



PC-DC-011-030

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

WOMEN PRISONERS OF THE DISTRICT OF)
COLUMBIA DEPT. OF CORRECTIONS,)
et. al.,)
Plaintiffs,)
v.)
DISTRICT OF COLUMBIA, et. al.)
Defendants.)

Civil Action No. 93-2052
(JLG)

DEFENDANTS' PRETRIAL STATEMENT

Defendants, by and through counsel, Maria Amato, Assistant Corporation Counsel, D.C. respectfully submit the following pretrial statement.

I. Statement of Facts Relevant To This Action

Plaintiffs, the women prisoners of the D.C. Department of Corrections, allege Constitutional inadequacies in the areas identified below relevant to their conditions of confinement and access to programming and work training. Defendants assert the conditions of confinement and the record in this case evidence no systematic deliberate indifference to plaintiffs' basic human needs. Moreover, defendants assert that the relevant conditions and programs meet the applicable standard of care and that female prisoners enjoy equality, parity and often greater benefits in many aspects of their confinement in comparison with male inmates.

II. DISPUTED ISSUES:

1. PROGRAMMING: CTF AND MINIMUM

116-19

A. Education:

- (1) Accessibility of basic and higher education with regards to (a) escort availability
(b) environmental impact on services
(c) scheduling
- (2) Availability of Supplies and Course Materials.
- (3) Quality of education in comparison with male inmates.

B. Vocational/ Apprenticeship:

- (1) Quality and quantity of vocational programs available for females in comparison with male inmates.
- (2) Availability of gender non-stereotypical vocational programs.

C. Work Training (Minimum Only):

- (1) Accessibility and quality of work training programs in comparison with male inmates.
- (2) Accessibility of gender nontraditional work training programs.

D. Industry:

- (1) Quality and Quantity of Industry jobs available to females in comparison with male inmates.
- (2) Accessibility of gender non-traditional industrial jobs.

E. Religion:

- (1) Quality and quantity of religious services, activities and programs available to females in comparison with male inmates.

(2) Quality and and space of physical facilities available to females in comparison with male inmates.

(3) Availability of religious leaders and counselors in comparison with male inmates.

F. Recreation:

(1) Quality and quantity of recreation time available to females in comparison with male inmates.

(2) Quality and quantity of recreation activities available to females in comparison to male inmates.

(3) Accessibility to facilities and equipment for recreation in comparison to male inmates.

G. Psychological and Substance Abuse Counseling:

(1) Quality and quantity of substance abuse counseling available to females in comparison with male inmates.

(2) Quality and quantity of psychological/ social worker counseling available to women in comparison with male inmates.

2. SEXUAL MISCONDUCT:^{1/}

A. Protection of Women

(1) Adequacy of both preservice and inservice training of personnel regarding sexual misconduct.

(2) Adequacy of education for male and female prisoners regarding sexual misconduct.

(3) Adequacy of available methods for reporting sexual misconduct.

¹ The term "sexual misconduct" will include for the purposes of this case, all misconduct ranging in severity from verbal commentary through physical assaults.

(4) Adequacy of the timeliness in handling allegations of sexual misconduct.

(5) Adequacy of the manner in which sexual misconduct is investigated.

(6) Adequacy of the prophylactic measures taken to protect an inmate from the accused while an investigation is being conducted.

(7) Adequacy of the final decision or ruling upon an allegation of sexual misconduct after it has been investigated.

(8) Adequacy of the discipline of personnel found to have engaged in sexual misconduct.

(9) Adequacy of tracking system for identifying officers with repetitious charges of sexual misconduct.

B. PRIVACY:

(1) Adequacy of screening of windows at the CTF while women are dressing.

(2) Adequacy of procedures for announcing a male officer entering a female unit.

(3) Adequacy of dress codes for females on unit during daytime hours.

3. MEDICAL CARE/OB/GYN: (CTF Only)

(1) Adequacy of prenatal and postpartum medical care.

(a) Adequacy of timely pregnancy testing and communication of results.

(b) Adequacy of periodic prenatal exams and postpartum follow up exam.

(c) Adequacy of fetal testing and prenatal monitoring.
(d) Adequacy of nutrition and vitamin supplements for pregnant inmates.

(e) Adequacy of prenatal and postpartum counseling and education, including parenting, nutrition and postpartum depression.

(f) Adequacy of child placement counseling and assistance.

(g) Adequacy of visitation with babies by postpartum mothers.

(h) Adequacy of transport to prenatal and postpartum medical appointments.

(i) Adequacy of coordination with D.C. General Hospital for continuity of care.

(j) Adequacy of documentation of services, counseling and testing.

2. Adequacy of Gynecological Care.

(a) Adequacy of routine gynecological testing on a periodic basis including pap smears, mammography, etc.

(b) Adequacy of notification of test results.

(c) Adequacy of follow up and treatment for abnormal test results.

(d) Adequacy of follow up on missed and rescheduled appointments.

(e) Adequacy of treatment of HIV related gynecological problems.

(d) Adequacy of counseling and education regarding gynecological problems, sexually transmitted diseases and AIDs.

(e) Adequacy of transport to gynecological appointments.

(g) Adequacy of coordination with D.C. General Hospital for continuity of care.

(h) Adequacy of documentation of services, counseling and testing provided to women.

4. SANITATION AND SAFETY:

(1) Availability of Supplies:

(a) Availability of feminine hygiene products.

(b) Availability of cleaning supplies, including cleaning products and implements.

(c) Quality of cleaning supplies.

(d) Availability of laundry detergent and supplies.

(e) Availability of adequate washing appliances.

(2) Cleanliness of Environment

(a) Adequacy of supervision, enforcement and quality control of cleaning detail.

(b) Adequacy of cleanliness of kitchens.

(c) Adequacy of cleanliness of bathrooms.

(d) Adequacy of cleanliness of housing/living units.

(3) Vermin Control

(a) Frequency of use of pest control measures.

(b) Adequacy of supervision, enforcement and quality control of environmental sanitation to inhibit pest infestation.

(4) Lighting

(a) Adequacy of lighting in culinary, store room, showers, dorm areas.

(5) Ventilation

(a) Adequacy of ventilation in Industry at Central Facility.

(b) Adequacy of ventilation at CTF.

(c) Adequacy of ventilation in trailers and dorms at Minimum.

(6) Plumbing

(a) Adequacy of water temperatures for the handsinks and showers.

(b) Adequacy of maintenance of sanitary fixtures.

(c) Adequacy of availability of sanitary fixtures.

(7) Electrical

(a) Adequacy of electrical circuit identification.

(b) Adequacy of panel and outlet box coverings.

(8) Drainage

(a) Adequacy of water drainage on grounds at Minimum.

(9) Food Preparation and Service

(a) Adequacy of food serving temperatures.

(b) Adequacy of sanitation in food transport and service in Industry at Central Facility.

(c) Adequacy of sanitation exhibited in preparing and serving food at CTF and Minimum.

(10) Laundry

(a) Adequacy of laundry procedures at Minimum to ensure elimination of infectious organisms.

(b) Adequacy of sanitation procedures in the transporting of laundry at Minimum and CTF.

(11) Refuse disposal

(a) Adequacy of coverings for refuse containers at Minimum.

(12) Recreation

(a) Adequacy of recreation time allotted to inmates at Minimum.

5. FIRE SAFETY

(1) Training

(a) Adequacy of operational procedures for responding to fire emergencies.

(b) Adequacy of staff and inmate participation in fire drills.

(2) Systems

(a) Adequacy of testing of fire protection system at CTF.

(b) Adequacy of fire detection equipment provided at Minimum.

(3) Population Safety

(a) Feasibility of evacuation.

(b) Adequacy of evacuation plans.

6. QUALITY OF LIFE:

(1) Smoking:

(a) Smoking policy at CTF for women in comparison to male inmates.

(b) Adequacy of smoking cessation aids.

(2) Dining Privileges:

(a) Adequacy of time allotted for females for dining in comparison to male inmates.

(b) Food portions in comparison to male inmates.

(3) Canteen:

(a) Quality of snacks and other items available.

(b) Availability of feminine hygiene products.

(c) Availability of supplies on canteen in comparison with male inmates.

(d) Accessibility of canteen in comparison with male inmates.

III. WITNESSES:

The following individuals will be called as witnesses in the trial of this matter. The business address is indicated by name. Each address is as follows:

Grimke Building: 1923 Vermont Ave. N.W. Washington, D.C.

CTF: Correctional Treatment Facility, 1901 E Street, S.E. Washington, D.C.

D.C. Jail: Central Detention Facility, 1901 D Street, S.E.,
Washington, D.C.

Minimum: Minimum Security Facility, Lorton, Va.

Central Facility: Lorton, Va.

Office of Special Needs, Lorton, Va.

1. Ms. Margaret Moore, Director, D.C. Department of
Corrections, Grimke Building

-Ms Moore will offer testimony concerning her commitment,
philosophy and plans as the new director of the D.C. Department
of Corrections regarding women prisoners to include all aspects
of confinement, including conditions of confinement, programming,
work and alleged sexual misconduct.

2. Paul Quander, Deputy Director, D.C. Department of
Corrections, Grimke Building

-Mr. Quander will testify regarding preparation for the
return of women from the Federal Bureau of Prisons.

-The preparation for the opening of the CTF.

-Conditions of confinement, programming and allegations of
sexual misconduct towards female inmates.

-Progress regarding the conditions of confinement,
programming and handling of allegations sexual misconduct in the
Department.

-Considerations, constraints and other concerns including
budget and security, regarding expansion of programming, work and
activities for women.

3. William Plaut, Associate Director for Operations, Acting Associate Director for Programs, Former Associate Director for Institutions, Grimke Building

Mr. Plaut will testify regarding:

- Conditions of confinement for women prisoners with regards to the environment including sanitation, fire safety, and facilities management.

- Programming for females.

- Policies and procedures regarding allegations of sexual misconduct including the specific handling of alleged incidents of sexual misconduct.

- Medical Care for female prisoners including policies, procedures and protocol, transport, and coordination with D.C.G.H.

4. Bernard Braxton, Associate Director for Institutions, Lorton, Va.

Mr. Braxton will testify concerning policies and procedures regarding females housed in Lorton, including:

- Staffing of Minimum Security Facility.

- Expansion of programs at Minimum Security Facility.

- Physical facilities at Central.

- Plans to expand physical facilities for Industry at Central Facility and the Annex.

- Handling of allegations of sexual misconduct.

5. Vernon Hawkins, Chief, Office of Special Needs, Lorton, Va.

Mr. Hawkins will testify as to:

- The origin, development and progress of the Office of Special Needs.

- The services, purpose and function of the Office of Special Needs.

- Expansion and future plans for females by the Office of Special Needs.

6. Regina Gilmore, Coordinator, Female Offenders Program, Lorton, Va.

Ms. Gilmore will testify as to all aspects of female offenders including:

- Profile and special needs of female offenders.

- The departments policies, procedures, programs and plans for dealing with and meeting the needs of female inmates.

- Programming, work and activities available to female inmates.

- Future plans for female inmates.

- History, progress and future plans of the Female Offenders' Program.

7. Douglas Stempson, Administrator, Minimum, Lorton, Va.

Mr. Stempson will testify as to all aspects of the confinement of female prisoners at the Minimum Annex, including:

- The physical environment, including maintenance, sanitation, safety, fire, etc.

- The programming and activities offered females.

-Work training, industry, detail work provided females at the Annex.

-General policies and procedures relating to females.

-General policies and procedures for the handling of allegations of sexual misconduct.

-Specific alleged incidents of sexual misconduct.

8. G.H. McCathorine, Former Associate Director for Programs, Former Administrator for the CTF.

Ms. McCathorine will testify as to all aspects of the confinement of female prisoners in the CTF including:

-Preparation for the return of women from the Federal Bureau of prisons and the opening of the CTF.

-Sanitation, safety, and the physical environment.

- Programming, detail and activities provided female inmates at CTF and in the D.C. Department of Corrections.

-Staffing, security and movement of inmates at CTF.

-Budget, space, security and other elements regarding programming for females.

-Policy, practice and procedures in handling alleged incidents of sexual misconduct at the CTF.

-Specific incidents of alleged sexual misconduct.

9. Michelle Elzie, Administrator, D.C. Jail

Ms. Elzie will testify as to the policies, practices and procedures regarding the handling of allegations of sexual misconduct at the Jail and will also testify as to certain currently pending specific allegations of misconduct.

10. John Henderson, Former Administrator of the D.C. Jail and current Administrator, Occoquan Facility, Lorton, Va.

Mr. Henderson will testify to past policies, procedures for the handling of alleged sexual misconduct at the D.C. Jail and the handling of specific incidents of sexual misconduct.

11. Vincent Gibbons, Administrator, Central Facility, Lorton, Va., Former Chief of Mental Health Services.

Mr. Gibbons will testify regarding:

- Addressing the psychological needs of females in the past.

- All aspects of Industry at Central Facility relevant to female prisoners including the physical facility, security and movement, sexual harassment training for inmates, feeding and transport.

12. James Riddick, Asst. Admin. for Programs, Acting Administrator for CTF.

Mr. Riddick will testify to :

- Programming, work details and all activities available for females at the CTF.

- Plans regarding programming for female inmates at CTF.

- All aspects of confinement of females at CTF including physical environment, security, movement, dining etc.

13. Gerald Bowser, Women's Program Director, CTF

Mr. Bowser will testify as to:

- His plans regarding programming for the female inmates at the CTF.

-Programming, work details, all aspects of confinement of females in CTF Female Offenders Unit.

14. Hazel Smith, Assistant Administrator for Programs, Minimum, Lorton, Va.

Ms. Smith will testify as to:

-The programs, vocational, educational, work training, detail work and activities provided females at Minimum.

-Practices, policies and procedures for the handling of sexual misconduct at Minimum.

-The handling of allegations of sexual misconduct.

-The preparation of the CTF for the return of females from the FBOP.

15. Edmund Walsh, Chief, Case Management, CTF

Mr. Walsh will testify to:

- The policies, practices and procedures for the case management assessment of females at the CTF.

-Population management, classification, custody, security issues for women and unit management.

16. L.C. Jones, Asst. Admin. for Operations.

Mr. Jones will testify as to all aspects of Operations at the CTF including:

-Security system including elevators and doors, movement, housing and staffing.

-Housing and Security Board hearings.

-Sanitation, safety and fire procedures at CTF.

-Policies, practices and procedures for the investigation of allegations of sexual misconduct and specific allegations of sexual misconduct.

17. Alethia Hill Simmons, Higher Education, Lorton, Va.

Ms. Simmons will discuss and compare the available college programs for inmates and more specifically female prisoners.

18. Mance Langham, Principal, CTF

Mr. Langham will testify as to the available educational and vocational programs available to prisoners at the CTF.

19. James Derr, Vocational Dev't Specialist, Minimum Annex, Lorton, Va.

Mr. Derr will testify as to the vocational, educational and work training services available to females at Minimum, Annex.

20. Deloise Leggett, Recreation Specialist, CTF

Ms. Leggett will testify as to the recreation activities available to inmates at CTF, including the recreation schedules, equipment, staffing and activities.

21. Gertrude Jackson, Recreation Specialist, CTF

Ms. Jackson will testify as to the recreation activities available to inmates in the Substance Abuse Programs at CTF, including schedules, equipment, staffing and activities.

22. Sharon Hargrove, Recreation Specialist, Minimum Annex, Lorton, Va.

Ms. Hargrove will testify as to the recreation activities available to females at Minimum Annex including schedules, equipment, staffing and activities.

23. Reverend Alfred Minor, CTF

Reverend Minor will testify as to all religious services available to all inmates at CTF including the services and activities, facilities, staffing and volunteer coordinator, pastoral and crisis counseling.

24. Reverend Jerry Moore, Minimum, Lorton, Va.

Reverend Moore will testify as to all religious services available to all inmates at Minimum and the Annex including the services and activities, facilities, staffing and volunteer coordinator, pastoral and crisis counseling.

25. Dr. Wilbert Brown, Jr. Industrial Services, Central Facility, Lorton, Va.

Dr. Brown will testify as to all aspects of Industry and preindustry available to inmates including:

- Available industries.

- Physical facilities.

- Compensation.

- Enrollment.

- Security issues.

- Compensation.

- Future plans.

- Policies, practices and procedures regarding the handling of sexual misconduct and specific incidents of alleged sexual misconduct in the Industry factory.

26. Mr. Richard Peverell, Garment Shop Foreman, Central Facility, Lorton, Va.

Mr. Peverell will testify as to all aspects of the employment of inmates in the garment shop including:

- The physical plant.
- Movement of inmates, security and mingling.
- Procedures for feeding and meeting the other physical needs of inmates at the garment factory.
- General practices, policies and procedures regarding sexual misconduct in the factory and specific incidents of alleged sexual misconduct.

27. Jasper Ormond, Chief of the Substance Abuse Program, CTF

Mr. Ormond will testify to the intensive 12 to 18 month substance abuse program at the CTF for both males and females, and the community phase of the program in community correctional centers for one year after release.

28. Madie Berry, Substance Abuse, CTF

Ms. Berry will testify as to the pilot female substance abuse program for women and the intensive substance abuse program for females at CTF.

29. Sondra Petty, Substance Abuse, CTF

Ms. Petty will testify as to the six month substance abuse program and the planned 30 day program at the CTF and the Annex.

30. Delores Starks, Substance Abuse, CTF

Ms. Starks will testify as to her duties and responsibilities as the senior substance abuse counselor who directly provides services to the female inmates in the six month substance abuse program at the CTF.

31. Henry Cobb, Substance Abuse, Minimum, Lorton, Va.

Mr. Cobb will testify as to the six month substance abuse program available to females at Minimum Annex.

32. Dr. William Davidson, Psychiatric Services, Lorton, Va.

Dr. Davidson will testify as to the psychiatric services available to females at CTF.

33. Vinson Reynolds, Psychologist, CTF

Mr. Reynolds will testify as to the psychological services, counseling and therapy available to females at CTF.

34. Pearl Jackson, LICSW, Social Worker, CTF

Ms Jackson will testify regarding the social worker services provided females, including counseling, crisis intervention, self esteem groups, cotherapy and child placement/visitation services and referrals to Karrick Hall provided pregnant and general population females at the CTF.

35. Loretta Brantley, Social Worker, CTF

Ms. Brantley will testify regarding the social worker services provided females, including counseling, crisis intervention, self esteem talk groups, cotherapy and child placement/visitation services and referrals to Karrick Hall provided Youth Rehabilitation Act and Intake Unit at the CTF.

36. Helen Brown, Social Worker, DCGH

Ms. Brown will testify regarding social worker services provided prenatal and postpartum females at D.C. General Hospital with special regard to placement of incarcerated mother's infants and handling of "boarder babies".

37. Valerie McNeil, Unit Manager, CTF

Ms. McNeil will testify as to all aspects of confinement of females on specific housing units and specifically the intake unit of the CTF including: schedules, movement, details, supplies, escorts, custody and classification, programming, unit activities, rules and regulations and policies, practices and procedures regarding female attire, privacy, grievances and sexual misconduct. She will also testify as to the comparison of the functions of the intake unit versus the male counterpart, the R and D Unit.

38. Karen Brock, Case Manager, CTF

Ms. Brock will testify as to the services she provides to the females of the CTF including initial intake evaluations, classification, referral to programs, counseling and other programs, parole, halfway houses and other case management activities. She will also testify to general issues of confinement on the housing units such as schedules, movement, details, supplies, escorts, programming, unit activities, rules and regulations and policies, practices and procedures regarding female attire, privacy, grievances and allegations of sexual misconduct.

39. Donna Baker, Case Manager, CTF

Ms. Baker will testify as to the services she provides to the females of the CTF including initial intake evaluations, classification, referral to programs counseling and other programs, parole, halfway houses and other case management activities. She will also testify to general issues of confinement on the housing units such as schedules, movement, details, supplies, escorts, programming, unit activities, rules and regulations and policies, practices and procedures regarding female attire, privacy, grievances and allegations of sexual misconduct.

40. Dr. William Hall, Asst. Director, Health Services, Lorton, Va.

Dr. William Hall will testify as to policies, practices, procedures and protocols regarding the provision of medical care to inmates in the D.C. Department of Corrections and his capacity as technical supervisor to CTF medical unit and coordination of services with D.C. General Hospital.

41. Dr. Charles Hall, Ob/Gyn, Medical Unit, CTF

Dr. Charles Hall will testify as to all aspects of gynecological and perinatal care provided females at the CTF including testing, medical care and follow up, counseling, procedures, referrals, protocols and coordination with the D.C. General Hospital.

42. Dr. Sidney Jones, Chairman OB/Gyn Department, DCGH

Dr. Jones will testify as to all aspects of gynecological and perinatal care provided females at D.C.G.H. including

testing, medical care and follow up, counseling, procedures, referrals, protocols and coordination with the D.C. Department of Corrections.

43. Dr. Keller, Medical Unit, CTF

Dr. Keller will testify as to the general medical care provided females at the CTF including sick call procedures, protocol, testing, appointments, referrals, follow up etc.

44. Dr. Eliza Taylor, Chief Medical Officer, Medical Unit, CTF

Dr. Taylor will testify as to all aspects of medical care including supervision of all medical providers, documentation, referrals, follow up, treatment protocols, testing, specialty clinics, etc.

45. Dr. Clayton, Medical Unit, CTF

Dr. Clayton will give testimony regarding medical care provided female inmates specifically relating to HIV/AIDs including testing, medical care and treatment given HIV positive inmates at CTF. Dr. Clayton will also testify as to pre-test and post-test counseling and the distribution of prophylactics to prevent the spread of AIDs.

46. Clarence Covington, HIV Counselor, CTF

Mr. Covington will testify regarding the HIV/AIDs education and counseling provided inmates and the distribution of prophylactics to prevent the spread of infection in the facility.

47. Mary Dot Thomas, Nurse, Medical Unit, CTF

Ms. Thomas will testify as to Ob/Gyn nursing services available to females at CTF including testing and education regarding gynecological concerns and perinatal care.

48. Caroline Gibson, Nurse, Medical Unit, CTF

Ms. Gibson will testify as to nursing services available to females at CTF including testing, education regarding gynecological concerns and perinatal care.

49. Lois Cane, Appointments Nurse, Medical Unit, CTF

Ms. Cane will testify as to the coordination of appointments between CTF and D.C.G.H., follow up appointments, coordinating referrals and rescheduling of missed appointments.

50. Carole Gibson, Public Health Nurse Practitioner, CTF

Ms. Gibson will testify to prenatal educational classes held on the pregnancy unit educating women in various issues such as nutrition, counseling, parenting as well as general education provided females regarding general health issues including sexually transmitted diseases, HIV, breast exams and other health issues.

51. Linda Studevant, Unit Manager, Pregnant Females Unit, CTF

Ms. Studevant will testify as to all aspects of confinement of females on the pregnancy housing unit including:

-Schedules, movement, details, supplies, escorts, programming, unit activities, rules and regulations and policies practices and procedures regarding female attire, privacy, grievances and sexual misconduct. She will also testify as to

the comparison of the functions of the pregnancy unit versus a regular housing unit including special provisions for pregnant females such as special medical rounds, snacks and meals, etc.

52. All Witnesses Named By Plaintiffs

IV. EXPERT WITNESSES

1. Dr. T.A. Ryan

(a) Qualifications: (See attached curriculum vitae marked as Exh. A for a more detailed statement of Dr. Ryan's qualifications, too extensive to set forth here). Generally, Dr. Ryan's qualifications are as follows:

PhD Psychology	Stanford University
MA Sociology	California State University
BA Psychology	Stanford University/California State University at Sacramento
Advanced Study	University of Geneva
Advanced Study	University of Oslo

Dr. Ryan's extensive qualifications include professional honors and listings in a dozen professional honorary directories, membership in nine correctional and psychological associations, 16 awards in the field of research, sociology, psychology and corrections including a joint award from the U.S. and Canada corrections for meritorious contribution to correctional systems, and awards from the American Psychological Association for contribution and distinction in corrections, U.S. Bureau of Prisons Award in recognition of pioneering efforts in

correctional education, South Carolina Correctional Association Distinguished Service Award in recognition of outstanding professional achievement in the criminal justice system and service to humanity, American Correctional Association Award for Outstanding Research in Corrections.

Dr. Ryan has served on over sixty correctional, psychological and research professional assignments, activities, research and development projects. Dr. Ryan has published ninety articles and 63 reports related to corrections, education and vocation, psychology, counseling, and other areas. (See attached CV for description of each publication and report).

(b) Dr. Ryan's areas of expertise: Corrections, female offenders, correctional education, management, organizational psychology, evaluation and research. (See attached CV marked Exh. A).

(c) Substance of Testimony: See attached Report of Technical Assistance by Dr. Ryan, marked as Exh. B.

2. Dr. John H. Clark, M.D., M.P.H., C.C.H.P.:

(a) Qualifications: (See attached curriculum vitae marked as Exhibit C for more detailed explanation of experience). Dr. Clark is a specialist in the area of OB/Gyn with extensive experience in the area of Public Health and correctional medical care and administration. His education includes, aside from various fellowships, the following:

B.S.	Knoxville College
M.D.	Meharry Medical College

Internship University of Southern California Medical
Center

Residency in Martin Luther King, Jr. Hospital, L.A.,
OB/Gyn California.

Dr. Clark is currently the Chief Medical Officer of the very large and complex Los Angeles County Sheriff's Department, which includes oversight of all physicians including supervision, orientation, budget functions, coordination with outside entities, examination and treatment of inmates, liaison to various legal and civil rights groups and the L.A. Health Department and the California Medical Association.

Dr. Clark has previously served as the Public Health Chief of the South Area of the L.A. County Department of Health Services, the Deputy Director of Public Health, Santa Clara Health Department and the Director of Obstetrics and Gynecology, L.A. County Department of Health Services, Hubert H. Humphrey Comprehensive Health Center. He has also served as the Director of Maternal and Infant Care for the Southeast Health Services, L.A. County Department of Health and the coordinator of Ambulatory Obstetrics and Gynecology.

Dr. Clark is the L.A. County representative to the California Medical Association, Jail and Detention Facility Committee. He is a member of the L.A. County Sheriff's AIDS Task Force and "APLA", AIDS Project Los Angeles Committee on Law Enforcement and Emergency Worker's and Jail Accreditation Surveyor for the California Medical Association and the National

Commission on Correctional Health Care. Dr. Clark has spoken frequently regarding various issues of Public Health care, AIDS and pregnancy, including high risk pregnancies. Dr. Clark has authored ten publications concentrating on issues of correctional health care. He has been a consultant/ expert on at least fourteen occasions for, among others, the U.S. Department of Justice, Civil Rights Division, National Institute of Corrections, National Commission on Health Care, U.S. Attorney's Task Force on Mississippi Jails and many others.

(b) Area of Expertise: Dr. Clark is an expert in the areas of OB/Gyn care, health care in corrections, public health, and administration and management of health care.

(c) Substance of Testimony: The Court's attention is directed to the attached report (Exh. D) and 26(b)(4) statement (Exh. E), the substance of the testimony too extensive to set forth fully here.

3. Justin Taylor

(a) Qualifications: (See attached curriculum vitae attached to Mr. Taylor's Supplemental Statement Provided Pursuant to Fed. R. Civ. P. 26(b)(4)(A)(i) which is marked as Exh. F for a more detailed statement of Mr. Taylor's qualifications). Generally, Mr. Taylor's has nineteen years of law enforcement experience. Since 1986 he has been responsible for the supervision of approximately seventy employees in the coordination of the New York State Department of Correctional Services Fire/Safety Program for 30,000 staff and 65,000 inmates.

Mr. Taylor also serves as an Auditor for the American Correctional Association. In that role he has performed several formal accreditation audits at various correctional facilities throughout the country.

(b) Areas of expertise: Fire/Safety.

(c) Substance of Testimony: See attached Supplemental Statement Provided Pursuant to Fed. R. Civ. P. 26(b)(4)(A)(i) marked as Exh. F.

4. Peter Genco:

(a) Qualifications: (See attached curriculum vitae attached to Mr. Genco's Supplemental Statement Provided Pursuant to Fed. R. Civ. P. 26(b)(4)(A)(i) marked as Exh. G for a more detailed statement of Mr. Genco's qualifications). Generally, Mr. Genco has thirty-three years experience in the area of environmental health. Currently he is the Director of Environmental Health for the New York City Department of Corrections. In this position, Mr. Genco has developed policy and procedures for monitoring, evaluating, and if necessary, correcting problems related to environmental health issues (i.e. food, air, water, pest control, infectious waste and toxic gases).

Mr. Genco has also served as the Assistant Director for the New York Bureau of Field Services, has taught environmental health related courses at the Health Academy and at Lehman College.

(b) Area of expertise: Environmental Health.

(c) Substance of Testimony: See attached Supplemental Statement Provided Pursuant to Fed. R. Civ. P. 26(b)(4)(A)(i) marked as Exh. G.

5. EXHIBITS

The parties have agreed to each prepare a set of premarked exhibits which will be exchanged before trial. The parties will prepare a volume of their exhibits, bound in binders, and produce an additional set for the Court, the witness and counsel for both sides. This will expedite and facilitate easy reference for all parties to documents and avoid delay and confusion in the marking and identification of documents during trial. Moreover, it will avoid confusion created by merely listing and describing documents, since the most accurate description is the document itself.

Counsel have discussed issues regarding advance stipulation to the admissability of documents. The parties have agreed that while there are no specific objections that arise at this time, objections may arise depending on how a document is used at trial. Therefore, the parties have agreed to reserve the right to object to the admissability of documents such as IGP's, letters, complaints, memos, reports and all other documents where offered for truth without the use of the appropriate witness to testify as to the matters asserted therein. The parties can stipulate as to the authenticity of medical records,

institutional records and all other documents produced by defendants to plaintiffs in response to discovery requests.

Defendants are currently preparing a chart listing all programs and services available in all relevant institutions to assist the Court. The defendants plan to enlarge the chart for easy referral during trial.

6. Citations to Legal Authority

The defendants will submit a supplemental trial brief discussing in greater detail the legal authority regarding various issues relevant to this suit, which is too voluminous to set forth here. In general however, the legal authority relied upon in defense of this case and the general areas to which they apply are as follows:

(a) Conditions of Confinement and Medical Care- Eighth Amendment to the United States Constitution, freedom from cruel and unusual punishment and 42 U.S.C. Section 1983.

(b) Sexual Misconduct/Privacy- Eighth Amendment to the United States Constitution, freedom from cruel and unusual punishment and the Fifth Amendment to the United States Constitution regarding constitutional rights to bodily privacy and deprivation of that right without due process, remedied through 42 U.S.C. Section 1983.

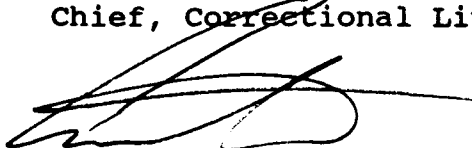
(c) Education- Title IX of the Education Amendments of 1972, 20 U.S.C. Section 1681 (1988).

(d) Education, work, religion, recreation and general quality of life- Fifth Amendment of the U.S. Constitution, equal protection of the laws, and 42 U.S.C. Section 1983.

(e) Conditions of Confinement, education, vocation, religion, recreation, quality of life, privacy and sexual misconduct- District of Columbia Code Sections 24-442 and 24-425 which charges the District of Columbia with the responsibility for the safekeeping, care and protection of prisoners.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Defendants' Pretrial Statement was hand delivered to Peter Nickles, Esquire, Covington and Burling, 1201 Pennsylvania Avenue, N.W., P.O. Box 7566, Washington, D.C. 20044, and Brenda Smith, Esquire, National Women's Law Center, 1616 P Street, N.W., Suite 100, Washington, D.C. 20036, on this 17th day of May, 1994.



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