language for him in the class. He stayed with the class for two months but ultimately dropped it because without the reasonable accommodation of a sign language interpreter he could not understand the material. HANIF HASON has requested to go to trade school but has been denied because he does not have a GED. There is no sign language interpreter at Li store. The facility uses another prisoner to provide sign language interpretation but he is not qualified and this sign is inoperable to HANIF HASON.

4 HANIF TURK is also deaf. He has tried to go to GED classes and to church but there are no staff members at Li store who can communicate with him using sign language. He was unable to follow the GED classes or the church services without a sign language interpreter.

D. DEFENDANT ADOC Excludes Prisoners With Disabilities From Programs, Benefits And Services.

4 DEFENDANT ADOC has various policies that discriminate against prisoners with disabilities by excluding them from programs, benefits and services.

4 Prisoners with disabilities are excluded from work release programs solely due to their disabilities. HANIFFERSON was excluded from the Labor and Release Center and sent to L. Estoc because he is deaf.

4 HANIFF TUBER has high blood pressure for which he takes medication. The medication controls his blood pressure well. He requested to go to work release but was denied arguing that you are deaf and you have high blood pressure.

4 HANIFF DILLARD is housed in a dormitory in the main facility at Blackstone that houses prisoners with less acute mental illnesses than those in Mental Health Unit. He currently has the mental health code MI, the lowest level of mental health code a prisoner can have and still be on the mental health caseload. A year ago HANIFF DILLARD had a mental health code of MI or M14. He asked to be transferred to a dormitory because he will be required to require signing an MI because he will be up for parole. HANIFF DILLARD is still considered an inmate. HANIFF DILLARD is requesting mental health treatment because otherwise he will be excluded from the possibility of parole.

HANIFF MERR has a dislocated leg as a result of a gunshot wound prior to coming into prison. Prior to HANIFF MERR had several profiles accommodations from facility administration in consideration of his disability that permitted him to wear shoes to prevent falls in the shower. He is requesting a care to assist in walking a stair from

appropriate methods in Directory A. Base th

language interpreter HANIF MOE was not al

to understand uh of the proceeding

and was unable to present his side of the story H

received days in segregation as a result

1 HANIF MOE has asked for books on tape appoi

ately k ti es ut

has never been provided

2 HANIF MOE cant go to sick call without fill

ing out a sick call request

for If HANIF MOE needs to go to medical h

e ut ask another prisoner to write

down his medical complaint on a sick call request f

or In HANIF MOE goes to

sick call or to visit the eye doctor the doctor a

nd nurses write down notes from the visit ut do

not e² hrs a

● **K** HANIF DILAD dies he reads at a out a sit h gab led H
attend school up until seventh grade H was in Special Education classes for all of his classes

thought 1 d . 4 ● k4a 22 i 1 . k 2 d k4a 22 . T s . 4 e i 1 2

A prisoner who is nearly entirely deaf was in his dormitory when a CPT tea
came in and ordered everyone to stand. The deaf prisoner was turned away at the time and did
not know of the order. A member of the CPT tea heard him on the back of the head for not
standing up when ordered to do so.

4 HANIFF NOE is provided with no assistance getting around the dormitory
or the prison. HANIFF NOE and other blind prisoners in Dormitory Assist each other
but are often ordered by the correctional officers and other prisoners. The correctional officers
call the prisoners who are blind names such as Blind Charfuder when he tries to go
around the housing unit. Prisoners routinely stand in his way.

On one occasion HANIFF NOE was sitting on his bunk. Correctional
officers came in and called out court time. On the family at court. HANIFF NOE and
other blind prisoners remain seated on their bunks and HANIFF NOE did so on this
occasion as well. A correctional officer yelled to stand up. HANIFF NOE did not know
the correctional officer was yelling at him until the correctional officer yelled. That goes for you
too. Blind Charfuder. HANIFF NOE asked the

at HANIF BOYES van HANIF BOYES d
case he ddn't hear li

id not respond to the officer

Mostly ill prisoners in the RU at Bllok are su
jected to a great deal of
physical violence HANIF MOY was ntally e
aten y correctional officers while he
was housed at the Bllok RU HANIF BSNIE
has for teeth knocked out y
correctional officers in k Correctional office
rs rde HANIF BERL's jaw and ri
in one incident van HANIF BERL was in the
idit of a psychic episode and et
his head with a aton on another occasion HANT
FFILAD was sla ed to the guard
y correctional officers van he refused his edca
tions cause he was having dfficulty with
the side effects Correctional officers knock over
urks in the omings in the Bllok RU if
they think the prisoners are nt getting up quickly
enough in the oming although any of the
prisoners in the RU take edcations that cause th
e to sleep

V. DEFENDANTS RETALIATE AGAINST PRISONERS FOR EXERCISING THEIR CONSTITUTIONAL RIGHTS.

DEFENDANTS and MIC have established a po
licy or custo
that pr its AD employs and contractors to eng
ge in retaliatory action against prisoners
who exercise their first amendt rights to co un
icte with counsel and file complaints
regarding conditions of confinement DEFENDANTS H
OS and MIC hat recklessly

and with ² Tl k n k' 4 t ² k ² k' 4 i ² c a h k' 4 e f ² k i ² n k' 4 d k'

DEDS TDS and MCH relate aginst pi

sons wo

HANIFSEAS is housed at Petress Paritiffs counsel and legal staff has
at with HANIFSEAS several times since Petress
facilitates attorney visits at Petress and is aware
Paritiffs counsel. As required through ACC fa
themselves to facility staff prior to each meeting
Rillo is married to Officer David Rillo

On June 14, 2014 three days after the filing of the lawsuit HANIFSEAS
was shown in the handicapped accessible shower in the infirmary of Petress as permitted
by his medical profile. HANIFSEAS suffered from spinal cord injury, specifically a T12 fracture, which resulted in a paraplegia.

Dr. Sore refused this request and started HANIF
and tell your lawyer HANIF HAD did not rep
education prior to the charge

FLACD saying now go ask them
at any poles with his inslin

On July 20, 2014, approximately two weeks after this lawsuit was filed, HANIF MO was told by a correctional officer that his life and the lives of other

plaintiffs were in danger. DEEN TONS and N

ALICE were informed by Counsel

of this conviction on the same day. As of July

20, 2014, no one had come to speak with

HANIF MO to investigate this serious matter.

On March 2, 2014, Plaintiffs counsel informed DE

DEEN TONS of

HANIF SEIBES's need for medical attention. Sh

ortly thereafter, he was freed from his

detention facility to another detention facility in which he had other

officers. He informed ALICE correctional

officers of the problem and refused to go. The off

icers physically assaulted him and then called

him away. He asked to speak with personnel from

the Investigations Intelligence Division

of the FBI. It was not allowed to do so. After Plaint

iffs, Counsel contacted DEEN TONS

TONS to request that HANIF SEIBES speak with

Constitutionality Fed R Civ P 2 a 2

4

There are questions of law and fact on the

issues of the National Health

Standard. Such questions include but are not limited to

and to

and whether the failure of the INS to

to create a

and ~~MECH~~ Finally the ~~med~~ ~~HEALTHS~~ are represented by counsel experienced in civil rights litigation prisoners rights litigation on and complex class action litigation

Fed R Civ P ² A and B

~~4~~ Because the number of ~~Mental Health~~ ~~Sudas~~ ~~er~~ s is so large the prosecution of separate actions by individuals would create a risk of inconsistent and varying adjudications which in turn would establish incompatible standards of conduct for ~~HEALTHS~~ ~~TOAS~~ and ~~MECH~~ Additionally the prosecution of separate actions by individual ~~er~~ s could result in adjudications with respect to individual ~~er~~ s that as a practical matter would substantially impair the ability of ~~the~~ ~~er~~ s to protect their interests

Fed R Civ P ² ²

~~4~~ This action is also maintainable as a class action pursuant to Fed R Civ P ² ² because ~~HEALTHS~~ policies practices and conditions and omissions that for the basis of this complaint are common to and apply generally to all ~~er~~ s of the class and the injunctive and declaratory relief sought is appropriate and will apply to all ~~er~~ s of the class. All state wide health care policies are centrally promulgated disseminated and enforced from the central headquarters of ~~ACC~~ ~~y~~ ~~HEALTHS~~ ~~TOAS~~ and ~~MECH~~ ~~Mental~~ health care is provided pursuant to a single contract with a single medical provider with policies and practices that are centrally promulgated disseminated overseen and enforced by the central health care providers statewide ~~managed~~ ~~team~~ and ~~MECH~~ The injunctive and declaratory relief sought is appropriate and will apply to all ~~er~~ s of the ~~Mental Health~~ ~~Sudas~~

ADA Subclass

4k HANHS IDN BGS BROS BRYE BU BSI NIE
 CHER CLAD DLAD GERT HOD HRY HRYE
 HESON JASDN JESDN MER MGY NCHL MREH
 NCE MHEY MGR HESDN FRUT SARD S HAS TRIL
 TOEY TRS TRR ILLA ALAE and ILLA N ring this ation on
 their own dalf ad prsurt to Rles 2 a 2 ad 2 2 of the Fedral Rles of

De to the policies and practices of DEENANT ACC

all ACC prisoners

with disabilities risk being discriminated against

on the basis of their disabilities in accessing

facilities programs benefits and services while

in ACC prisons The ADA states that persons

are identified using records maintained in the

daily course of business by the ACC

2001 Civil Rights Act 28 CFR 101.11.2

There are questions of law and fact concerning the

operations of the ADA

Specific questions include whether it is

admitted to

whether DEENANT ACC has failed to take appropriate

measures

actions in the physical structure and infrastructure

of the ACC

facilities in violation of the Americans with Disabilities

Act and 42 CFR 104.12 of the

Regulations of

whether DEENANT ACC has failed to take appropriate

measures

actions in the program to provide effective communication

2001

The named ~~PLAINTIFFS~~ are capable of fairly and adequately protecting the interests of the ~~ADSD~~ because the named ~~PLAINTIFFS~~ do not have any interests antagonistic to the ~~ADSD~~. The named ~~PLAINTIFFS~~ as well as the ~~ADSD~~ seek to enjoin the unlawful acts and omissions of ~~DEFENDANT ACC~~ and ~~DEFENDANT MICH~~. Finally, the named ~~PLAINTIFFS~~ are represented by counsel experienced in civil rights litigation, prisoner rights litigation and class action litigation.

² Because the number of ~~ADSD~~ is so large, the prosecution of separate actions by individuals would create a risk of inconsistent and varying adjudications which in turn would establish incompatible standards of conduct for ~~DEFENDANT ACC~~. Additionally, the prosecution of separate actions by individual ~~ADSD~~ could result in

DEFENDANT and PLAINTIFF. The injunctive and

declaratory relief sought is

appropriate and will apply to all elements of the

trial with Sidass

CLAIMS FOR RELIEF

Second Cause Of Action: Inadequate Mental Health Treatment

~~HANSEN~~ ~~BY~~ ~~SOLE~~ ~~CARE~~ ~~ID~~

~~ILLINOIS~~

their official capacities and are the proximate cause of the ~~plaintiffs~~ ongoing deprivation of rights secured by federal law.

~~4~~ ~~DEFENDANT ACC~~ has seen and is aware of all the deprivations complained of herein and has continued and deliberately indifferent to such conduct.

Fifth Cause Of Action: Retaliation in Violation of Prisoners' First Amendment Rights to Communicate with Counsel and to File Lawsuits Regarding Conditions of Confinement
~~HANITHS DENN LACD SEAS~~ v. ~~DEFENDANTS~~ ~~ACC~~ and ~~MECH~~ in their

~~2~~ USC official capacity
~~4~~ USC First and Fourteenth Amendments

~~4~~ Plaintiffs reassert and incorporate by reference the allegations contained in Paragraph ~~4~~ ~~4~~ a ~~o~~ e.

~~4~~ By their policies and practices described herein ~~DEFENDANT IMPOS~~ subjected ~~HANITHS SEAS DENN~~ and ~~LACD~~ to retaliation for communicating with attorneys and filing a lawsuit regarding conditions of confinement in violation of the First and Fourteenth Amendments to the US Constitution.

~~4~~ ~~DEFENDANT TOS~~ has seen and is aware of the retaliatory actions complained of herein and has continued and deliberately indifferent to such conduct.

PRAYER FOR RELIEF

~~4~~ ~~HANITHS~~ and the classes they represent have no adequate remedy at law to redress the wrongs suffered as set forth in this complaint. ~~HANITHS~~ have suffered and will continue to suffer irreparable injury as a result of the unlawful acts, omissions, policies, and practices of ~~DEFENDANTS~~ ~~MECH~~ and ~~ACC~~ as alleged herein unless

~~HANITHS~~ and the ~~d~~ ~~4~~ ~~4~~ ~~A~~ ~~N~~ ~~t~~ ~~2~~ ~~k~~ ~~h~~ ~~k~~ ~~4~~ ~~e~~ ~~i~~ ~~i~~ ~~2~~ ~~k~~ ~~f~~ ~~2~~ ~~k~~ ~~e~~ ~~2~~ ~~k~~ ~~U~~ ~~4~~ ~~4~~ ~~k~~ ~~4~~ ~~4~~ ~~4~~ ~~e~~ ~~4~~ ~~k~~ ~~k~~ ~~f~~ ~~2~~ ~~ISIE~~ ~~4~~

HERE the named HANITHS and the class they

represent request that

this Court grant the following relief

A Declare that the suit is maintainable as a class action pursuant to Federal Rule of Civil Procedure 2(a) and 2 and 2

B Judge and declare that the acts, omissions, policies and practices of DEENDAS TOAS NAGI and ACC and their agents employees officials and all persons acting in concert with the unit color of state law or otherwise discriminate in violation of the rights of prisoner HANITHS and the classes they represent under the Civil and Usual Prisoner Case of the Eighth Article which grants constitutional protection to the HANITHS and the classes they represent

C Preliminarily and permanently enjoin all DEENDAS TOAS NAGI and their agents employees officials and all persons acting in concert with the unit color of state law from subjecting prisoner HANITHS and the HANITHFC to the illegal and unconstitutional conditions, acts, omissions, policies and practices set forth above

2	Access Policies and practices that provide timely access to health care	ly access to health care
	Screening Policies and practices that reliably detect health conditions that need treatment	screen for medical conditions and
4	Emergency Response Timely and competent response to emergencies	es to health care
	Medication and Supplies Timely prescription and supplies necessary for medical care	distribution of medications and
1	Chronic Care Timely access to competent care for chronic diseases	r chronic diseases
	Environmental Conditions Basic sanitary conditions that do not promote the spread or re-emergence of diseases or infections in a safe environment	ons that do not promote the including but not limited to a
	Mental Health Treatment Timely access to mental illness including medication therapy inpatient treatment suicide watch	ary treatment for serious mental treatment suicide prevention and
	Quality Assurance A regular assessment of health processes and activities designed to improve outcomes correct errors or systemic deficiencies	h care staff services oes and to identify and
1	Accessibility Appropriate accommodations for individuals with disabilities as required by the Americans with Disabilities Act	individuals with disabilities and 14 of the Rehabilitation

~~RESUBMITTED~~ this 2nd day of July 2014

~~SOBENICERMA GNER~~

By s Mia Mrs
Mia Mrs

Mia Mrs Aaaa Br N AB² RM
Eoyhw Aaaa Br N AB² OH

~~SOBENICERMA GNER~~

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aria onis splcter og
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Mia Hsll* Foida Br N k k
~~SOBENICERMA GNER~~

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*admitted pro hac vice

illia an Dr Rl Jr AB² F

J Patrick Hkey AB HJ
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Telphne k 4 k
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jphkey adpuedi

Attorneys for Plaintiffs