

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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|----------------------------|---|-------------------------------------|
| DISABILITY ADVOCATES INC., | : | 02 Civ. 4002 (GEL)                  |
| Plaintiff,                 | : |                                     |
|                            | : | <b>REPORT OF PLAINTIFF'S EXPERT</b> |
| v.                         | : | <b>STEVE J. MARTIN—CONFIDENTIAL</b> |
|                            | : |                                     |
| NEW YORK STATE OFFICE OF   | : |                                     |
| MENTAL HEALTH, et al.,     | : | June 1, 2005                        |
|                            | : |                                     |
| Defendants.                | : |                                     |

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**I. INTRODUCTION**

I have been retained by plaintiff's counsel as an expert witness to provide testimony on behalf of prisoners with mental illness who are or who will be confined in the custody of the New York State Department of Correctional Services ("DOCS"). Specifically, I have been asked to render opinions on the policy and practice by DOCS and the New York State Office of Mental Health ("OMH") of confining prisoners with mental illness to twenty-three hour disciplinary isolated confinement, special housing units ("SHU"), double-celled SHUs, administrative segregation, protective custody, and keeplock, and whether such punitive management of prisoners with mental illness causes unnecessary harm to both the prisoners and the staff responsible for the safe and secure custody of such prisoners. In addition, I have been asked to provide testimony on whether the legitimate penological objectives of the DOCS can be achieved in a secure custody environment without the serious and harmful consequences engendered when prisoners with mental illness are placed in isolated cells for punitive purposes twenty-three and twenty-four hours a day for months and years at a time.

## II. QUALIFICATIONS OF THE EXPERT WITNESS

My general qualifications as an expert in the field of corrections are set forth in my *Curriculum Vitae*, attached hereto as Exhibit 1. I began my career as a correctional officer in 1972 at a maximum security prison operated by the Texas Department of Corrections ("TDC"). While employed with TDC as a correctional officer, I also worked at a prison for female felony offenders. I subsequently served as casework intern in mental health programs with the Federal Bureau of Prisons at the Federal Correctional Institution, Fort Worth, Texas. In 1981 I rejoined the TDC as an administrator of technical programs, and subsequently served as Legal Counsel, General Counsel, and Chief of Staff to the Director of the TDC. In my service with the TDC, I was involved in the development of policies and procedures in the areas of classification, administrative and punitive segregation, inmate disciplinary procedures, use of force, special needs prisoners (protective custody, mentally/physically impaired, etc.), and numerous other operational issues. Much of this work related to compliance with court orders in Ruiz v Estelle, a statewide prison conditions lawsuit brought by prisoners and the U. S. Department of Justice against the TDC. Pursuant to the court's orders to develop remedial plans for such issues as classification, administrative and punitive segregation, and the treatment of special needs prisoners, I was a member of the state's negotiating team that, in concert with the Special Master and plaintiffs' attorneys, developed these plans. My directorate, the General Counsel's Office, was responsible for assisting TDC personnel in the implementation of the remedial plans. The General Counsel's Office was directly charged with supervising the monitoring of compliance with those plans adopted pursuant to the orders in Ruiz. In my capacity as General Counsel, I was directly responsible for formulating and coordinating TDC's response to all compliance

monitoring reports filed with the court by the Special Master. Among the plans adopted were comprehensive orders for the delivery of psychiatric services and the management of special needs prisoners incarcerated in TDC facilities. During the course of this work, I routinely conducted site inspections and conferred with facility managers regarding implementation of the remedial plans.

As an independent corrections consultant, I have been retained as a corrections expert by the U. S. Department of Justice, Civil Rights Division, on many occasions related to a wide variety of correctional management issues; by both defendants' and plaintiffs' counsel in numerous cases; by federal courts; and, by a variety of state and local governmental entities relating to corrections issues. I have made well over 500 site visits/inspections to prisons and jails in more than 30 states, Puerto Rico, Guam, Saipan, Jamaica, and Northern Ireland. I am currently serving as a court monitor and court appointed expert in conditions cases involving a state prison system and two large metropolitan jails. I have served as a federal court monitor in cases involving two other state prison systems and the New York City Department of Corrections.

I have been qualified as an expert in the field of corrections and have testified as such on more than forty occasions, mostly in federal courts. I am co-author of Texas Prisons: The Walls Came Tumbling Down (Texas Monthly Press, 1987), and contributed to Courts, Corrections and the Constitution (Oxford University Press, 1990), and Building Violence: How America's Rush to Incarcerate Creates More Violence (Sage Publications, 2000). I have published articles on correctional subjects in Law and Society Review, Pace Law Review, Texas Tech Law Review, Texas Lawyer; and journals for the Center for Research in Crime & Justice, New York

University School of Law, the National Conference on Crime & Delinquency, and the Texas Public Policy Foundation. I have also served on the adjunct or visiting faculties of six universities, including the University of Texas School of Law. I was also a Visiting Scholar at Queens University Belfast, Institute of Criminology and Criminal Justice in the fall of 2000.

In addition to these general qualifications, I have specific expertise with the correctional management of special needs offenders, i.e., offenders whose mental and/or physical conditions require special handling and treatment by both security staff and professional health care providers. My first experience with prisoners with mental impairments (mental illness, mental retardation and developmentally disabled) was as a correctional officer in supervising housing areas at both a maximum security prison and a prison for female offenders in which special needs inmates were confined. During my work as a casework intern for the Director of Mental Health Programs at the Federal Correctional Institution, Ft. Worth, I was a working member of a case management team with an offender caseload that included prisoners with mental impairments. As a Federal Probation and Parole Officer (1975-1980), I assisted in the pre-release planning, placement and supervision (community, sheltered and assisted living placement) of offenders with mental impairments.

From 1981-1985, as a member of the TDC negotiating team to develop remedial plans in the Ruiz litigation, I routinely worked with professional medical and mental health care experts on development of court approved plans on the management of special needs prisoners, including those who required segregated housing from the general population inmates. I was continuously involved in monitoring and implementation issues of these plans until my departure in July 1985. I also coordinated with the department training division on development of training programs

specifically designed for correctional officers assigned to work with special needs offenders.

In 1988 I was appointed by the Texas governor to the Interagency Council on Mentally Retarded, Developmentally Disabled and Mentally Ill Offenders. The Council, created by an act of the Texas Legislature in 1987, was charged with determining the status of these special needs offenders in the state criminal justice system, identifying and coordinating services for these populations, evaluating existing programs, and developing new programs. The activities of the council were governed by the Chair and a seven-member Executive Committee, of which I was a member. I also chaired the Sub-committee on Legislative Issues and was a member of the Committee on Mentally Retarded Offenders. While on the council, I exercised direct oversight of a major study on special needs offenders most at risk to be victims and aggressors, and the situational factors that put these offenders most at risk in institutional settings.

During the course of my consulting work the past eighteen years, I have on many occasions been involved in working on remedial issues such as administrative/punitive segregation and inmate discipline procedures related to special management populations. I have served as a consultant, court expert and court monitor for numerous correctional facilities housing offenders with mental impairments in which security and treatment issues had to be coordinated/integrated for delivery of program services. I am presently serving as a Rule 706 Court Expert in Carruthers v. Jenne, a conditions case in Broward County, Florida, involving the management and treatment of offenders with mental impairments. I am also serving as an expert for the U. S. Department of Justice involving the Augusta State Medical Prison which houses a substantial population of offenders with mental impairments. I recently served as a consultant to the Georgia Attorney General's Office in Fluellen v. Wetherington, litigation involving the

Phillips State Prison, a facility which provides psychiatric services to a large number of inmates. I also recently served as an expert in Hargett v. Adams, litigation involving the Joliet Treatment and Detention Facility, a secure treatment facility for sexually violent offenders. I have been involved in two class action lawsuits involving the treatment of offenders with mental impairments in the California Department of Corrections ("CDOC"). Gates v. Deukmejian concerned the treatment of prisoners confined to the California Medical Facility at Vacaville, and Clark v. California, involved the treatment of prisoners with mental retardation and developmental disabilities housed throughout facilities operated by the CDOC. I served as one of two Joint Expert Consultants for four years (1998-2002) in Sheppard v. Phoenix, in which Norman A. Carlson (former Director of the Federal Bureau of Prisons) and I monitored the Central Punitive Segregation Unit ("CPSU") of the New York City Department of Corrections at Rikers Island. The CPSU housed offenders who had committed serious institutional disciplinary infractions. Our oversight responsibilities included the monitoring of the provision of mental health services to CPSU inmates, which included protocols for identifying CPSU inmates who required removal from the CPSU for appropriate mental health evaluations in order to determine their suitability for continued housing in the CPSU. Finally, I have been involved in numerous cases related to the management and treatment of inmates in high maximum or super-maximum ("supermax"), prisons or housing units within prisons wherein prisoners are isolated from the general population and from each other, typically in excess of twenty-two hours a day. I testified for the plaintiffs in Madrid v. Gomez, which involved prisoners confined at the Pelican Bay State Prison, a supermax facility with a Special Housing Unit ("SHU") that housed mentally impaired offenders for up to twenty-three hours a day. I have served as an expert in class action lawsuits

involving supermax prisons in Virginia, Missouri, Oklahoma, Arizona, and Maryland. I have been involved in litigation at maximum security prisons in no less than fourteen states.

### **III. PUBLICATIONS AUTHORED BY THE EXPERT WITNESS**

A listing of publications I have authored/coauthored may be found at pages 9-10 of my *Curriculum Vitae*, attached hereto as Exhibit 1.

### **IV. TESTIMONY AS AN EXPERT WITNESS AT TRIAL OR DEPOSITION**

A listing of cases in which I have testified at trial or deposition within the preceding four years is attached hereto as Exhibit 2.

### **V. COMPENSATION**

I am being compensated at a rate of \$150 per hour for in-office work and \$1200 per day for work performed on-site.

### **VI. DATA AND OTHER INFORMATION CONSIDERED IN FORMING OPINIONS**

In formulating my opinions in this case, between August 26, 2003 and October 31, 2003, I conducted site inspections of Special Housing Units ("SHU") at six correctional facilities of the New York State Department of Correctional Services ("DOCS"): 1) Albion, 2) Attica, 3) Auburn, 4) Five Points, 5) Great Meadow, and 6) Wende. In addition to inspecting the SHUs at each of these facilities, I was given access to other areas of each facility such as mental health observation rooms, mental health satellite units, keeplock housing units, Intermediate Care Program units ("ICP"), Specialized Treatment Program units ("STP"), and general population housing units. The SHU inspections included access to outdoor recreation areas, as well as program and administrative support space.

During the course of the site inspections at the six facilities, I conducted structured

interviews with over eighty inmates as set forth in Exhibit 3. The large majority of these interviews were conducted with inmates confined to SHU. However, additional interviews were conducted with inmates confined to keeplock, administrative segregation, protective custody, ICP units and mental health observation rooms. In addition to these structured interviews, I had brief interchanges with a significant number of other inmates at cell fronts and other areas of the facilities, although these discussions were strictly limited by defendants' counsel. I was also allowed to make, through defendants' counsel, very limited inquiries of staff at the six facilities related to certain security and custody procedures such as showers, recreation, escorting, handcuffing and food service practices.

A complete listing of the materials I have received from plaintiff's counsel in preparation of this report is attached as Exhibit 4. Among the materials I have received, reviewed and considered in the preparation of this report are: 1) inmate disciplinary history printouts for close to 500 inmates; 2) OMH records for approximately 100 inmates confined to SHU; 3) approximately 30 deposition transcripts of DOCS and OMH officials as well as inmates and third parties; 4) OMH and DOCS inmate suicide data; 5) information related to the proposed operation of the Behavioral Health Unit ("BHU"); 6) OMH studies on Special Housing Units; 7) training materials for conducting inmate disciplinary hearings for inmates with mental impairments; 8) DOCS directives related to the operation of SHUs; 9) DOCS and OMH training materials related to the management of mentally impaired inmates; 10) SHU inspection reports prepared by DOCS employees at various facilities; 11) log book entries from various facilities for SHU, ICP, and mental health observations units; 12) DOCS institutional files for twenty-five SHU inmates, including restraint orders, cell shield orders, restricted diet documents, deprivation orders,

referrals, disciplinary hearing packets, and cell locator cards; as well as case management committee meeting minutes referencing those inmates; and 13) six video tapes and one audio tape of incidents involving particular inmates.

I have also reviewed the following professional standards and guidelines as they relate to special needs prisoners and punitive segregation: 1) *Standards for Adult Correctional Institutions*, 3<sup>rd</sup> Edition, American Correctional Association, 1990; 2) *Standards for Health Services in Prisons*, 2<sup>nd</sup> Printing, National Commission on Correctional Health Care, 1997; and 3) *Prison Health Care: Guidelines for the Management of an Adequate Delivery System*, National Institute of Corrections, U. S. Department of Justice, 1991.

I have reviewed the following publications: 1) *The Mentally Disordered Inmate and the Law*, Fred Cohen, Civic Research Institute, Inc., 1998; 2) *The Mentally Disordered Inmate and the Law*, 2003 Cumulative Supplement, Civic Research Institute, Inc., 2003; 3) *Ill-Equipped: U.S. Prisons and Offenders with Mental Illness*, Human Rights Watch, 2003; 4) *Lockdown New York: Disciplinary Confinement in New York State Prisons*, Correctional Association of New York, 2003; 5) *Mental Health in the House of Corrections: A Study of Mental Health Care in New York State Prisons*, Correctional Association of New York, 2004; 6) *A Death in the Box*, New York Times Magazine, October 31, 2004; 7) *Correctional Mental Health Report*, Jan/Feb 2002, pages 65, 79 & May/June 2005, pages 3-6, 16; and 8) *Prison and Jail Administration: Practice and Theory*, Peter M. Carlson & Judith Simon Garrett, Jones & Bartlett, 1999, Chapters 4, 6, 11, 14-15, 26, 30, 35, 48, and 58.

I reviewed declarations I submitted in the following lawsuits: 1) Lee v. Coughlin, 93 Civ.8417, SDNY; 2) Clark v. State of California, C-96-1486 FMS, NDCA. I also reviewed

the *Settlement Agreement* in State of Connecticut Office of Protection and Advocacy for Persons with Disabilities v. Choinski, 3:03CV1352, as well as the *Report Regarding Conditions and Mental Health Services at Supermax Correctional Institution and Mental Health Correctional Institution* by Terry Kupers, M.D., M.S.P. in that case. I reviewed the following materials from the Texas Department of Criminal Justice, Institutional Division; the Ohio Department of Rehabilitation and Correction; and the New Jersey Department of Corrections, respectively:

1) *Administrative Segregation Maintenance Psychiatric Program*, University of Texas Medical Branch, Managed Health Care, June 21, 2001; 2) *Exclusion Criteria for Inmates Recommended for Ohio State Penitentiary*, Bureau of Mental Health Services, Standard Operating Procedures No: 2, and Program Overview, Southern Ohio Correctional Facility, Intensive Mental Health Treatment Unit, August 2, 2001; and 3) New Jersey court's acceptance of proposed settlement in D.M., et al. v. Terhune, July 30, 1999, providing for increased mental health services to inmates.

## VII. OPINIONS

A. Punitive segregation/isolation is a major disciplinary sanction employed to regulate and control inmate behavior that adversely effects institutional order, safety and security. Because of the severity of the conditions that accompany this sanction, conditions long recognized by correctional administrators to have a potentially damaging effect upon the well being of some inmates, it is typically employed when other forms of action prove inadequate or where the safety of others or the serious nature of the offense makes it necessary. Such a sanction when misapplied can cause, rather than prevent, the development of seriously recalcitrant behavior.

B. In correctional management terms, inmates with mental illness are classified as

special needs inmates whose mental condition requires special handling and treatment by staff. Such inmates require close medical treatment and multi-disciplinary management (custody and treatment). It is the responsibility of correctional administrators to custodially manage prisoners with mental illness in a concerted manner with the treatment prerogatives of the mental health care delivery system. The imposition of disciplinary segregation as administered by DOCS for inmates with mental illness creates an environment that is so overwhelmingly punitive that the delivery of required mental health care is seriously and needlessly compromised; thus, increasing rather than diminishing the difficulty in managing prisoners with mental illness.

C. The indiscriminate mixing of inmates with mental illness with inmates who do not have mental illness, all of whom have committed disciplinary infractions, in a punitive segregation unit for long term confinement, results in unsafe, unsecure and inhumane conditions of confinement.

D. The placement of inmates with mental illness in SHU and other forms of isolated confinement for an extended duration under such conditions that undermine the delivery of mental health care services, needlessly heightens the risks of harm to prisoners with mental illness, the staff charged with managing them, and the other inmates with whom they are confined.

## **VIII. BASIS FOR OPINIONS**

### **A. Punitive Segregation As Applied to Special Needs Inmates**

Inmates confined to SHU are separated from the general population and may be housed in single or double occupancy cells. With the exception of those inmates confined to the double-cell SHUs at Five Points, Upstate, and in the SHU 200's, the vast majority of all SHU inmates in

maximum-security DOCS facilities are housed in single cells. SHU inmates are permitted one hour of out-of-cell daily exercise in individual recreation compartments and two five minute showers per week. They are otherwise confined to their individual cells. SHU inmates confined to double-cell housing units remain locked in their cells twenty-four hours a day as they exercise and shower in their assigned cells, which includes a small adjoining recreation pen. SHU inmates have limitations on, among other things, personal hygiene articles, clothing, personal property, commissary, visiting, telephone privileges and access to library services (both general and law). They have limited, if any, in-cell programming and are not allowed to participate in any out-of-cell programs. Keeplock as used by DOCS includes most, and sometimes all, of the same restrictions of SHU. In addition, DOCS can house inmates with disciplinary dispositions of keeplock in either regular cells in general population or another housing location, or may have the inmate actually serve his keeplock time in a SHU cell.

In addition to the standard limitations set forth above, additional restrictions may be imposed on SHU inmates, including the following: 1) restraint orders requiring leg and waist chains any time the inmate is moved from the cell; 2) cell shield orders requiring that a thick plexiglass covering be placed over the cell front to further block an inmate's open access to the space just outside the cell; and 3) deprivation orders removing an inmate's basic necessities, including showers, basic property and hygiene articles, cell cleaning supplies, and even the basic food service normally provided to inmates. The food restriction, referred to as the "restricted disciplinary diet," consists of feeding an inmate, perhaps for weeks at a time, a compacted food loaf which by design is nutritious but unpalatable. The ACA standards do provide for restricted diets as an administrative measure when an inmate in punitive segregation "uses food or food

service equipment that is hazardous to self, staff, or other inmates....[t]he food substitution period shall not exceed seven days.” (ACA Standard 3-4252) However, from the records I have reviewed, it is clear that DOCS routinely imposes restricted diets as a punitive sanction unrelated to incidents involving food service and in excess of seven days.

The practice of isolating inmates from the general population as an institutional penal sanction may be described by terms such as punitive segregation, disciplinary detention, disciplinary segregation or solitary confinement. Punitive segregation is believed by most correctional professionals, including myself when properly applied, to constitute an effective mechanism to control serious inmate misbehavior. Its effectiveness is grounded in two sound principles of penology. First, it is a means to maintain the orderly operation of a prison by physically isolating those inmates who engage in seriously disruptive behaviors. Second, it can serve as a deterrent (both specific and general) because it results in a nearly complete cessation and deprivation of the commonplace incidents and routines of prison life afforded to the general population inmate. Current ACA standards define punitive segregation or disciplinary detention as follows:

A form of separation from the general population in which inmates committing serious violations of conduct regulations are confined by the disciplinary committee or other authorized group **for short periods of time** [emphasis added] to individual cells separated from the general population (ACA Standards for Adult Correctional Institutions, 1998 Standards Supplement, at 181).

Because of the substantial deprivations that accrue to those placed in punitive segregation, its use is normally subject to limitations, both in terms of the length of stay and the severity of the conditions, that can, in certain circumstances, compromise the health of the

subject inmate. The American Correctional Association (“ACA”) has recognized, at least since the mid-1960's, the potentially harmful effects of punitive segregation as a disciplinary sanction:

It is a major disciplinary measure, which can have a damaging effect upon some inmates, and should be used judiciously when other forms of action prove inadequate or where the safety of others or the serious nature of the offense makes it necessary. Perhaps we have been too dependent on isolation or solitary confinement as the principle method of handling the violators of institutional rules. Isolation may bring short-term conformity for some, but brings increased disturbances and deeper ingrained hostility to more (ACA Manual of Correctional Standards, 3<sup>rd</sup> Edition, 1966, at 413).

Under the heading of “Authority and Responsibility for Disciplinary Matters,” the 1966 ACA Manual also contains the following warning and prohibition regarding length of stay in punitive segregation:

Segregation for punishment should be for the shortest period that will accomplish the desired result of a favorable adjustment, and in any event not over thirty days. With most inmates and for most infractions, a period of a few days proves sufficient. In other cases, a few days in punitive segregation followed by thirty to ninety days in administrative segregation, or in some other status that involves continued control or loss of privileges, is sufficient. Excessively long periods of punishment defeat treatment goals by embittering and demoralizing the inmate (at 418).

The current ACA Standard that specifically addresses the potentially harmful effects of punitive segregation on inmates (Standard 3-4244) contains the following “Comment”:

Inmates whose movements are restricted in segregation units may develop symptoms of acute anxiety or other mental health problems; regular psychological assessment is necessary to ensure the mental health of any inmate confined in such a unit beyond 30 days (ACA Standards for Adult Correctional Institutions, 3<sup>rd</sup> Edition, at 81).

The National Commission on Correctional Health Care (“NCCHC”) also recognizes the

potentially harmful effects of punitive segregation on inmates by requiring a qualified health care professional to periodically assess whether "any known contra-indications to segregation exist" (see, Standards for Health Services in Prisons, 1997, at 50, Standard P-39 Health Evaluation of Inmates in Disciplinary Segregation, Essential Standard).

The foregoing standards represent generally applicable safeguards for the use of punitive segregation without regard to particular special needs or vulnerabilities. Prisoners who require special services, including services from mental health professionals, clearly fall within the management category of special needs inmates. The failure to provide the requisite level of special needs services (both custody and treatment) in the appropriate setting can render these inmates more vulnerable to the potentially deleterious and harsh effects of a predominantly punitive environment such as the SHU. Moreover, when a custody practice or regimen compromises the effective delivery of required mental health services, two of the most essential of the NCCHC standards are violated:

Standard P-01 Access to Care (essential) Written policy and defined procedures require, and actual practice evidences, that inmate have access to care to meet their serious medical, dental, and mental health needs. Discussion Unreasonable barriers to inmates' access to health services must be avoided...(at 3).

Standard P-03 Medical Autonomy (essential) Written policy and defined procedures require, and actual practice evidences, that clinical decisions and actions regarding the health care services provided to inmates are the sole responsibility of *qualified health care professionals* and are not compromised for security reasons. Discussion The delivery of health care is a joint effort of correctional administrators and health services staff and can be achieved only through mutual trust and cooperation... (at 5).

DOCS inmates found guilty of disciplinary infractions may be confined in SHU with no

upper limitations as to length of time (DOCS Directive #4932, Section 254.7 (a) (1) 9iii).

Inmates who have been diagnosed with a mental illness are not excluded from SHU confinement.

In fact, as of March 31, 2003, 62% of SHU inmates at the eleven OMH Level 1 facilities were on the mental health caseload. (OMHCNY 0080338) SHU sentences imposed on inmates with mental illness in excess of one year are common. Cumulative disciplinary sanctions can result in SHU lengths of stay that exceed ten years. Defendants provided, and I reviewed, the DOCS disciplinary history print outs and associated documentation for twenty-five inmates and was astounded by the following data which is set out in detail in Exhibit 5:

- 92% had received sentences totaling over 6 months of SHU time
- 84% had received sentences totaling over 1 year of SHU time
- 72% had received sentences totaling over 3 years of SHU time
- 48% had received sentences totaling over 5 years of SHU time
- 24% had received sentences totaling over 10 years of SHU time

A few specific examples reflect how far DOCS officials will go when there is no upper limit on the amount of SHU time that can be imposed on a single inmate:

- E.L., has received sentences totaling over 20 years of SHU time and almost two years of additional time in keeplock. (Inmate Disciplinary History, DCSCOF 0022102-0022111 )
- D.I. has received sentences totaling over 18 years of SHU time and over two years of additional time in keeplock. (Inmate Disciplinary History, DCSCOF 0022083-0022094)
- C.C.U., has received sentences totaling over 17 years of SHU time and over seven years of additional keeplock time. (Inmate Disciplinary History, DCSCOF 0022215-0022228)

It is truly striking that the twenty-five inmates for whom I received complete institutional files

had been sentenced to a total of over 220 years of SHU and keeplock time. This is so obviously extreme in relation to standard correctional practices for punitive segregation and, indeed, so seriously undermines all accepted rationales for imposition of such a punishment that it borders on the absurd.

In addition to these strikingly long sentences in SHU, it should be borne in mind that there are other very severe consequences that may accompany SHU placement. SHU placement may adversely impact parole consideration. For inmates with mental illness housed in SHU, new criminal convictions (and, accordingly, perhaps a new prison sentence to be served) may also be sought against an inmate who, for example, engages in unhygienic acts against corrections personnel. (NY Penal Law §240.32) Finally, a disciplinary sanction often imposed in conjunction with extending an inmate's SHU time is the recommended loss of accrued good time that would accelerate the inmate's release from prison. For instance, the twenty-five inmates for whom I received complete institutional files had a total recommended loss of almost 40,000 days of good time.

The following incidents and episodes involving inmates with mental illness confined to SHU or other forms of isolated confinement in New York State prisons are illustrative of the systemic failure of DOCS and OMH to manage these inmates in a manner that reduces rather than heightens or magnifies the noxious effects of punitive segregation. Above all else, these incidents reflect a cyclical pattern I observed with mind numbing regularity as I reviewed OMH records for over 100 inmates that were produced by defendants: self-destructive and/or irrational behavior, followed by punishment, followed by continued self-destructive behavior, followed by more punishment, in a continuing cycle with little or no evidence of intercession by professional

staff to interrupt or question the efficacy of this predominantly punitive method of managing offenders with mental illness (e.g., during my record review, I observed not a single instance in which OMH personnel provided input that altered the outcome of the disciplinary hearing involving an inmate with mental illness ):

Y. S. is a 28 year old female offender who was confined to Albion at the time I interviewed her on September 24, 2003. A review of her OMH file indicates a substantial history of mental illness including diagnoses for depression and post traumatic stress disorder. She has a history of self-injurious behavior and is subject to seizures. The following episodes represent only a portion of her disciplinary history:

- 3/6/03: she was charged with harassment for "yelling" at an unidentified inmate while on a walkway from the mess hall.
- 3/17/03: at 8:59 a.m., she was found guilty of the 3/06/03 harassment charge and assessed 30 days keeplock plus 30 days loss of recreation, commissary, phone and packages.
- 3/17/03: at 9:15 a.m., after admission to keeplock, she stabbed and slashed her wrist, slammed her head into a sink and then collapsed. She was then charged with self-harm and violent conduct.
- 3/20/03: at 8:43 a.m., she was served notice of her charges from the 3/17/03 incident.
- 3/20/03: at 9:25 a.m., she attempted to hang herself. She was again charged with self-harm.
- 4/17/03: she was charged with self-harm for taking medication she had previously hoarded.
- 8/2/03: she was charged with five separate violations when she was observed "snuggling" and appearing "very affectionate" with another inmate in the mess hall. [Note: during the course of my interview with her, she claimed she was being congratulated by

another inmate for having successfully graduated from a recent program.]

- 8/7/03: after the hearing for the 8/2/03 charges for which she received additional punitive segregation time, she was subjected to a major application of staff use of force in order to strip-frisk her for placement in SHU.

C.C.U. is a 50 year old male offender confined to the Upstate SHU. He has accumulated SHU time through 2015. He has an extensive history of mental illness including a principal diagnosis of adjustment disorder with depressed mood. Mr. Torres is also HIV positive. His OMH core history of 6/17/03 included the following notes: "Mental Health-Depression, anxiety, insomnia and irritability in relation to incarceration and medical condition. Pt. willing to participate in services, accepting prescribed medication. Rehabilitation-None currently in SHU." (OMHPR0281281) An OMH progress note of 6/17/03 noted that he "has not had structured tr. [treatment] in the last few years." (OMHPR0281307) He has an extensive history of disciplinary infractions dominated by such violations as flooding, harassment, obstructing visibility into the cell, and unhygienic acts, behaviors typically associated with inmates with mental illness. C.C.U. is also frequently subject to deprivation orders for loss of exercise, showers, and haircuts. The following incidents are illustrative of the aforementioned punishment cycle:

- 4/27/03: he was charged with interference, obstructing visibility and unhygienic act for covering his cell window and "pushing what appeared to be urine, feces and water out from under his door out on to the gallery." (DCSCOF0021734) He received 12 months SHU time, 12 months loss of commissary, phone, and packages.
- 6/21/03: he was charged with refusing a direct order and destruction of state property for refusing to relinquish a food tray and then breaking it over his toilet. He received 6 months SHU

time, 6 months loss of commissary, phone, and packages. An OMH progress note on 7/9/03 (OMHPR0281322) reflected a nurse's concern over the inmates "erratic" behavior. The physician was "concerned because his liver function test is very high, indicating high triglycerides and he was concerned this may be affecting his behavior."

Approximately one year later this cycle continues:

- 6/15/04: he was charged with refusing a direct order, delaying count, and visibility obstruction when he refused to uncover his cell window. He received 6 months SHU time, 6 months loss of commissary, phone, and packages.

As of April 5, 2005, the date of the disciplinary history printout I reviewed C.C.U., he was housed at Upstate Correctional Facility, an all-SHU facility with minimal mental health services in comparison to most other maximum security facilities, and was sentenced to remain in SHU until April 11, 2015.

Z.O. is a 31 year old male offender who was confined to Five Points at the time I interviewed him on October 31, 2003. He has a principal diagnosis of schizophrenia paranoid type.

- 6/16/02: at 8:15 a.m., he was charged with interference, unhygienic act, and violent conduct for throwing his "spork" (plastic eating utensil) out of his food slot. He was immediately placed on a restricted diet until 6/23/02.
- 6/16/02: at 12:45 p.m., he was charged with flooding and refusing a direct order for flooding his cell with toilet water.
- 6/16/02: at 3:50 p.m., he was charged with refusing a direct order and interference for refusing to return paperwork.
- 6/20/02: a progress note indicated that "PT.'s neuroleptics were discontinued here shortly after his arrival [to Five Points] due to noncompliance. His deterioration is compatible with his having cleared them from his system. I will try to get PT. to resume

Seroquel 200 mg pm. I will reevaluate him next week."  
(OMHPR0557838).

- 7/2/02: he was found guilty of all of the above charges and received 9 months SHU time and 12 months loss of such things as recreation, commissary, packages, and phone.

D.I. is a 34 year old male offender currently confined to the Southport SHU. He has an extensive history of mental illness and is borderline mentally retarded. He has been diagnosed with impulse control disorder and psychotic with delusions and auditory hallucinations. An OMH psychological evaluation done in August 1997 concluded that "the amount of time he faces in Special Housing should also be reduced as it will throw him back onto himself psychologically, which he will not be able to tolerate for long. Following these recommendations, his prognosis appears fair, avoiding them, his prognosis appears guarded to poor." (OMHPR0248268) Notwithstanding this report, he has since been confined almost continuously to SHU and has accumulated SHU time through 2012. A review of his cell locator system printout indicates a continuous cycle between mental health observation cells and SHU. (DCSCOF0022248-022252) In addition to a huge number of disciplinary infractions, he also has been subjected to a seemingly limitless number of deprivation, restraint, cell shield and diet restriction orders. The following represents only a portion of the total number of bizarre episodes over the past ten years:

- 1/3/03 thru 2/4/03: he was charged with no less than 7 separate disciplinary infractions for unhygienic acts and obstructing visibility for which he received a variety of punishments ranging from additional SHU time to diet restrictions. A progress note on 1/22/03 indicated that a mental health worker "attempted to see pt. at SHU but was unable to evaluate due to the stench of feces smeared on the cell walls." (OMHPR0261762) A progress note on 2/8/03 indicated that "pt. appears to be decompensating."

(OMHPR0261764)

- 11/20/03: he was charged with smuggling when three plastic bags of vitamin A and D ointment were found secreted in his rectal cavity.
- 2/9/04: he was charged with soliciting, harassment and sex offense when he handed a letter to a correctional officer that contained a bizarre offer to a female employee, that while clearly inappropriate, did not threaten physical harm. The misbehavior report noted that D. I. was prepared to give the employee "his grocery food packages, commissary, soda, chips, donuts, candy bars, cookies, cakes and a cell cooked meal." He was found guilty of all charges and received 12 months SHU time and 12 months loss of commissary, packages, and phone.
- 3/9/05: he was again charged with harassment, sex offense and facility correspondence violation, for writing a letter to an OMH employee that again contained a bizarre offer that, while clearly inappropriate, did not threaten physical harm. He was again found guilty and received 3 months SHU time. The day before this charge, he had received 6 months SHU time for refusing a direct order.

As of April 5, 2005, the date of the disciplinary history printout I reviewed for D. I., he was housed at Southport Correctional Facility, an all-SHU facility with minimal mental health services in comparison to most other maximum security facilities, and was sentenced to remain in SHU until September 11, 2012.

E.E.B. : E.E.B. is a 33 year old male offender currently housed as an inpatient at CNYPC. He has been diagnosed as having a schizoaffective disorder, depressed type. A 2003 OMH discharge summary and service plan concluded that he "is at risk for future hostile and paranoid behavior as the result of a stressful situation, that may lead to medication non-compliance and further decompensation into active mental illness."

(OMHPR0563593) In early 2002 E.E.B. incurred a series of disciplinary infractions for

which he accumulated over twenty-four months SHU time, two of which are summarized below. Within a matter of days after this series of infractions he was diagnosed as presenting "persecutory delusions + depression." (OMHPR0563126) He claimed "he was in a 7 man dorm, he was sleeping and another inmate, which he described as crippled and HIV+, sodomized him while a CO took pictures."

- 1/26/02: he was charged with harassment, refusing direct order, and threats when he refused to step to the back of his cell to receive a food tray. He received 6 months SHU time and 6 months loss of commissary, phone calls and packages.

- 1/27/02: he was charged with harassment and refusing direct order when he refused to return his food tray. Several hours later he was also charged with unhygienic act for throwing an unknown liquid from his cell. He received an additional 6 months SHU time and 6 months loss of commissary, phone calls and packages.

In the months following this series of events, Mr. Walker was subjected to a series of deprivation orders, cell shield orders, restraint orders and diet restrictions.

B.P. is a 26 year old male offender who was confined at Great Meadow at the time I interviewed him on August 26, 2003. He has an extensive history of mental illness, beginning during childhood. He has been diagnosed with mood disorder, impulse control disorder, schizoaffective disorder and mental retardation. He also has a history of suicide ideation. B.P. has an extensive disciplinary history that includes over 300 deprivation, cell shield, restraint and food restriction orders. The following series of events from 10/21/02 through 12/2/02 graphically illustrate that acute well-documented mental illness is not allowed to interfere with the imposition of punishment by DOCS:

- 10/21/02: he was placed in an observation cell after threatening self-harm by breaking his cell light for a cutting instrument. Just

prior to this move he was charged with refusing to obey a direct order.

- 10/22/02: he was returned to SHU.
- 10/25/02: he was charged with harassment.
- 10/25/02: he was returned to an observation cell again threatening self-harm.
- 10/28/02: he was returned to SHU.
- 10/28/02: he was charged with unhygienic act and threats for throwing liquid on his cell front which was covered with a cell shield.
- 11/1/02: he was charged with harassment.
- 11/7/02: at 1:25 p.m., he was charged with damaging property.
- 11/7/02: at 1:40 p.m., he was charged with unhygienic act for which he later received 365 days SHU time and 365 days loss of packages, commissary and phone.
- 11/7/02: at 3:00 p.m. he cut his face and wrist with a broken cell light (as he had threatened to do on 10/21/02) leaving wounds that required 14 sutures, after which he was returned to an observation cell.
- 12/2/02: he was released from the observation cell and returned to SHU after which he received no less than nine additional charges in the following thirty days, accumulating 5 months of additional SHU time.

A.V. : A.V. is a 38 year old male offender who was confined at Wende at the time I interviewed him on September 22, 2003. At the time of the following disciplinary infraction, he was diagnosed with impulse control disorder. Also at the time of the disciplinary infraction he already had spent approximately 7 years in SHU. The following is indicative of how dominant punitive sanctions are in DOCS facilities even when a

treatment program is deemed necessary:

- 9/11/02: he was charged with self-harm when he was observed banging his head into his cell bars. On 10/7/02 he received 30 days keeplock confinement. While serving his keeplock sentence he was accepted into the Intermediate Care Program ("ICP") but was not allowed to fully participate in programming until he completed his 30 day keeplock sentence.

E.L. is a 35 year old male offender who was confined at Five Points at the time I interviewed him on October 31, 2003. He has accumulated SHU time to 2009 and keeplock time to 2010. He has a diagnosis of schizophrenia/paranoid and adjustment disorder with disturbance of emotion and conduct. He has an extensive disciplinary history that includes the frequent imposition of deprivation, food restriction, restraint and cell shield orders. E.L. has sustained significant periods of time locked in a SHU cell 24 hours a day with virtually no property or cell amenities. The following DOCS incidents and accompanying OMH notes demonstrate the often utter futility of managing a mentally disturbed offender through the confines of a strictly punitive regimen. These incidents likewise demonstrate the benefits of integrating a treatment regimen with or in place of a strictly punitive approach. The selected incidents represent only a small portion of the total number of incidents spanning some fifteen years:

- 8/18/94: a discharge summary contained the following note after he had been diagnosed with delusional disorder (grandiose). "We would like to strongly recommend that DOCS be asked if they would be willing to remit some of this patient's SHU time if the patient would be willing to take medication. The patient clearly does not believe that he really needs medicine, and yet, when taking medicine, he is calm and peaceful. This stands in stark contrast to this extremely dangerous behaviors when he is decompensated." (OMHPR0545962)

- 11/16/98: an update from his OMH core history contained the following note: "He has been transferred to various facilities, and he has been underprogrammed due to being in a long-term SHU. He has continued to accumulate various disciplinary tickets due to violent behavior, and at the present time he is tentatively scheduled for release from SHU on 12/19/2003." (OMHPR0545469)
- 5/6/99: an update from his core history contained the following note: "Since being discharged from CNYPC, [he] has refused prescribed medication. He has expressed to mental health staff that he wishes to be out of the SHU. Eventually, he gradually decompensated in mental condition and was observed talking to himself and expressing paranoid and grandiose ideas." (OMHPR0545471)
- 4/17/02: he was charged with assault on staff and unhygienic act when he threw a food tray out of his feed-up slot hitting an officer in the chest. He was given 3 months SHU time and placed on diet restriction for 5 days. [Note: Due to his accumulated SHU time, he would not actually serve this sentence of SHU time for over two years after it occurred, as is often the case with offenders who have extended SHU sentences.]
- 7/24/02: he was charged with violent conduct, property damage, assault on staff, unhygienic act, threats, and self-inflicted bodily harm when he threw liquid smelling of urine and feces from his cell hitting a correctional officer. He was given 48 months SHU time (which, given his other SHU time accrued, would not be served until 2008) and 48 months loss of recreation, commissary, packages, and phones. The disciplinary hearing record under reasons for disposition contained the following: "You have amassed 4,500 days of SHU confinement for assault on staff. It is obvious that this penalty has yet to gain your attention or deter you for violent behavior. It is therefore necessary to impose a longer period of confinement to encourage you to refrain from acting in this manner and provide for the safety and security of all concerned." (DCSCOF009198)
- 8/7/02: on the day following the hearing for which he received 48 months SHU punishment for the 7/24/02 infraction, he attempted to flood his cell and received an additional 6 months SHU which, given his other SHU time accrued, would not be served until 2009. He also lost his recreation, commissary, phone and package

privileges through 2008.

- 10/18/02: he was charged with violent conduct, unhygienic act, visibility obstruction and refusing a direct order when he covered his cell window prompting an extraction team to enter the cell after administering five applications of a chemical agent. Force was also used to conduct a strip frisk. Along with the charges, he was immediately subject to a deprivation order in which "All personal property, all state property including clothing, and recreation" was taken from his cell. (DCSCOF-0017697) A 21 day disciplinary diet restriction was also imposed as punishment even though none of the violations related to food abuses.

- 11/12/03: after ten admissions to CNYPC from the Five Points SHU, a Discharge Summary Services Plan contained the following conclusion: "[He] is unable to improve his sense of self-efficacy in order to combat the self-perpetuation of his chaotic and violent cycle, and his housing in SHU. (OMHPR0547112)

T.T. is a 35 year old male offender who was confined at Great Meadow at the time I interviewed him on August 27, 2003. He has an extensive disciplinary history with substantial accumulated time in both SHU and keeplock. At the time of the following disciplinary infractions he had been diagnosed with a psychotic disorder, delusional; chronic and fixed:

- 2/18/03: he was charged with self-inflicted bodily harm, violent conduct, assault on staff and interference with employee when he grabbed a nurse's hand through the food slot during sick call. The nurse quickly extricated himself and then assisted officers in forcibly closing the food slot. The inmate believed that there was "pepper spray" flowing through his cell air vent. Following the incident a medical exam documented injuries to his wrists which he claimed occurred when officers forcibly closed the food slot. After medical personnel concluded the wrist injuries were "not consistent with the description of assault and may be self-inflicted," he was charged with self-harm. (DCSCOF 0023149)

- 3/5/03: he was found guilty of self-inflicted bodily harm along with the other charges and given 24 months SHU time with 24

months loss of commissary, packages and phone. Prior to these charges he had a conditional release date of 3/3/06, but along with the SHU time and loss of privileges, he received a recommended loss of 24 months good time.

• 3/17/03: the Medical Department at Great Meadow requested an evaluation posing the following question: "is he psychotic 2° thyroid problems or just psychotic?" (OMHPR0257860). During the next four months he received no less than seven disciplinary infractions notwithstanding the following OMH notes: 4/1/2003 progress note indicated that "he has a history of hyperthyroidism and his referral to mental health was precipitated by an apparently psychotic episode most probably secondary to that." (OMHPR 0261437) 4/21/03 OMH progress note documented his "well encapsulated belief" that "his cell is being monitored and that his body is being damaged by low-grade radiation which has caused burns on his elbow, penis and anal area." (OMHPR0257869)

R.Z. is a 25 year old offender who was confined at Attica at the time I interviewed him on September 23, 2003. On June 19, 2003 he was admitted to CNYPC from Attica after having been observed engaging in bizarre behavior as follows: 6/11/03 Progress Note: "He was rolling back & forth on bunk, singing & talking loudly to himself. When asked about taking meds pt. stated, 'I don't want them' in sing/song voice" (OMHPR0379716); 6/14/03 & 6/15/03 Progress Notes: "pt. is awake all night singing & frequently, openly masturbating" and "Pt. presented as manic & (sic) flight of ideas-incoherent speech. Cont's to masturbate frequently." (OMHPR 0379718) His Discharge Summary/Service Plan of 7/10/03 concluded that: "[His] extremely poor coping skills, egocentrism, history of drug abuse, and behavior for secondary gain, appear to make him a good candidate for behavioral therapies and settings." (OMHPR0477699) A psychological evaluation also done during this commitment to CNYPC contained the following note: "Referral to an ICP does not appear appropriate at this time, as there is the likelihood that [he] would use ICP for exploitive and

antisocial objectives instead of legitimate therapeutic goals...If [his] future behavior were to progress from malingering psychiatric symptomatology to self-abuse behavior, the development of a structured outpatient behavioral plan should be considered for effective management."

(OMHPR0477443) R. Z. was returned to the Attica SHU where he was, in a matter of days, moved to an observation cell after correctional officers asked mental health staff to see him. Officers had observed him "naked, rolling/rocking back & forth on cot-cell in disarray-feces on floor, light turned out." (OMHPR0730416) Nevertheless, he remained in SHU. This same type of problem was noted by Richard Harcrow, a representative of the New York State Correction Officers and Police Benevolent Association, when he testified before the New York state legislature on January 13, 2004 that OMH may decide not to have a particular inmate moved to a mental health treatment setting, and:

...if they say no, just keep him here, you know, and then usually what they do is they just sit on him, monitor him until they really act out, and maybe starts a fire, or maybe breaks something, or maybe tries to self-harm himself, and then we end up taking him away. If we would have taken him at the beginning and gotten him to a professional, maybe this wouldn't have happened. (Transcript, page 25: 1-9).

During the ensuing three months R. Z. was charged with no less than fourteen disciplinary infractions, a sample of which follow:

- 9/10/03: he was charged with two separate infractions for throwing his food all over his cell. He also attempted to throw coffee at an officer, but the cell was covered with a shield. He received 3 months SHU time, 3 months loss of package, commissary, phone, recommended loss of 6 months good time and was placed on 14 days diet restriction.
- 9/20/03, 09/25/03, and 10/07/03: he was charged with violations for refusal to return his eating utensils. He received a total of 6

months SHU time, 6 months loss of packages, 3 months loss of commissary and phone, and 14 days restricted diet.

- 10/16/03: he was charged with two separate violations for attempting to hit an officer with his food loaf. He received a twenty-one day diet restriction and recommended loss of 3 months good time.

- 11/12/03: he was charged with three separate violations for refusal to return his food tray in which he had urinated and defecated. He received 4 months SHU time and 4 months loss of packages, commissary, phone and 7 days diet restriction.

- 11/26/03: he was charged with two separate violations for attempting to throw his food loaf at an officer. He received 6 months SHU time and 6 months loss of packages, commissary, and phone and recommended loss of 6 months good time.

The ten inmate case summaries set out above are representative of the twenty-five case files reviewed for which I was provided comprehensive documents from both DOCS and OMH files. They are also generally consistent with the other voluminous documents I reviewed that were provided for hundreds of other offenders with mental illness confined to SHU and other forms of isolated confinement. To varying degrees, the documents are indicative of a system of punitive sanctions that are harshly, frequently, and indiscriminately applied to offenders who fall within the category of special needs inmates because of their mental illness. In too many cases, the sanctions are applied to such a degree that they are rendered meaningless. In other cases, the sanctions have been exhausted to such a degree that officials are left only with such extreme punitive measures as feeding inmates with mental illness for weeks at a time a food loaf which by design is nutritious but unpalatable, while the inmates having been deprived of all possessions resort to using the food loaf as a projectile to throw at staff. An often cited refrain on orders authorizing the food loaf is: "Disposition is appropriate as inmate is a long-term SHU inmate

who is disruptive and who has lost all other available privileges and Good Time.”

(DCSCOF0018463) Punitive measures frequently go beyond the loss of “available privileges” through the use of deprivation orders that can suspend even basic hygiene necessities, e.g., showers, cell cleanup supplies, and water supply. (DCSCOF0017753 & DCSCOF0017742).

When such measures are routinely applied to prisoners with mental illness, the correctional manager unwisely has created a substantial population of hopeless and/or senseless offenders who descend into a self-perpetuating cycle of continually escalating and intense actions by both staff and offender. This punitive culture that continually reinforces itself leads to inordinate and needless burdens on correctional staff to process an enormous number of disciplinary infractions, (e.g., 2,214 infractions in twelve months for 512 Level 1 SHU inmates, OMHCNY0080345), forces ill-equipped correctional staff to act as *de facto* mental health workers, and places correctional staff in the untenable position of attempting to manage a sizeable population of special needs inmates in a strict and rigid high-security custody environment devoid of any meaningful treatment programming. Such a state of affairs not only puts the subject inmates at risk, but exposes the correctional staff to a dangerous setting in which their traditional methods of control have been exhausted or have proven ineffective, in large measure due to an equally ineffective mental health care delivery system.

Importantly, such a dangerous work environment exacerbates correctional officer stress normally associated with prison work. All DOCS training materials are required to have a dedicated module on managing stress. (DCSCOF0006496) In the Special Housing Unit-Mental Health Training Program materials, it is noted in the introduction that “various studies indicated that stress and stress related illnesses have a tremendous impact on individuals working in

corrections.” (DCSCOF0006496) Stress inducing factors for correctional staff associated with the typical prison environment such as fear, frustration and anxiety, are magnified in punitive segregation, especially in an environment like DOCS’ SHUs in which large numbers of offenders with mental illness are concentrated for months and years with other inmates, some of whom are the most difficult to manage in the DOCS system. According to DOCS Correction Counselor Richard J. Woodward, II, “Any SHU in a facility with a Satellite Unit is becoming a catchall for the seriously mentally ill and the most aggressive predators and that is a lethal combination.” (DCSCOF0015475) As a consequence of having to manage a difficult offender population in untenable circumstances, correctional staff must also take extra precautions to safeguard their own well being. Moreover, correctional staff need extensive and specialized training to manage this population. However, as Richard Harcrow, a representative of the New York State Correction Officers and Police Benevolent Association, testified before the New York State legislature on January 13, 2004:

MR. HARCROW: We clearly need additional training. Currently we get a few hours in the academy. They give us a report where we check off the inmate is talking to himself, the inmate hasn’t bathed, the inmate isn’t eating, the inmate may be pacing. That’s currently all the training we get. (Transcript, Page 18: 4-10)

By any correctional standard with which I am familiar or have had experience, this is a failed system that causes incalculable harm to all those involved, be they staff or offender.

**B. The Mixing of Inmates with Mental Illness with Other Inmates in a Long-Term Punitive Segregation Unit**

1. Inmate Classification and Special Needs Offenders. The separation or classification of inmates by select categories is an essential component of prison management. According to a

former Director of the National Institute of Corrections ("NIC"):

Classification by definition involves separating inmates by their behavior and specific program needs. Devising efficient differential programs for each subgroup of offenders may remain a lofty ideal; effective management that creates a safe, secure, and humane correctional environment is not. (*Managing Adult Inmates*, NIC and the ACA, 1984, Preface xi)

The NIC's "Principles of Classification," which specify the essential elements of any classification process undertaken by a prison system includes the following:

Principle 6. There must be provision for screening and further evaluating prisoners who are management problems and those who have special needs.

In addition to screening and further evaluating inmates who are management problems, the correctional system's central office must provide for prisoners who have special needs. Those individuals, who, through effective screening, are shown to require special program assignments and monitoring include, but are not limited to, the aged and infirm, the mentally ill and retarded, and those with special medical problems. (*Managing Adult Inmates*, at 58)

This principle mirrors the ACA's definition of a special needs inmate:

**Special needs inmate**—An inmate whose mental and/or physical condition requires special handling and treatment by staff. Special needs inmates include, but are not limited to, drug or alcohol addicts or abusers, the emotionally disturbed, mentally retarded, suspected mentally ill, physically handicapped, chronically ill, and the disabled or infirm. (*ACA Standards for Adult Correctional Institutions*, 3<sup>rd</sup> Edition, at 181)

The assignment of inmates with mental illness to a punitive segregation unit for months and years of confinement with inmates who do not have mental illness, all of whom have committed disciplinary infractions, constitutes an intentional co-mingling of two incompatible subgroups into a single population that results in an unsafe, unsecure and inhumane correctional

environment for both subgroups and staff assigned to manage them. Admittedly, correctional systems often temporarily mix subgroups of offenders with appropriate safeguards for a variety of purposes such as short-term disciplinary detention, programming, and inter/intra facility transfers. However, when such mixing occurs for months and years at a time, the maintenance of the appropriate safeguards and the sustained delivery of differential services for large numbers of inmates with competing needs (both security and treatment), becomes an untenable scheme of inmate management. The following paradigm is thus transformed from:

*identification of incompatible subgroups + separation = reduced problems*

to:

*identification of incompatible subgroups + co-mingling = heightened problems*

As aforementioned, inmates with mental illness found guilty of disciplinary infractions may be confined in SHU with no limitations as to length of time. The DOCS SHUs are for all important purposes comparable to “supermax” confinement, both in terms of the degree of control over the inmates and the duration of confinement. In a 1999 National Institute of Corrections (“NIC”) monograph on supermax confinement, Chase Riveland, a former director of two state prison systems, discussed the delivery of mental health care in a supermax unit and concluded that “[s]ecurity measures in most extended control facilities make such assessment and treatment programs difficult and expensive.” (*Supermax Prisons: Overview and General Considerations*, NIC, January 1999, at 12) Mr. Riveland further concluded that “Insofar as possible, inmates with mental illness should be excluded from extended control facilities.” (Id.) In a forthcoming book entitled *Managing Special Populations in Jails and Prisons*, Michele Deitch, the former court-appointed monitor of conditions in the Texas prison system in Ruiz v.

Estelle, and author of the chapter on "Correctional Health Care and Special Populations-Legal Considerations and Context" concluded in discussing the housing of inmates with mental illness:

There must be some means for separating mentally ill inmates from the rest of the prisoner population. Mixing the two groups may violate the rights of both the mentally ill and non-mentally ill inmates. In designating housing for mentally ill prisoners, however, corrections administrators should take care to avoid placing them in housing situations that can exacerbate the symptoms of their mental illness. There is a recent trend of placing mentally ill inmates in "Supermax"-type settings, and courts are increasingly holding that such practices are unconstitutional. At best, the practice of confining mentally ill inmates in these highly restrictive and sensory-deprived settings is dubious, and has been criticized by mental health and legal experts alike.

2. The Effects of Inmate Incompatibility. While the majority of the over eighty inmates I interviewed had been diagnosed with a mental illness, at least ten of this group of eighty had no such diagnosis. The most consistent and pronounced consensus of both the inmates with mental illness and the inmates who did not have mental illness related to the ill-effects and acrimony engendered from mixing the two groups on a 24/7 basis for weeks, months and sometimes years. The inmates who did not have mental illness complained of such acting out behaviors by inmates with mental illness as: spontaneous and persistent loud shouting, incessant banging, and unhygienic practices so aggravated that unbearable odors and stench enveloped the surrounding cells. What these inmates described was not unlike the conditions noted in a 1999 court decision involving the Iowa State Penitentiary where mentally stable inmates were intermingled with offenders with mental illness:

...the pandemonium and bedlam the mentally stable inmates must suffer because they are intermingled with the mentally ill inmates who either cannot or do not control their behavior. One particular portion of cellhouse 220 was so bad that it was commonly known

as 'the bug range.' ... 'Cellhouse 220 is noisy—lots of banging and really dirty. Being on the bug range is very stressful, it takes its toll. You can't sleep, you get high blood pressure and turn into a madman.'" (*The Mentally Disordered Inmate and the Law, 2003 Cumulative Supplement*, Fred Cohen, ¶ 11.1[2], S11-3-4)

Conversely, the inmates with mental illness I interviewed complained of being constantly subjected to the use of such offensive and degrading terms by inmates who did not have mental illness as "bugouts, crazies, loons, bugs, and bugjuice." Such interchanges between the two groups often lead to combative episodes in which fecal matter and urine are fashioned and employed as projectiles that can be hurled at each other when they go to shower or recreation. This weaponry likewise has its own SHU jargon, "cupbusting, gassing, shitballs, and shitdowns." Time and again, inmates from both groups described daily and recurring events that constitute an aberrant pattern of behavior directly attributable to the mixing of two such divergent subgroups of offenders for extended periods of control, all of whom are locked down in their individual cells for 23 hours a day with limited in-cell activities. The following actual quotes and/or paraphrased passages from inmate interviews illustrate the perverse environment that emerges over time when such an antithetical management scheme is employed:

- An officer was heard to summon an inmate for his medications by ordering him to "come and get your bug juice."
- "Some bangers go all night, it can drive you crazy when you can't sleep."
- "I traded three showers for a new cell assignment to get away from a bugout."
- "I rub my cell down with BenGay to cover the smell of shit on the walls of the cell next door."
- "I use wet toilet paper in my ears to drown out the noise from the

bugouts who sometimes bang all night long.”

- “I’ll do anything to get to a gallery with no bugouts.”
- “I cut a porter for calling me a bugout.”
- “I’d like to move to get away from the bugout next door but I don’t want to catch a snitch jacket [labeled as an informer].”
- “I’ve been to MARCY [CNYPC] four times for hunger strikes.”
- “I’ve traded my meds [medications] for smokes.”
- “Gassing [throwing urine and feces] goes on all the time.”
- “I keep my suicide thoughts to myself to stay out of the torture cells [observation cells].”
- “He’s so crazy, they [staff] don’t even stop at his cell.”
- “Some of them fools [inmates] don’t know any better than to mess with them bugouts.”
- “I went to the observation cells just to get away from the bangers.”

Defendants themselves have acknowledged that mixing inmates with mental illness with other inmates in a punitive segregation environment is problematic. In evaluation studies of the STP programs at Attica and Five Points Correctional Facilities, it was noted that an important and distinguishing feature of the Five Points STP was the creation of a dedicated housing area in the SHU that contained only STP participants. The “Five Points Specialized Treatment Program (STP) Special Assessment for (SHU) Inmate/Patients” (OMHCNY 027806-027818), under the heading of “Program Design,” indicated that:

...the program contains only STP participants. There is never a mixing [emphasis added] of STP inmate patients in a regular SHU. One major benefit is the elimination of contact with inmates who

have a negative impact on treatment goals. (OMHCNY 027816)

In Attica's second report on their STP program (OMHATT 0001085-0001089), it was noted that "STP staff have observed at times, more functional inmates directly and indirectly intimidate others to the point of program refusal, or reduced participation." (OMHATT 0001088) This important difference between the two programs, in part at least, explains the disparity in the inmate participation rates of the two programs:

Five Points Participation in Mental Health Treatment. Seven per cent were rated as "participating fully" at intake compared to **66%** at termination or their most recent rating if still in the program. (OMHCNY 042994)

Attica Participation in Mental Health Treatment. Nine per cent were rated as "participating fully" at intake compared to **37 %** at termination or their most recent rating if still in the program. (OMHCNY 042945)

It is important to note that every one of the six SHU facilities I visited had physical plants that would lend themselves to the creation of dedicated housing for inmates with mental illness separate from other inmates.

### **C. Rule Enforcement and Inmates with Mental Illness in Punitive Segregation**

Along with the additional restrictions found in a high security punitive segregation unit such as the SHU come an additional set of rules, some of which are particular to the punitive segregation unit such as those related to property and commissary limitations, and some of which are technical such as standing for a cell count. In addition to these formal rules, there are often times local or informal rules employed on particular units, commands and even shifts. Some staff enforce rules in a rigid sometimes hyper-technical manner while other staff ignore or informally address minor or nuisance violations. Grasping and understanding these rule

enforcement dynamics is critical in order for inmates to exercise some very limited control over their conditions of confinement in a highly restricted setting. In other words, if an inmate has difficulty in conforming and mastering rules, or is subjected to uneven or hyper-technical enforcement of rules, it will be reflected by increased disciplinary infractions and imposition of even greater restrictions such that some inmates remain locked up twenty-four hours a day with no property and are fed a barely edible compacted loaf of mixed food stuffs.

As I have observed over more than three decades of working with confined populations, offenders with mental illness by the very nature of their impairment can certainly find it more difficult, if not impossible, to fully grasp and master a complex and comprehensive set of rules such as are ever present in the SHU setting; hence, the need for multi-disciplinary management. Where there is no multi-disciplinary approach, dysfunctional patterns inevitably emerge; these patterns are evident in the DOCS SHUs.

In a 2003 study conducted by DOCS Program Research Specialist Leslie Kellam, she compared the average annual rates of disciplinary incidents for SHU inmates with a mental health diagnosis with the disciplinary rates of non-mentally ill SHU inmates. ("SHU Placement and OMH Levels," June 24, 2003, DCSCOF0006726-0006734) The SHU inmates with mental illness had significantly higher rates of both total tickets and penalties imposed. The infractions resulting in further SHU penalties for inmates with mental illness was over two and one-half times that of inmates who did not have mental illness. (DCSCOF 0006733) While such data is certainly subject to varying interpretations ("mad vs bad"), there clearly is some correlation between infractions and mental illness that requires differential or particularized management.

Four particular categories of infractions singled out in the study merit comment due to

the nature of the infraction and the disparities in the data. Inmates with mental illness were four times more likely to be charged with threats, ten times more likely to be charged with unhygienic acts, seven times more likely to be charged with flooding, and twice as likely to be charged with refusing a direct order. Regardless of whether these significantly higher rates of infractions among inmates with mental illness can be attributed directly, or in part, to 1) mental illness; 2) the multitude of rules in SHU; 3) the rigid/hyper-technical enforcement of rules; or 4) combinations thereof, treatment prerogatives have been subsumed by a mind numbing level of punitive sanctions employed on inmates with mental illness in SHU. Such a punitive regimen has given rise to a culture of ever-escalating intransigence on the part of both inmates and staff.

In addition to the evidence of this punitive regimen set out in the sections above, the inmate interviews provided a richly detailed view of how informal sanctions are sometimes used to make an already highly restricted regimen even more punitive. Inmates at five of the six facilities I visited described how often inmates get "burned" [deprived under the guise of a rule violation] on their scheduled recreation, showers, or meals if they are not in a prescribed position at precisely the right time when officers pass their cells. Inmates claimed that by "burning" enough inmates for their showers and recreation, officers could significantly reduce their workload. It is notable that in my review of DOCS facility log books there were certainly instances where very few inmates left their cells for recreation. Numerous inmates also complained of being ticketed for talking between cells, summoning officers, not standing for count, and not standing at the rear of their cells when officers passed. Inmates at four of the six facilities described how inmates could barter their shower and recreation time for such things as extra meals, getting an officer to pass a magazine from one cell to another, and for more

favorable cell assignments. One inmate expressed his anger over getting "burned" for recreation when an officer "creeped" down the run and he couldn't assume the position [stand at his gate] quickly enough. The inmates with mental illness described time and again how, when locked securely in their cells, angry or frustrating interchanges with staff resulted in disciplinary charges. While such a scenario is hardly limited to imprisoned inmates with mental illness, by the very nature of their impairments inmates with mental illness are less equipped to cope with the vagaries of inmate/staff dynamics, especially in a strictly punitive environment.

While I cannot opine as to the adequacy or inadequacy of any particular mental health treatment program, it is obvious to me that even modest modifications of SHU practices as they relate to inmates with mental illness can significantly reduce the need to rely on a strictly punitive regimen to manage them. A 2003 OMH report on the Specialized Treatment Program (STP) at Attica provides stark evidence that even a modest increase of structured mental health services can reduce behaviors that result in serious disciplinary action. ("STP for Mentally Ill Inmates in SHU at Attica Correctional Facility, July 23, 2003," OMHCNY 042943-042989) It should be noted that the 51 inmates in the Attica STP had "very serious mental health and disciplinary histories." (OMHCNY- 042944) The two components of the program that distinguished it from the regular Attica SHU were: 1) two hours each week day of out-of-cell mental health services, and 2) a joint management committee to address needs and placement issues. A few of the results of this STP study are as follows:

There were major and statistically significant reductions in all the disciplinary outcomes during the STP program. There were statistically significant reductions in the use of crisis mental health services as well as statistically significant improvements in Treatment Participation, Medication Compliance, and Mental

### Health Functioning.

➤ Number of Tier 2 and Tier 3 tickets. These inmates had a total of 351 tickets in the 12 months prior compared to 45 while in the STP program. *The decrease was statistically significant.* (OMHCNY042945)

The same study was conducted at the STP program at the Five Points facility with very similar results ("statistically significant reductions in all the disciplinary outcomes during the STP program.") (OMHCNY 042993)

Another program jointly administered by DOCS and OMH, the Intermediate Care Program ("ICP"), should also be mentioned here. In an April 2003 review of ICP participants, 27% of whom had previous commitments to SHU, it was reported that the "Mean number of Tier 2 or 3 Tickets in the last 12 months was 1.37." (OMHCNY 043079) This mean number for ICP participants is 4.65 times less than for inmates with mental illness in SHU.

Irrespective of whether the above two programs are adequate, what is clear is that anything is better than SHU for inmates with mental illness. An OMH report entitled, "Special Housing Units in OMH Level 1 Correctional Facilities, Mental Health Needs Study, July 16, 2004" (OMHCNY 0080337-0080371), indicates that mental health contact hours in DOCS SHUs increased "dramatically" since a similar 2002 study (OMHCNY 0080338). Even so, there was no impact on the imposition of disciplinary sanctions in the SHU on inmates with mental illness:

For mental health levels 1 through 4, the average number of tickets are slightly below 6, the same as the January 2002 study. The average number of tickets for inmates not on the mental health caseload (mental health level 6) is 3; the same as the January 2002 study. The average number of SHU inmates receiving Tier 2 and Tier 3 disciplinary tickets was stable with mental health

**inmate-patients having about double the number of tickets as  
inmates not receiving mental health services. (OMHCNY  
0080339)**

I have reviewed a number of DOCS and OMH studies that included data on disciplinary infraction rates, comparing settings in which heightened multi-disciplinary programming was provided to inmates with mental illness serving SHU commitments versus those settings which are strictly punitive with little or no specialized programming. All of these studies provide stark evidence of the harmful and ineffective limitations of a punitive management model applied with a ferocity I have not witnessed in my thirty-three years as a corrections professional. It is of the utmost importance to note that mental health treatment programs may provide a menu of structured incentives whereby participants have opportunities for advancing the quality of their confinement. Punitive segregation, in contrast, imposes a menu of harshly applied disincentives whereby inmates could only work to decelerate the imposition of further punishments. Inmates with serious mental illness who are subjected to an extended or long term punitive regimen such as SHU in which they are isolated, both in terms of physical space and program services, will all too often find themselves in a downward and destructive spiral that is antithetical to every legitimate correctional management goal with which I am familiar.

Respectfully Submitted,

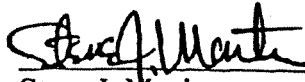
  
Steve J. Martin

Exhibit 1

LA 968

JA 968

## CURRICULUM VITAE

**NAME:** Steve J. Martin

**ADDRESS:** 8513 Adirondack Trail  
Austin, Texas 78759

**TELEPHONE:** Office (512) 346-7607  
Fax (512) 794-8883  
E-Mail sjmart@onr.com

**DATE OF BIRTH:** August 27, 1948

**EDUCATION:**

1973 Bachelor of Science  
Criminology and Corrections  
Sam Houston State University  
Huntsville, Texas

1974 Master of Arts  
Correctional Administration  
Sam Houston State University  
Huntsville, Texas

1981 Juris Doctor  
University of Tulsa  
School of Law  
Tulsa, Oklahoma  
(admitted Texas State Bar-  
Card #13106550)

**EMPLOYMENT:**

1987-Present Self-employed Corrections  
Consultant and Attorney.

1986-1987 Gray & Becker, Attorneys at  
Law. General practice law  
firm engaged in litigation,  
administrative law, civil  
rights & legislative work.

1985-1986 Texas Attorney General's Office  
Special Assistant Attorney General;  
worked as an consultant to the  
Chief of Enforcement Division on  
litigation involving the Texas  
Department of Corrections

(Vita current as of January 2005)

STEVE J. MARTIN VITA PAGE 2  
Employment (continued)

1981-1985

Texas Department of Corrections  
Executive Assistant (1984-85)  
General Counsel (1983-85)  
Legal Counsel (1981-83)  
Huntsville, Texas

As Legal Counsel I served as the in-house attorney on class action litigation. In 1982, I was given the responsibility for providing the primary case administration of RUIZ v ESTELLE (class action conditions suit in which virtually all operational aspects of the prison system subject to court orders). From 1983-85 I served as the chief legal officer of the department. I also served as the liaison to the Office of the Special Master in RUIZ as well as liaison to the Attorney General's Office and the legislature. From 1984 I also served as the Director's Executive Assistant, an operations position in which I was the third ranking official in the department.

1980-1981

Tulsa County DA's Office  
Assistant District Attorney  
Tulsa, Oklahoma

As an Assistant District Attorney provided representation to county jail officials on civil rights litigation filed by county jail prisoners. I also drafted a set of jail standards adopted by the district judges for operation of the jail.

STEVE J. MARTIN VITA PAGE 3

Employment (continued)

1975-1980

US Probation and Parole Office  
US Probation and Parole Officer  
McAllen, Texas (1975-77)  
Tulsa, Oklahoma (1977-80)

As a probation officer I supervised an average caseload of 50 to 75 probationers and parolees in addition to conducting pre-sentence and pre-trial diversion reports

1974

Federal Bureau of Prisons  
Federal Corrections Institution  
Casework Intern  
Ft. Worth, Texas

After my first year of graduate school, I worked as a summer case work intern for the Director of Mental Health Programs at the facility.

1972-1973

Texas Department of Corrections  
Correctional Officer  
Huntsville, Texas

I was assigned to the Ellis Unit which was a maximum security prison. I worked routine security posts such as cellblocks, control center, hall officer, and death row. I also worked at the Goree Unit for female offenders.

REPRESENTATIVE PROFESSIONAL ACTIVITIES:

2002-Present

Appointed as Joint Expert, US v NASSAU COUNTY; monitoring Settlement Agreement on use of force, Nassau County Corrections Center; Long Island, New York.

2001-Present

Appointed as Court Expert, CARRUTHERS v. JENNE; to examine the conditions of confinement for Broward County Department of Detention, Ft. Lauderdale, Florida.

STEVE J. MARTIN VITA PAGE 4

Representative Professional Activities (continued)

|              |                                                                                                                                                                                                                                                                       |
|--------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2002-Present | Retained as a consultant by Georgia Attorney General's Office to review use of force practices at the Phillips State Prison, Buford, Georgia.                                                                                                                         |
| 2002-Present | Retained by U.S. Attorney's Office, San Francisco, as an expert in U.S. v Lewis; criminal civil rights prosecution for civil rights violations at the Pelican Bay State Prison.                                                                                       |
| 1995-Present | Retained as an expert by the U.S. Department of Justice, Civil Rights Division, Special Litigation Section; investigation and monitoring of prison and jail facilities: Maryland, Mississippi, Georgia, Guam, Saipan.                                                 |
| 2003-Present | Retained as an expert witness in DISABILITY ADVOCATES, INC. v. NEW YORK STATE OFFICE OF MENTAL HEALTH; et.al.; class action civil rights claims for treatment of mentally ill inmates confined to disciplinary segregation, New York State Department of Corrections. |
| 2003-Present | Retained as an expert witness in ALEXANDER v. TARRANT COUNTY; wrongful death of detainee committed to the Tarrant County Community Correctional Facility, Ft. Worth, Texas.                                                                                           |
| 2003-Present | Member of Editorial Board, CORRECTIONAL LAW REPORTER, Civic Research, Inc., Kingston, NJ.                                                                                                                                                                             |
| 2004-Present | Retained as expert, GATES v. BARBOUR, to assist parties in determining capacity limits for the Mississippi Department of Corrections and to monitor implementation of capacity limits.                                                                                |
| 2004-Present | Retained as expert witness, INGLES v. TORO, class action use of force litigation involving New York City Department of Corrections.                                                                                                                                   |
| 2003-2004    | Retained as a consultant by Georgia Attorney General's Office in BURNS v. WETHERINGTON; civil rights claim for failure to protect inmate at the Lee Arrendale State Prison, Alto, Georgia.                                                                            |

**STEVE J. MARTIN VITA PAGE 5**

**Representative Professional Activities (cont'd)**

|           |                                                                                                                                                                                                         |
|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2004      | Retained as consultant to the Ohio Department of Youth Services on staff use of force.                                                                                                                  |
| 2004      | Retained as a consultant by Los Angeles County, Special Counsel, to assist in a report to Los Angeles County Board of Supervisors on inmate violence in Los Angeles jails.                              |
| 2000-2002 | Appointed as Court Monitor, DOES v. STEWART; monitoring system-wide class action remedial order on protective segregation for the Arizona Department of Corrections.                                    |
| 1998-2002 | Joint Expert Consultant, SHEPPARD v PHOENIX; monitoring court order on use of force in New York City Department of Corrections, Rikers Island.                                                          |
| 2001      | Retained by U.S. Department of Justice & U. S. Attorney's Office, Brooklyn, to assist in the development of remedial plan for Nassau County Sheriff's Department, Division of Correction, Use of Force. |
| 2001      | Retained by U.S. Attorney's Office, San Francisco, as an expert in US v POWERS & GARCIA, criminal civil rights prosecution for civil rights violations at the Pelican Bay State Prison.                 |
| 2001      | Retained by Los Angeles County Board of Supervisors to evaluate in-custody restraint death of detainee.                                                                                                 |
| 2001      | Member of research team of Berkman Center, Harvard Law School, to evaluate rehabilitation programs in two Jamaican maximum security prisons.                                                            |
| 1989-2000 | Retained as expert witness and consultant, FELICIANO v COLON; conditions litigation involving the Puerto Rico prison system.                                                                            |
| 1999-2001 | Retained as expert, MULDROW v KEOHANE, use of restraints, USP, Atlanta, Georgia.                                                                                                                        |
| 1999-2000 | Retained as expert, SABATINO v AMENN; class action litigation on use of restraints, Erie County Prison, Pennsylvania.                                                                                   |

STEVE J. MARTIN VITA PAGE 6

Representative Professional Activities (continued)

|           |                                                                                                                                             |
|-----------|---------------------------------------------------------------------------------------------------------------------------------------------|
| 1999-2000 | Retained as consultant to review INS Detention Standards, US Dept. Of Justice.                                                              |
| 1996-1999 | Retained as expert, LEE v COUGHLIN; litigation involving punitive segregation at Sing Sing/Southport prisons, New York.                     |
| 1998-1999 | Retained as expert, SPATES v IOWA CORRECTIONAL INSTITUTION FOR WOMEN; conditions litigation.                                                |
| 1992-1995 | Retained as expert witness, MADRID v GOMEZ; conditions litigation involving Pelican Bay State Prison, California.                           |
| 1996-1998 | Retained as expert witness, COLLINS v ALGARIN; litigation involving excessive force at Montgomery County Jail, Pennsylvania.                |
| 1994-1998 | Retained as expert witness, ALLEN v CHISHOLM; excessive use of force litigation involving Montana State Prison.                             |
| 1995-1998 | Retained as expert witness, BOLTON v COOMBE; litigation involving double celling practices at Woodbourne Correctional Facility, New York.   |
| 1996-1998 | Retained as expert witness, SOLOMON v DELLANA; litigation involving excessive use of force at the Allegheny County Jail, Pittsburgh.        |
| 1997-1998 | Retained as expert witness, BLACKMON v McCOTTER; litigation involving stabbing death of inmate at the Central Utah Correctional Facility.   |
| 1997-1998 | Retained as expert witness, CLARK v CALIFORNIA; litigation involving treatment of developmentally disabled prisoners in the California DOC. |
| 1997-1998 | Retained as expert witness, TATE v GOMEZ; litigation involving lethal force at the Corcoran State Prison, California.                       |

STEVE J. MARTIN VITA PAGE 7

Representative Professional Activities (continued)

|           |                                                                                                                                                                                           |
|-----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1994-1995 | Retained as expert witness by the New York Attorney General's Office, BIN-WAHAD v COUGHLIN; litigation involving claim of retaliatory transfer in the New York Department of Corrections. |
| 1993-1995 | Retained as consultant to the Texas Comptroller of Public Accounts; Performance Review of the Texas Department of Criminal Justice.                                                       |
| 1991-1993 | Gubernatorial appointee to the Texas Punishment Standards Commission. Vice-chair, Policy Development Sub-committee.                                                                       |
| 1989-1993 | Retained as consultant and expert witness by Texas Attorney General's Office on prison and jail litigation.                                                                               |
| 1992-1993 | Retained as consultant, BENJAMIN v ABATE; principal author of <u>Reports of Plaintiffs' Expert Consultants on Conditions in the New York City Jails</u> , Legal Aid Society, New York.    |
| 1991-1992 | Staff Director, Study Committee on Judicial Education, Texas Supreme Court; principal investigator for <u>Report on Judicial &amp; Court Personnel Education Programs</u> .               |
| 1990-1992 | Retained as expert witness and consultant, JENSEN v CLARKE; crowding litigation involving Nebraska State Prison, Lincoln, Nebraska.                                                       |
| 1989-1993 | Retained as consultant on litigation involving numerous county jails including Detroit, Seattle, Houston, Austin and San Antonio.                                                         |
| 1989-1991 | Assisted Texas Legislature on the development of criminal justice legislation, 71 <sup>st</sup> and 72 <sup>nd</sup> Sessions.                                                            |
| 1988-1989 | Gubernatorial Appointee to Texas Council on Offenders with Mental Impairments; Chairman of Legislative Sub-Committee.                                                                     |

**STEVE J. MARTIN VITA PAGE 8**

**Representative Professional Activities (continued)**

|           |                                                                                                                                              |
|-----------|----------------------------------------------------------------------------------------------------------------------------------------------|
| 1986-1990 | Retained by Corrections Corp.of America, Nashville, Tenn., to assist in the development and operation of private prison facilities in Texas. |
| 1988-1992 | Employed as expert witness by Prison Law Office, San Quentin on litigation involving Vacaville, San Quentin and Tracy prisons.               |
| 1987-1993 | Employed as expert witness by Prisoners Legal services of New York on litigation involving Attica and Elmira prisons.                        |
| 1987-1989 | Employed as expert witness by NAACP Legal Defense Fund, New York on death row conditions litigation in Missouri and Arkansas.                |
| 1988      | Technical Assistance Consultant, National Institute of Corrections Boulder, Colorado.                                                        |

**TEACHING/LECTURES:**

|           |                                                                                                                                                                             |
|-----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2003      | Symposium on Prison Reform, Pace Law School, Judicial Institute and the Open Society; moderator and presenter for "Effective Post-PLRA Settlement Models; October 2003.     |
| 2001      | Presenter, SMU School of Law, Colloquium on the Judicial Work of Judge William Wayne Justice, May 2001.                                                                     |
| 2000      | Guest Lecturer, University of Minnesota Law School, Institute of Criminal Justice; "Responding to the Crowded Jail, Legal Issues."                                          |
| 1999      | Visiting Scholar, Institute of Criminology and School of Law, Queen's University, Belfast, Ireland; Seminar: "Punishment as Big Business: The Iron Triangle," October 1999. |
| 1999/2000 | Guest Lecturer, New York University School of Law, New York City.                                                                                                           |
| 1995      | Guest Lecturer, National Association of Attorneys General Annual Conference; "The Role of Experts in Prison Litigation."                                                    |

STEVE J. MARTIN VITA PAGE 9  
Teaching/Lectures (continued)

|           |                                                                                                                                  |
|-----------|----------------------------------------------------------------------------------------------------------------------------------|
| 1995      | Testified before the United States Senate Judiciary Committee as a panel member on the Prison Litigation Reform Act.             |
| 1990      | Southwest Texas State University<br>San Marcos, Texas; adjunct faculty-taught corrections course.                                |
| 1989      | St. Edwards University Austin, Texas;<br>adjunct faculty-taught course on<br>American prisons.                                   |
| 1986      | University of Texas School of Law<br>Austin, Texas; visiting faculty-taught seminar on institutional reform litigation.          |
| 1979-1981 | Langston University Tulsa, Oklahoma;<br>adjunct faculty-taught probation and<br>parole, corrections, and criminology<br>courses. |
| 1976-1977 | Pan American University, Edinburg,<br>Texas; adjunct faculty-taught<br>corrections courses.                                      |
| 1973-1974 | Sam Houston State University<br>Huntsville, Texas; Graduate Fellow-taught course in social problems.                             |

PUBLICATIONS AND PAPERS:

Martin, Steve J., and Sheldon Ekland-Olson  
Texas Prisons: The Walls Came Tumbling Down.  
Austin: Texas Monthly Press, 1988.

Ekland-Olson, Sheldon and Steve J. Martin,  
"Organizational Compliance with Court-Ordered Reform",  
22 Law and Society Review 359, 1988.

Martin, Steve J., "Prisoners' Rights", Texas Tech Law Review,  
Volume 20, Symposium 1989, Number 2.

Martin, Steve J., "Texas Prisons: A Brooding Crisis Behind  
Bars", Texas Lawyer, March 13, 1989.

Martin, Steve J., and Sheldon Ekland-Olson, "Ruiz, A  
Struggle Over Legitimacy", Courts, Corrections and the  
Constitution: The Impact of Judicial Intervention on

STEVE J. MARTIN VITA PAGE 10  
Publications (continuted)

Prisons and Jails, edited by John J. DiIulio, Jr.,  
Oxford University Press, 1990.

Martin, Steve J., "The Ceiling of Texas", Texas Observer,  
January 11, 1991.

Martin, Steve J., "An End to Ruiz: Shifting the Debate from  
Rhetoric to Reason", Texas Public Policy Foundation, April 1995.

Martin, Steve J., "Prison Reform Litigation: Shifting the Debate From  
Rhetoric to Reason," Alan Fortunoff Criminal Justice Colloquium, Center  
for Research in Crime & Justice of New York University School of Law,  
February 26, 1996.

Grant, Darlene and Steve Martin, "Should Prison Reform Litigation Be  
Curtailed?", National Council on Crime and Delinquency Focus, May 1996.

Martin, Steve J., Perspectives on Justice, "Inmates Haven't Changed,  
Prisons Have," Los Angeles Times, July 1998.

Martin, Steve J., "Sanctioned Violence in American Prisons," Building  
Violence: How America's Rush to Incarcerate Creates More Violence, edited  
by John May, Sage Publications, Inc., January 2000.

Martin, Steve J., "Corrections in the New Millennium: The Mean Season,"  
Voice for the Defense, Texas Criminal Defense Lawyers Association, Vol.29  
Number 2, March 2000.

Martin, Steve J., "Introduction," Frontiers of Justice, Volume 3: The  
Crime Zone, Biddle Publishing Co., Brunswick, Maine, March 2000.

Martin, Steve J., Book Review: Going Up The River: Travels in a Prison  
Nation, "Punishment & Society, International Journal of Penology," Vol  
4, Number 1 January 2002.

Martin, Steve J. Book Review: Punishment & Democracy: Three Strikes and  
You're Out in California, "British Journal of Criminology," Vol.43,  
Number 1 Winter 2003.

Martin, Steve J., Book Review: Maconochie's Gentlemen: The Story of  
Norfolk Island and the Roots of Prison Reform, "British Journal of  
Criminology," Vol.43, Number 4 Autumn 2003.

Hill, Debbie, Larry Hammond, Bruce Skolnik, Steve J. Martin and Donna  
Clement; Effective Post-PLRA Settlement Models: A Case Study of Arizona's  
Protective Segregation Lawuit; 24 Pace Law Review 743 (Spring 2004).



STEVE J. MARTIN--TESTIMONY/DEPOSITION/AFFIDAVIT  
January 2001 thru December 2004

1. BRISSETTE v GOMEZ, USDC/NORTHERN DISTRICT CALIFORNIA, C92-3619VRW; retained by plaintiff's counsel Edward J. Tafe, Hancock, Rothert & Bunshoft, 4 Embarcadero Center, 10<sup>th</sup> Floor, San Francisco, CA 94111; testified at trial and through deposition regarding excessive force and inmate protection from harm at Pelican Bay State Prison.
2. HARDY V OHIO DRC, COURT OF CLAIMS OF OHIO, 99-11875; retained by plaintiff's counsel Margaret Blackmore, Tyack, Blackmore & Liston, 536 S. High St., Columbus, Ohio; testified through deposition regarding inmate protection from harm at Mansfield Correctional Institution, Mansfield, Ohio.
3. ELMAROUK V SANTA CLARA COUNTY, USDC/ND CA, SAN JOSE, C-99 20514; retained by plaintiff's counsel Charles Jenkins, 417 Montgomery St., San Francisco 94104; testified through deposition regarding excessive force claim at Santa Clara County Department of Corrections facility.
4. KNOX V JENKINS, et.al., USDC/SD TEXAS, HOUSTON, 4:99CV 03317; retained by plaintiff's counsel Yolanda Torres, 4000 Republic Center, Dallas 75201; testified through deposition and trial regarding excessive force claim at Texas prison.
5. REAGIN V NICHOLS, USDC/ND GEORGIA, 1:99-CV-2383-RLV; retained by plaintiff's counsel Kenneth Lander, 310 N. Broad St., Monroe, Georgia; testified through deposition regarding suicide of detainee at Newton County Detention Center.
6. BROWN V HARDY, USDC/WD LOUISIANA, CV 6:00 401; retained by plaintiffs' counsel David Benoit, 420 Benard St., Point Breaux, Louisiana; testified through deposition regarding conditions of confinement at City of Abbeville detention facility.
7. ELDER V STATE OF LOUISIANA, 19<sup>TH</sup> JUDICIAL DISTRICT COURT NO. 332918; retained by plaintiff's counsel Christopher Bruno, 855 Baronne St., New Orleans, LA 70113; testified through deposition regarding inmate protection from harm at the Angola State Prison.
8. DOE V BOWLES, et.al., USDC/SD OHIO, C-1-98-476; retained by plaintiff's counsel Jennifer Branch, 617 Vine St., Cincinnati, Ohio; testified at trial regarding inmate protection from harm at the Warren Correctional Institution, Ohio Department of Rehabilitation.

9. STATE V WILLIAMS, HARRIS COUNTY, TX., retained by defendant's attorney, Robert Morrow, Texas Defender Service, 412 Main Street, Houston, TX., to testify on Texas prisons during the punishment phase of death penalty trial.

10. RODRIGUEZ V ROSELLO, USDC PUERTO RICO, NO.99-2270 (CC); retained by plaintiff's counsel Alexandra Lopez-Bird, Civil Action & Education Corp., Mercantil Plaza Bldg., San Juan, Puerto Rico; testified through deposition regarding inmate protection from harm litigation at Ponce Maximum Security Facility.

11. STATE V BURTON, 338<sup>th</sup> JUDICIAL DISTRICT, HARRIS COUNTY, TX., CAUSE NO. 760321; retained by defendant's attorney, Robert Morrow, Texas Defender Service, 412 Main Street, Houston, TX., to testify on Texas prisons during the punishment phase of death penalty trial.

12. NEW TIMES V JOHN SUTHERS, USDC COLORADO, CIVIL ACTION NO. 00-WM-612; retained by plaintiffs' attorney Gwen Young, Wheeler Trigg & Kennedy, 1801 California St., Suite 3600, Denver, CO.; testified through deposition regarding censorship practices of Colorado Department of Corrections.

13. MIRANDA V COUNTY OF SAN DIEGO, SUPERIOR COURT OF CALIFORNIA FOR THE COUNTY OF SAN DIEGO, GIC 780640; retained by plaintiff's attorney Mirian Birge, 2240 5<sup>th</sup> Ave., Suite 200, San Diego, CA.; testified through declaration and deposition regarding use of force by officials of the San Diego county jail.

14. HOEVENAAR V LAZAROFF, USDC, SOUTHERN DISTRICT OF OHIO, NO. C2-03-190; retained by plaintiff's attorney David Singleton, Prison Reform Advocacy Center, 1301 Enquirer Bldg., Cincinnati, Ohio; testified through affidavit, deposition and trial regarding free exercise of religion (grooming regulations) at the Madison Correctional Institution, London, Ohio.

15. USA V HARRISON COUNTY, MISSISSIPPI, USDC, SOUTHERN DISTRICT OF MISSISSIPPI, NO. 1:95CV5 (GR); retained by the U.S. Department of Justice; testified through declaration regarding inmate protection from harm at the Harrison County Detention Center, Gulfport, Mississippi.

16. FRAZIER V ANGELONE, USDC, WESTERN DISTRICT OF VIRGINIA, NO. 7:02-CV-1208; retained plaintiff's attorney, John Fishwick, P.O. Box 601, Roanoke, VA 24004; testified through deposition regarding in-custody death of inmate at Wallens Ridge State Prison.

17. HARGETT V ADAMS, USDC NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION, NO. 02 C 1456; retained by plaintiffs' counsel, Mike Mullins, Schiff Hardin & Waite, 6600 Sears Tower, Chicago, Illinois 60606; testified through deposition and trial regarding conditions of confinement at the Joliet Treatment & Detention Facility.

18. STATE OF TEXAS V TOMAS GALLO, 182<sup>ND</sup> JUDICIAL DISTRICT COURT OF HARRIS COUNTY, TEXAS, CAUSE NO. 896514; retained by defendant's attorney, Robert Morrow, 6630 Cypresswood Drive, Houston, TX 77379; testified on Texas prisons during punishment phase of death penalty trial.

19. EX PARTE RICKY EUGENE KERR, 290<sup>TH</sup> DISTRICT COURT OF BEXAR COUNTY, TEXAS, CAUSE NO. 94-CR-7019W-2; retained by Texas Defender Service, Kathryn Kase, 412 Main, Suite 1150, Houston, Texas 77002; testified on Texas prisons during rehearing punishment phase of death penalty trial.

20. ORAFAN v GOORD, USDC, NORTHERN DISTRICT OF NEW YORK, 95-CV-318, 00-CV-2022 (Magnuson) (GJD); retained by plaintiffs' attorney, Carolyn Flintoff, Sullivan & Cromwell, 125 Broad St., New York City; testified through deposition regarding free exercise of religion in New York Department of Corrections.

21. GATES v BARBOUR, USDC, NORTHERN DISTRICT OF MISSISSIPPI, 4:41cv6-JAD; retained by plaintiffs' attorney, Ronald R. Welch, P.O. Box 4589, Jackson, MS 39296; testified at hearing on capacity limits for the Mississippi Department of Corrections.

EXN00113

**Inmates Interviewed by Steve J. Martin During Rule 34  
Inspections at New York State Department of Correctional  
Services Facilities**

Great Meadow Correctional Facility – August 26 & 27, 2003

List of 22 inmates

Wende Correctional Facility – September 22 & 25, 2003

List of 9 Inmates

Attica Correctional Facility – September 23 & 25, 2003

List of 16 Inmates

Albion Correctional Facility – September 24, 2003

List of 10 Inmates

Auburn Correctional Facility – October 29, 2003

List of 8 inmates

Auburn Correctional Facility – October 30, 2003

List of 14 Inmates

Five Points Correctional Facility – October 31, 2003

List of 5 Inmates

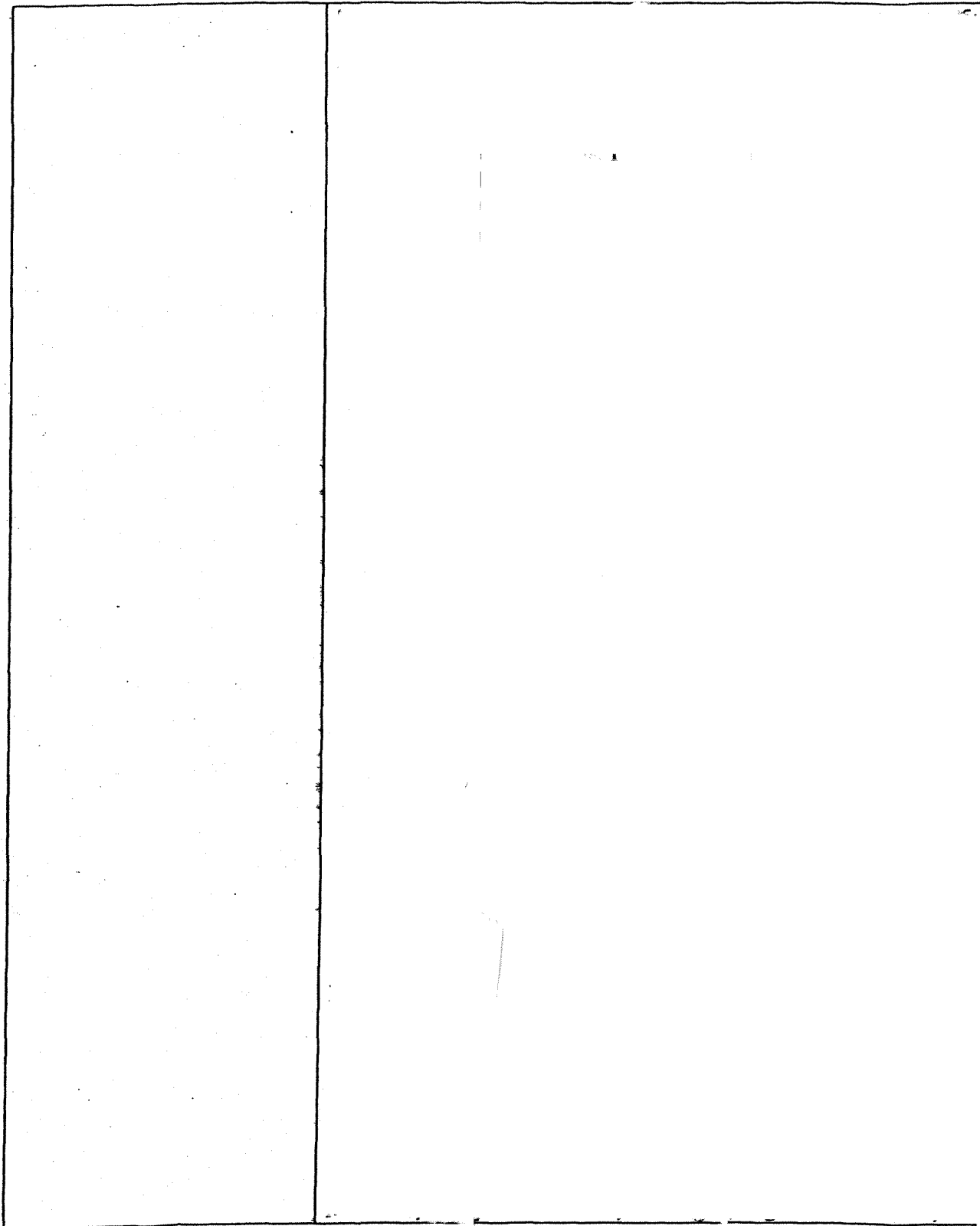
LAUREN

MONSIEUR  
REVUE

Documents Reviewed by Steve J. Martin

| Bates Range                                       | Description                    |
|---------------------------------------------------|--------------------------------|
| Disciplinary History Printouts                    |                                |
| DCSCOF 0006726-0008383,<br>DCSCOF 0008443-0009075 | ***<br><br>List of 551 inmates |

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| <b>Inmate Mental Health Records</b>                                     |                    |
| OMHPR 0558251-0558386                                                   | List of 87 Inmates |
| OMHPR 0562332-0562430                                                   |                    |
| OMHPR 0262246-0262445                                                   |                    |
| OMHPR 0066573-<br>OMHPR 0066823                                         |                    |
| OMHPR 0260774-0260910<br>OMHPR 0270938-0271390                          |                    |
| OMHPR 0276415-0276501<br>OMHPR 0425469-0425750                          |                    |
| OMHPR 0276060-0276414                                                   |                    |
| OMHPR 0561316-0561389                                                   |                    |
| OMHPR 0247971-0248599<br>OMHPR 0261702-0261867                          |                    |
| OMHPR 0257890-0258559<br>OMHPR 0260524-0260773                          |                    |
| OMHPR 0558753-0558947                                                   |                    |
| OMHPR 0566983-0567776                                                   |                    |
| OMHPR 0259429-0259610<br>OMHPR 0267897-0268783                          |                    |
| OMHPR 0542704-0543164<br>OMHPR 0545442-0547158<br>OMHPR 0606226-0607334 |                    |

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| OMHPR 0270228-0270577                                                                                                     |
| OMHPR 0577874-0577891                                                                                                     |
| OMHPR 0005740-0005898<br>OMHPR 0170405-0170712<br>OMHPR 0258979-0259149                                                   |
| OMHPR 0569776-0569948                                                                                                     |
| OMHPR 0448551-0448855<br>OMHPR 0593356-0593547                                                                            |
| OMHPR 0565126-0566981,<br>OMHPR 0570244-0571585<br>OMHPR 0748226-0748807                                                  |
| OMHPR 0583316-0583347                                                                                                     |
| OMHPR 0276502-0278479;<br>OMHPR 0591598-0591682                                                                           |
| OMHPR 0569110-0569464,<br>OMHPR 0578953-0579252                                                                           |
| OMHPR 0217333-0217392                                                                                                     |
| OMHPR 0089544-0089890<br>OMHPR 0258757-0258978<br>OMHPR 0281506-0282813<br>OMHPR 0698877-0699236<br>OMHPR 0730830-0731007 |
| OMHPR 0605958-0606225                                                                                                     |
| OMHPR 0325792-0327655<br>OMHPR 0751651-0752117                                                                            |
| OMHPR 0285270-0285427<br>OMHPR 0287230-0287543<br>OMHPR 0594026-0594299                                                   |
| OMHPR 0217551-0218206<br>OMHPR 0278879-0279985                                                                            |

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| OMHPR 0046245-0046366<br>OMHPR 0539042-0539187,<br>OMHPR 0572890-0572931                                                     |
| OMHPR 0569949-0570243                                                                                                        |
| OMHPR 0550181-0550463<br>OMHPR 0600184-0600535                                                                               |
| OMHPR 0547367-0547483,<br>OMHPR 0584523-0584767                                                                              |
| OMHPR 0540758-0540973                                                                                                        |
| OMHPR 0540311-0540625                                                                                                        |
| OMHPR 0538779-0539041<br>OMHPR 0601336-0601747                                                                               |
| OMHPR 0599588-0599634                                                                                                        |
| OMHPR 0250726-0251719<br>OMHPR 0313590-0313818<br>OMHPR 0314041-0314395                                                      |
| OMHPR 0561308-0561315                                                                                                        |
| OMHPR 0256159-0257769<br>OMHPR 0258560-0258756                                                                               |
| OMHPR 0561390-0561455                                                                                                        |
| OMHPR 0548371-0548805,<br>OMHPR 0571586-0572257                                                                              |
| OMHPR 0602031-0602034                                                                                                        |
| OMHPR 0431504-0431690<br>OMHPR 0594300-0594428                                                                               |
| OMHPR 0536894-0537116,<br>OMHPR 0541027-0541065,<br>OMHPR 0551532-0551731,<br>OMHPR 0564226-0564410<br>OMHPR 0600536-0600744 |
| OMHPR 0217166-0217332                                                                                                        |

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| OMHPR 0280436-0280709                                                                                                     |  |
| OMHPR 0379651-0379767<br>OMHPR 0379790-0379791<br>OMHPR 0477399-0477765<br>OMHPR 0697125-0697507<br>OMHPR 0730322-0730470 |  |
| OMHPR 0257770-0257889<br>OMHPR 0261380-0261454                                                                            |  |
| OMHPR 0218790-0219738<br>OMHPR 0296450-0296650<br>OMHPR 0297695-0298002<br>OMHPR 0298461-0298723<br>OMHPR 0591998-0592149 |  |
| OMHPR 0260911-026160<br>OMHPR 0435431-0436039<br>OMHPR 0728101-0728378<br>OMHPR 0710053-0710257                           |  |
| OMHPR 0537154-0537389<br>OMHPR 0541123-0541165                                                                            |  |
| OMHPR 0561872-0562331                                                                                                     |  |
| OMHPR 0348770-0349441                                                                                                     |  |
| OMHPR 0554158-0554841,<br>OMHPR 0586854-0587286                                                                           |  |
| OMHPR 0382600-0382979                                                                                                     |  |
| OMHPR 0541961-0542290                                                                                                     |  |
| OMHPR 0218615-0218789                                                                                                     |  |
| OMHPR 0547159-0547245<br>OMHPR 0585905-0586160                                                                            |  |
| OMHPR 0561456-0561486                                                                                                     |  |
| OMHPR 0218389-0218614<br>OMHPR 0596184-0596256                                                                            |  |
| OMHPR 0599887-0600183                                                                                                     |  |

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| OMHPR 0555200-0556638                                                     |
| OMHPR 0288182-0288383<br>OMHPR 0594754-0594933                            |
| OMHPR 0550719-0551531,<br>OMHPR 0551732-0552576,<br>OMHPR 0588237-0590326 |
| OMHPR 0604292-0605736<br>OMHPR 0755357-0755378                            |
| OMHPR 0591755-0591838                                                     |
| OMHPR 0431383-0431503<br>OMHPR 0595863-0595990                            |
| OMHPR 0268784-0268945<br>OMHPR 0275761-0275879                            |
| OMHPR 0561593-0561871                                                     |
| OMHPR 0557806-0558250<br>OMHPR 0564411-0564543                            |
| OMHPR 0561528-0561592                                                     |
| OMHPR 0603992-0604011                                                     |
| OMHPR 0216738-0216970<br>OMHPR 0382386-0382599                            |
| OMHPR 0251978-0251986<br>OMHPR 0262022-0262047                            |
| OMHPR 0248600-0249481<br>OMHPR 0259150-0259428<br>OMHPR 0272746-0273629   |
| OMHPR 0558569-0558752                                                     |
| OMHPR 0255457-0256158<br>OMHPR 0278746-0278878                            |
| OMHPR 0281264-0281504                                                     |
| OMHPR 0600745-0601335                                                     |

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| OMHPR 0558948-0559114         |                    |          |
| OMHPR 0562733- 0563656        |                    |          |
| OMHPR 0262672-0262685         |                    |          |
| OMHPR 0561487-0561527         |                    |          |
| OMHPR 0541066-0541122         |                    |          |
| OMHPR 0540974-0541026         |                    |          |
| OMHPR 0583690-0583721         |                    |          |
| <b>Deposition Transcripts</b> |                    |          |
|                               | Adams, Maureen     | 1/28/04  |
|                               | Barry, David       | 8/17/04  |
|                               | Bea, Jeffrey       | 6/16/04  |
|                               | Carroll, Takarla   | 2/17/05  |
|                               | Culkin, John       | 6/9/04   |
|                               | Devito, Anthony    | 6/15/04  |
|                               | Gordon, Charles    | 1/20/04  |
|                               | Greene, Gary       | 2/4/04   |
|                               | Herrmann, Charles  | 6/30/04  |
|                               | Kellam, Leslie     | 8/20/04  |
|                               | Key, Nancy         | 3/17/04  |
|                               | Keyser, Sharon     | 8/19/04  |
|                               | Klein, Loretta     | 3/12/04  |
|                               | Lamy, Frederick    | 2/25/04  |
|                               | Langbart, Mitchell | 10/22/04 |
|                               | Lape, William      | 3/3/04   |

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|---------------------------------------------------------------|-----------------------------------------------------------------------------|------------------|
|                                                               | Leclaire, Lucien                                                            | 5/26/04          |
|                                                               | Lord, Elaine                                                                | 2/27/04          |
|                                                               | Pace, Adele                                                                 | 8/10/04          |
|                                                               | Rosado, Maria                                                               | 2/17/05          |
|                                                               | Russell, Peter                                                              | 3/25/04          |
|                                                               | Sawyer, Donald                                                              | 2/15/05, 2/16/05 |
|                                                               | Selsky, Donald                                                              | 2/3/04           |
|                                                               | Shimkunas, Aligmantus                                                       | 6/3/04           |
|                                                               | Smith, Hal                                                                  | 4/28/05, 4/29/05 |
|                                                               | Van Bramer, Jayne                                                           | 10/1/04          |
|                                                               | Way, Bruce                                                                  | 2/10/04          |
|                                                               | Way, Bruce                                                                  | 2/3/05           |
|                                                               | Woodward, Larry                                                             | 3/24/04          |
|                                                               | Wright, Lester                                                              | 9/21/04          |
| Suicide Related Materials                                     |                                                                             |                  |
| OMHCNY 0064740-<br>OMHCNY 0064818                             | Risk Management reports on Elmira suicides                                  |                  |
| PL 069593-069626                                              | DOCS Inmate Suicide Report 1997-2003                                        |                  |
| OMH SHU Studies                                               |                                                                             |                  |
| Plaintiff's Exhibit 25<br><br>OMHCNY 043300-<br>OMHCNY 043333 | SHU Mental Health Needs Study, B. Way, May 17, 2002                         |                  |
| OMHCNY 042322                                                 | Special Housing Units Mental Health Needs Study Conducted by CNYPC Abstract |                  |
| OMHCNY 0061379-0061393                                        | OMH 2002 SHU Study back-up data                                             |                  |

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| Plaintiff's Exhibit 43<br>DCSCOF 0006726-0006734  | Memorandum from Leslie Kellam (Program Research Specialist III) to John Culken (Dir MH Services), Doris Ramirez-Romero (Assistant Director MHS) and Tom Goetz (Senior Attorney) re: SHU Placement and OMH Levels dated June 24, 2003 |
| Plaintiff's Exhibit 411<br>OMHCNY 0080337-0080380 | SHUs in OMH Level 1 Correctional Facilities: Mental Health Needs Study, B. Way, July 16, 2004                                                                                                                                        |
| No Bates                                          | Tables created by DPW detailing inmates whose diagnoses changed between the publication of the OMH 2002 SHU Study and the OMH 2004 SHU Study                                                                                         |
| <b>DOCS Directives</b>                            |                                                                                                                                                                                                                                      |
| Plaintiff's Exhibit 40<br>No Bates                | October 1995 Guidelines for Disciplinary Dispositions                                                                                                                                                                                |
| PL 055289 - 055307                                | 12/30/98 DOCS Directive: Special Housing Units (Manual)                                                                                                                                                                              |
| PL 055161 - 055166                                | 4/24/98 DOCS Directive: Central Monitoring Cases (Manual)                                                                                                                                                                            |
| PL 055144 - 055160                                | 11/24/99 DOCS Directive; Policies: Chapter V, Standards Behavior & Allowances                                                                                                                                                        |
| PL 055308 - 055314                                | 10/31/00 DOCS Directive - Special Housing Reports                                                                                                                                                                                    |
| PL 055318 - 055334                                | 12/20/01 DOCS Revision Notice: Unusual Incident Report                                                                                                                                                                               |
| PL 055282 - 055288                                | 10/2/02 DOCS Directive - Mental Health Satellite Services & Commitments to CNYPC                                                                                                                                                     |
| PL 055335 - 055344                                | 1/31/03 DOCS Revision Notice - The Use of Force                                                                                                                                                                                      |
| PL 055315 - 055317                                | 5/21/03 DOCS Revision Notice: Transfers - Special Needs Unit                                                                                                                                                                         |
| No Bates                                          | DOCS Directive: Classification Procedures                                                                                                                                                                                            |
| <b>Training - Anderson</b>                        |                                                                                                                                                                                                                                      |
| Plaintiff's Exhibit 256<br>No Bates               | Anderson Training Document: 4/14/04 e-mail from Al Shimkunas to Wurzberger et al. re: OMH Testimony in Tier Hearings (PowerPoint Presentation attached)                                                                              |
| <b>Training - General</b>                         |                                                                                                                                                                                                                                      |

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| DCSCOF 0006414-0006453;<br>DCSCOF 0006473-0006550                                                                                                                   | Special Housing Unit-Mental Health Training Program                                                    |
| OMHCNY 106938-<br>OMHCNY 106990                                                                                                                                     | Documents concerning training in connection with the DOCS disciplinary system                          |
| <b>SHU Audit Inspections</b>                                                                                                                                        |                                                                                                        |
| DCSCOF 0015484-<br>DCSCOF 0016089                                                                                                                                   | SHU Audit Reports and documents related to such reports                                                |
| <b>Facility Log Books</b>                                                                                                                                           |                                                                                                        |
| OMHBH 0002751-<br>OMHBH 0002853; OMHBH<br>0000205-OMHBH 0000508;<br>OMHBH 0001886-OMHBH<br>0002189; OMHBH 0002190-<br>OMHBH 0002492; OMHBH<br>0000186-OMHBH 0000204 | Log Books: Bedford Hills: SHU (1/25/02-4/1/03)                                                         |
| OMHBH 0002854-<br>OMHBH 0003157; OMHBH<br>0003306-OMHBH 0003608;<br>OMHBH 0003158- OMHBH<br>0003305                                                                 | Log Books: Bedford Hills: ICP (10/11/02-4/1/03)                                                        |
| OMHSS 0000870-<br>OMHSS 0001473                                                                                                                                     | Log Books: Sing Sing: SHU 1&2 Gallery (10/12/02-2/15/03)                                               |
| OMHSS 0000189-<br>OMHSS 0000608                                                                                                                                     | Log Books: Sing Sing: Gallery/PSU (10/24/02 – 12/08/02)                                                |
| OMHSS 0000609-<br>OMHSS 0000869                                                                                                                                     | Log Books: Sing Sing: HBC (10/24/02 – 12/29/02)                                                        |
| OMHBH 0000509-<br>OMHBH 0001885                                                                                                                                     | Log Books: Bedford Hills: Satellite Unit (10/24/02-3/31/03)                                            |
| OMHBH 0001003-<br>OMHBH 0001138                                                                                                                                     | Log Books: Bedford Hills: Satellite Unit (Observation) (10/24/02-3/31/03)                              |
| OMHBH 0002751-<br>OMHBH 0003157                                                                                                                                     | Log Books: Bedford Hills: SHU (10/25/02-11/10/02)<br>Log Books: Bedford Hills: ICP (10/11/02-12/17/02) |

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| OMHSS 0001474-<br>OMHSS 0001963                                                                                                                                     | Log Books: Sing Sing: HBC OIC (10/25/02 – 03/23/03)                        |
| OMHBH 0001747-OMHBH<br>0001885; OMHBH 0001139-<br>OMHBH 0001442; OMHBH<br>0002493-OMHBH 0002750;<br>OMHBH 0001443-OMHBH<br>0001746; OMHBH 0000813-<br>OMHBH 0001002 | Log Books: Bedford Hills: Satellite Unit (10/25/02-4/1/03)                 |
| OMHSS 0001964-<br>OMHSS 0002268; OMHSS<br>0002269-OMHSS 0002732                                                                                                     | Log Books: Sing Sing: SHU 1&2 Gallery (10/25/02-4/24/03)                   |
| OMHGM 0001003-<br>OMHGM 0001436                                                                                                                                     | Log Books: Great Meadow: MHU OBS/F-Block Log/ B-1 SHU<br>(11/3/02-5/20/03) |
| OMHBH 0000186-<br>OMHBH 0000508                                                                                                                                     | Log Books: Bedford Hills: SHU (11/10/02-12/25/02, 3/29/03-4/1/03)          |
| OMHGM 0000520-<br>OMHGM 0001002                                                                                                                                     | Log Books: Great Meadow: Hospital/MHU ICP/F-Block (11/19/02-<br>5/20/03)   |
| OMHAUB 001927-<br>OMHAUB 002195                                                                                                                                     | Log Books: Auburn: SHU (12/01/02 - 08/31/03)                               |
| OMHBH 0003158-<br>OMHBH 0003608                                                                                                                                     | Log Books: Bedford Hills: RMU ICP (12/18/02-3/31/03)                       |
| OMHBH 0001886-<br>OMHBH 0002750                                                                                                                                     | Log Books: Bedford Hills: SHU (12/25/02-4/1/03)                            |
| OMHGM 0001437-<br>OMHGM 0001574                                                                                                                                     | Log Books: Great Meadow: Hospital (1/19/03-4/17/03)                        |
| OMHGM 0000008-<br>OMHGM 0000519                                                                                                                                     | Log Books: Great Meadow: MHU Dorm/E-Block (2/26/03-5/29/03)                |
| OMHSUL 0000102-<br>OMHSUL 0000120                                                                                                                                   | Log Books: Sullivan: MHU (04/01/03 – 04/25/03)                             |
| OMHSUL 0000356-<br>OMHSUL 0000454                                                                                                                                   | Log Books: Sullivan: MHU (04/01/03 – 04/25/03)                             |

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| OMHSUL 0000121-<br>OMHSUL 0000211-               | Log Books: Sullivan: SHU Control (04/01/03 – 04/25/03)                                                                                                                                                                                                                                                                                                                                                                  |
| OMHSUL 0000014-<br>OMHSUL 0000101                | Log Books: Sullivan: Infirmary (04/01/03 – 04/29/03)                                                                                                                                                                                                                                                                                                                                                                    |
| OMHSUL 0000212-<br>OMHSUL 0000355                | Log Books: Sullivan: Control and Keeplock (04/01/03 – 04/30/03)                                                                                                                                                                                                                                                                                                                                                         |
| <b>DOCS Institutional Files</b>                  |                                                                                                                                                                                                                                                                                                                                                                                                                         |
| DCSCOF 0016090-0022064<br>DCSCOF 0022335-0022541 | <p>Restraint Orders, Cell Shield Orders, Restricted Diet Documents, Deprivation Orders, Referrals, Disciplinary Hearing Packets, Time Cut Documents and Cell Locator Cards for the following inmates from January 1, 2002 – February 28, 2005:</p> <p>A.V., B.P., D.I., E.L., G.U., I.X., J.U.,<br/>L.X., M.C., M.H., R.K., R.L., R.M., R.Z.<br/>T.T., U.M., U.N., W.M., Y.B., Y.S., Z.J.,<br/>Z.O., C.C.U., E.E.A.</p> |
| <b>Publications, Studies, and Reports</b>        |                                                                                                                                                                                                                                                                                                                                                                                                                         |
| No Bates                                         | Manual of Correctional Standards, The American Correctional Association, 1966                                                                                                                                                                                                                                                                                                                                           |
| No Bates                                         | Managing Adult Inmates, The American Correctional Association, 1984                                                                                                                                                                                                                                                                                                                                                     |
| No Bates                                         | Standards for Adult Correctional Institutions, 3 <sup>rd</sup> Edition, The American Correctional Association, 1990                                                                                                                                                                                                                                                                                                     |
| No Bates                                         | Prison Health Care: Guidelines for the Management of an Adequate Delivery System, National Institute of Corrections, US DOJ, 1991                                                                                                                                                                                                                                                                                       |
| Plaintiff's Exhibit 3<br>PL 000570-PL 000622     | January 31, 1997 NYS OMH Task Force on the Future of Forensic Services Report of the Subcommittee on Prison Mental Health Services                                                                                                                                                                                                                                                                                      |

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| No Bates                                                  | Standards for Health Services in Prisons, National Commission on Correctional Health Care, 1997                                                                                                                                                            |
| No Bates                                                  | S. Martin Declaration in <i>Clark v. State of California</i> , C-96-1486 FMS, NDCA, June 29, 1998.                                                                                                                                                         |
| No Bates                                                  | 1998 Standards Supplement, The American Correctional Association                                                                                                                                                                                           |
| No Bates                                                  | Excerpts from <i>Prison Jail Administration: Practice and Theory</i> , by P. Carlson, 1999.                                                                                                                                                                |
| No Bates                                                  | Supermax Prisons: Overview and General Considerations, Chase Riveland, 1999                                                                                                                                                                                |
| PL 000657-PL 000741                                       | 2/00 Correctional Association of New York report: Health Care in New York State Prisons                                                                                                                                                                    |
| No Bates                                                  | <i>Administrative Segregation Maintenance Psychiatric Program</i> , UT Medical Branch, Managed Health Care, June 21, 2001                                                                                                                                  |
| OMHCNY 041968-041981                                      | Draft: Mental Health Observation Cell Usage in the Mental Health Satellite Units Operated by Central New York Psychiatric Center Report July-December 2001                                                                                                 |
| Plaintiff's Exhibit 111<br>No Bates                       | August 2002 Bedford Hills Technical Assistance Final Report prepared by Angela Browne, "Addressing Self-Harm Among the Mentally Ill and Traumatized Women in Prison: Avenues of Systematic Collaboration Between Mental Health and Correctional Personnel" |
| Plaintiff's Exhibit 70<br>OMHCNY 043117-<br>OMHCNY 043140 | 11/13/02 Suicide Risk Factors in New York State Prisons                                                                                                                                                                                                    |
| Plaintiff's Exhibit 418<br>No Bates                       | 7/03 – 3/04 Bureau of Mental Health Quality Assurance/Quality Improvement Report                                                                                                                                                                           |
| No Bates                                                  | NYS DOCS Inmate Records Coordinator Manual, revised September 2003, Chapter 14                                                                                                                                                                             |
| Plaintiff's Exhibit 107<br>No Bates                       | 10/03 Report by the Correctional Association of New York, "Lockdown: Disciplinary Confinement in New York State Prisons"                                                                                                                                   |
| No Bates                                                  | 2003 Human Rights Watch Report: Ill-Equipped: U.S. Prisons and Offenders with Mental Illness                                                                                                                                                               |

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| OMHCNY 082070-<br>OMHCNY 082104               | Corrections Based Services/Inpatient Operations Annual Report for 2003                                                                                                                                              |
| OMHCNY 086773-086795                          | Report on Outpatient Mental Health Services Provided by CNYPC in NYS Prisons in 2003                                                                                                                                |
| OMHCNY 108180-<br>OMHCNY 108196               | Report on Outpatient Mental Health Services Provided by CNYPC in NYS Prisons in 2003                                                                                                                                |
| No Bates                                      | <i>Mental Health Considerations for Segregated Inmates</i> by J. Metzner, Appendix G to NCCHC 2003 Standards for Health Services in Prisons                                                                         |
| OMHCNY 108030-<br>OMHCNY 108067               | Selected Management Indicators from Three Subgroups of OMH Units and Two Individual OMH Units which Provide Mental Health Services to SHU Inmates in NYS Correctional Facilities: January 2003 through January 2005 |
| No Bates                                      | A Death in the Box, NY Times Magazine, 10/31/04                                                                                                                                                                     |
| Plaintiff's Exhibit 359<br>PL 062682 - 062769 | Correctional Association 2004 Report: "Mental Health in the House of Corrections"                                                                                                                                   |
| OMHCNY 081790-<br>OMHCNY 081833               | CNYPC Patient Demographic and Diagnostic Profile (2004)                                                                                                                                                             |
| OMHCNY 108161-<br>OMHCNY 108179               | Computed Selected Management Indicators for OMH Level 1 Mental Health Units in NYS Correctional Facilities: 2 <sup>nd</sup> , 3 <sup>rd</sup> and 4 <sup>th</sup> Quarters of 2004                                  |
| No Bates                                      | Correctional Mental Health Report, May/June 2005                                                                                                                                                                    |
| OMHCNY 108015-<br>OMHCNY 108025               | Draft - DOCS/OMH Mental Health Service Development 1977 - 2005/2006 Prepared by NYS Department of Correctional Services and the NYS Office of Mental Health                                                         |
| OMHCNY 108068-<br>OMHCNY 108094               | CNYPC System Overview                                                                                                                                                                                               |
| OMHCNY 108146                                 | SHU and SHU200 NYS Prisons                                                                                                                                                                                          |
| OMHCNY 108450-<br>OMHCNY 108452               | SHU Mental Health Statistical Tables                                                                                                                                                                                |
| OMHCNY 108453                                 | Current Bed Capacities & Planned Expansion Data Spreadsheet                                                                                                                                                         |

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|-------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| No Bates                                                    | Managing Special Populations in Prisons and Jails, Michele Deitch, publication upcoming                                                                                                                                                                         |
| No Bates                                                    | S. Martin Declaration in <i>Lee v. Coughlin</i> , 93 Civ. 8417, SDNY                                                                                                                                                                                            |
| No Bates                                                    | Settlement Agreement in <i>State of Connecticut Office of Protection and Advocacy for Persons with Disabilities v. Choinski</i> , 3:03CV1352                                                                                                                    |
| PL 063198 - 063330                                          | State of the Prisons: Conditions of Confinement in 25 New York Correctional Facilities                                                                                                                                                                          |
| No Bates                                                    | Report Regarding Conditions and Mental Health Services at Supermax Correctional Institutions and Mental Health Correctional Institutions by Terry Kupers, MD, MSP.                                                                                              |
| OMHCNY 054353-054371                                        | Draft Quality Assurance Review of Suicides in New York State Correctional Facilities                                                                                                                                                                            |
| No Bates                                                    | <i>Exclusion Criteria for Inmates Recommended for Ohio State Penitentiary</i> , Bureau of Mental Health Services, Standard Operating Procedures No. 2 and <i>Program Overview, Southern Ohio Correctional Facility</i> , Intensive Mental Health Treatment Unit |
| <b>Documents Related to Specific Mental Health Programs</b> |                                                                                                                                                                                                                                                                 |
| <b>BHU</b>                                                  |                                                                                                                                                                                                                                                                 |
| No bates stamp                                              | Great Meadow BHU Manual, December 16, 2004                                                                                                                                                                                                                      |
| No bates stamp                                              | Behavioral Health Unit Program Operations Description, 2005                                                                                                                                                                                                     |
| No bates stamp                                              | Sullivan BHU Manual, February 24, 2005                                                                                                                                                                                                                          |
| OMHCNY 108239-<br>OMHCNY 108297                             | Email from David Barry to D. Sawyer re: BHU Presentation (Behavioral Health Unit Training Agenda For Great Meadow BHU Draft 4/3/05 attached)                                                                                                                    |
| <b>ICP</b>                                                  |                                                                                                                                                                                                                                                                 |
| No Bates Range                                              | Intermediate Care Procedures/ Guidelines-"The Marcy Plan"                                                                                                                                                                                                       |
| PL 055167 - 055209                                          | 5/22/98 SHU Manual; "The Marcy Plan" Marcy C.F.                                                                                                                                                                                                                 |
| OMHSS 0002775-0002781                                       | Letter from Roland Cote to Doris Ramirez-Romero, re: Sing Sing ICP Monthly Report                                                                                                                                                                               |

|                                                             |                                                                                                                                                                                                                                                                                   |
|-------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Plaintiff's Exhibit 9<br>OMHCNY 043262-<br>OMHCNY 043299    | 5/21/02 Review of the Intermediate Care Program at CNYPC                                                                                                                                                                                                                          |
| Plaintiff's Exhibit 27<br>OMHCNY 034219-<br>OMHCNY 034220   | 5/24/02 E-mail from Dan Abreu with attached notes from the special meeting on SHU and ICP                                                                                                                                                                                         |
| Plaintiff's Exhibit 33<br>OMHCNY 0057521-<br>OMHCNY 0057528 | 1/03 Intermediate Care Program Plan of Correction                                                                                                                                                                                                                                 |
| Plaintiff's Exhibit 11<br>OMHCNY 043072-<br>OMHCNY 043099   | 4/17/03 Review of the Intermediate Care Participants in 9/1/02                                                                                                                                                                                                                    |
| OMHCNY 108005-<br>OMHCNY 108014                             | Review of Intermediate Care Program (ICP) Participants in Program on 3/1/05 Preliminary Report of Selected Variables                                                                                                                                                              |
| OMHCNY 043040-043071                                        | Memorandum from Sawyer and Culkin to Units Chiefs, ICP Clinical Coordinators, DSP and ICP Senior Counselors re: Revised ICP Manual                                                                                                                                                |
| OMHSS 0002772-0002774                                       | ICP Correction Meeting Minutes Sing Sing Correction Facility                                                                                                                                                                                                                      |
| <b>STP</b>                                                  |                                                                                                                                                                                                                                                                                   |
| DCSCOF 0006044 –<br>DCSCOF 0006056                          | 6/12/00 Mental Health Services Plan for Special Housing Unit Patients at Attica Correctional Facility                                                                                                                                                                             |
| OMHCNY 043347 –<br>OMHCNY 043376                            | 2/3/01 draft: Mental Health Services Plan for Special Housing Unit Patients at Attica Correctional Facility<br>Draft, Mental Health Services Plan for Special Housing Unit Patients at Attica Correctional Facility Submitted by the NYS Office of Mental Health and the NYS DOCS |
| OMHCNY 0013884 –<br>OMHCNY 0013938                          | 5/4/01 Policy and Procedure Manual for Attica Satellite Unit                                                                                                                                                                                                                      |
| OMHCNY 027803 –<br>OMHCNY 027837                            | 4/18/02 Mental Health Services Plan for Five Points SHU                                                                                                                                                                                                                           |
| PL 063079-PL 063084                                         | Draft Summary of Prison Visiting Committee Tour of Attica (for 9/17/02 & 9/19/02 tours)                                                                                                                                                                                           |
| OMHCNY 043175 –<br>OMHCNY 043222                            | 10/2/02 Attica Special Treatment Program Preliminary Report                                                                                                                                                                                                                       |

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| OMHCNY 043141 –<br>OMHCNY 043174                               | 10/11/02 Five Points Special Treatment Program Preliminary Report                                         |
| PL 052467-PL 052470                                            | 10/28/02 Correctional Association of New York Letter to Five Points Superintendent                        |
| OMHCNY 028921 –<br>OMHCNY 028927                               | 12/30/02 Correctional Association of New York letter to Attica Superintendent                             |
| Plaintiff's Exhibit 5<br><br>OMHCNY 042991 –<br>OMHCNY 043034  | 7/21/03 Specialized Treatment at Five Points Interim Report                                               |
| Plaintiff's Exhibit 75<br><br>OMHCNY 042943 –<br>OMHCNY 042990 | 7/23/03 Specialized Treatment Program at Attica – Interim Report                                          |
| OMHATT 0001054 –<br>OMHATT 0001084                             | Specialized Treatment Program<br>Attica C.F. – 12/20/00 – 4/6/01                                          |
| OMHATT 0001085 –<br>OMHATT 0001118                             | Specialized Treatment Program<br>Attica C.F. – 4/23/01 – 7/13/01                                          |
| OMHATT 0001119 –<br>OMHATT 0001155                             | Specialized Treatment Program<br>Attica C.F. – 7/23/01 – 10/19/01                                         |
| OMHATT 0001156 –<br>OMHATT 0001184                             | Specialized Treatment Program<br>Attica C.F. – 11/5/01 – 2/5/02                                           |
| OMHATT 0001185 –<br>OMHATT 0001253                             | Specialized Treatment Program<br>Attica C.F. – 2/19/02 – 5/10/02                                          |
| OMHATT 0001254 –<br>OMHATT 0001325                             | Specialized Treatment Program<br>Attica C.F. – 5/28/02 – 8/26/02                                          |
| DCSCOF 0006044-0006056                                         | MH Services Plan for SHU Patients at Attica, 6/12/00                                                      |
| DCSCOF 0006057 – DCSCOF<br>0006061                             | Special Treatment Program – Five Points C.F.                                                              |
| OMHFPO 0000014 –<br>OMHFPO 0000016                             | Orientation to Five Points STP                                                                            |
| OMHFPO 0000022 –<br>OMHFPO 0000027                             | STP Screening Form                                                                                        |
| OMHCNY 027803-027837                                           | Memorandum from Sawyer to Miraglia et al. re: STP Program<br>Description – 5 Points Correctional Facility |
| <b>Miscellaneous Memoranda and E-mail</b>                      |                                                                                                           |

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| No Bates                                                  | Information on OMH and SHU Housing at Attica, Wende, and Albion                                                                             |
| OMHCNY 0010405-<br>OMHCNY 0010449                         | 7/20/99 Memorandum of Understanding between the New York State Office of Mental Health and the New York Department of Correctional Services |
| PL 000653-PL 000654                                       | 9/1/99 Letter from Commissioner Goord to Commissioner Stone regarding recent meeting on mental health service delivery system in the DOCS   |
| PL 000655-PL 000656                                       | 2/23/00 Letter from Commissioner Goord to Commissioner Stone regarding mental health services to inmates                                    |
| Plaintiff's Exhibit 76<br>OMHCNY 041968-<br>OMHCNY 041981 | 2/20/02 Mental Health Observation Cell Usage in Mental Health Satellite Units operated by CNYPC (7/01-12/01 report)                         |
| Plaintiff's Exhibit 26<br>OMHCNY 034215-<br>OMHCNY 034218 | 5/22/02 Satellite Roundtable Meeting Minutes                                                                                                |
| Plaintiff's Exhibit 77<br>OMHCNY 043223-<br>OMHCNY 043261 | 9/26/02 Mental Health Crisis Observation Cell and Dormitory Bed Usage in Mental Health Satellite Units Operated by CNYPC Finding            |
| Plaintiff's Exhibit 72<br>OMHCNY 043035-<br>OMHCNY 043039 | 6/25/03 Memorandum from Donald Sawyer to CNYCP Unit Chiefs re: SHU Plan of Improvement                                                      |
| OMHCNY 0077640-0077641                                    | 8/1/01 E-mail from L. Farago to multiple people re: Diagnosis                                                                               |
| PL 065779                                                 | 8/21/02 Grievance from R.J. Woodward to Superintendent Bennett re: MHU Inmates in SHU                                                       |
| PL 065772                                                 | 9/24/02 Grievance from R.J. Woodward to Superintendent Bennett a Elmira re: OMH Inmates in SHU                                              |
| PL 065775                                                 | 10/9/02 Grievance from R.J. Woodward to Superintendent Bennett a Elmira                                                                     |

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| PL 065776                                                                                                                                                                                                                                                                                                                                                                | 5/9/03 Grievance from R.J. Woodward to Whom It May Concern at Elmira re: SHU Conditions                            |
| PL 065778                                                                                                                                                                                                                                                                                                                                                                | 5/9/03 Grievance from R.J. Woodward to Whom It May Concern at Elmira re: SHU Conditions                            |
| Plaintiff's Exhibit 492<br>OMHCNY 090522 –<br>OMHCNY 090567                                                                                                                                                                                                                                                                                                              | 7/15/03 E-mail from Amsler-Nunziato to Ellermann & Way re: DMHIS Analysis of my Shu Sample                         |
| PL 065777                                                                                                                                                                                                                                                                                                                                                                | 8/20/03 Grievance from R.J. Woodward to Superintendent West at Elmira re: MHU/SHU Issues                           |
| Plaintiff's Exhibit 399<br>OMHCNY 0080491                                                                                                                                                                                                                                                                                                                                | 9/2/03 E-mail from Sawyer to Unit Chiefs re: Case Management Committees                                            |
| PL 065773 – 065774                                                                                                                                                                                                                                                                                                                                                       | 12/5/03 Grievance from R.J. Woodward to Superintendent West at Elmira re: Special Housing Unit Issues              |
| PL 065771                                                                                                                                                                                                                                                                                                                                                                | 1/23/04 Grievance from R. J. Woodward to Superintendent West at Elmira re: MHU vs. DOCS                            |
| OMHCNY 108454-<br>OMHCNY 108457                                                                                                                                                                                                                                                                                                                                          | 4/15/05 Memorandum from Donald Sawyer to CNYPC Unit Chiefs re: Special Housing Unit Plan of Improvement            |
| OMHATT 0001338-1368,<br>OMHATT 0001374-1377,<br>OMHATT 0001403-1408,<br>OMHATT 0001414-1443,<br>OMHATT 0001468-1485,<br>OMHATT 0001497-1509,<br>OMHATT 0001516-1532,<br>OMHATT 0001558-1565,<br>OMHATT 0001695-1699,<br>OMHATT 0001725-1729,<br>OMHCLI 00001960000197,<br>OMHCLI 0000305-0000306,<br>OMHFPO 0001272-1277,<br>OMHFPO 0001639-1640,<br>OMHFPO 0001917-1919 | Select CMC Meeting Minutes for Attica, Five Points, and Clinton Correctional Facilities                            |
| No Bates                                                                                                                                                                                                                                                                                                                                                                 | MH Housing by Facility Table prepared by Legal Aid Society                                                         |
| OMHCNY 036787-036801                                                                                                                                                                                                                                                                                                                                                     | Letter from Dr. Goyal, M.D., Dir. Medical Services to Dr. Menon, Clinical Director re: DOCS Medical Clearance Form |

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| OMHCNY 046726-046727            | Incident Review Report of <u>Z. R.</u>                                                                                                    |
| OMHCNY 046871                   | Incident Review Report of <u>G. G. B.</u>                                                                                                 |
| OMHCNY 046829-046843            | Incident Review Report of <u>G. G. C.</u>                                                                                                 |
| OMHCNY 044651-044653;<br>045206 | Memorandum from Aileen Townsend, ACSW, DPA to Dr. Buscema re: <u>H. H. L.</u> Investigation                                               |
| OMHCNY 044654-044690            | CNYPC Medical Staff Meeting, 8/11/98                                                                                                      |
| OMHCNY 044691-044703            | Statewide Medical Staff Meeting, 9/22/98 & 9/23/98                                                                                        |
| OMHCNY 044725-044726            | Central New York Psychiatric Center<br>Incident Review Committee Meeting, 11/4/98                                                         |
| OMHCNY 046750-                  | Incident Review Report of <u>G. A.</u>                                                                                                    |
| OMHCNY 044727-044730            | Central New York Psychiatric Center Incident Review Committee Meeting, 11/25/98                                                           |
| OMHSS 0000088                   | Letter from Jurgen Karker, to Unit Chiefs, Level 1 Facilities re: Follow up of Patients discharged from RCTP to SHU                       |
| OMHSS 0000092                   | E-mail from Bradigan to Devito, et al. re: Change in Mental Health Level Policy                                                           |
| OMHSS 0000123                   | Sing Sing Satellite Unit Goals and Objectives                                                                                             |
| OMHCNY 053434                   | 5/4/00 Memorandum from DeVito to Donnelly re: Breakdown of No Show/Callouts – Mental Health Month of April 2000                           |
| OMHCNY 025976                   | 1/26/00 Letter from Smith to Miraglia re: CNYPC Overtime Expenditures                                                                     |
| OMHCNY 047045                   | Memorandum from Buscema to Physicians et al. re: PCM's on Patients Discharged from CNYPC & Returning to a SHU Environment                 |
| OMHCNY 044770-                  | CNYPC Incident Reporting Policy and Procedure Manual re: Filing of Criminal Charges Against a Patient                                     |
| OMHCNY 0010405-0010449          | Memorandum of Understanding Between the New York State Office of Mental Health and the New York State Department of Correctional Services |
| OMHBH 0003636-0003643           | Bedford Hills Evaluation, Bedford Hills Satellite Unit Evaluation of Operating Systems                                                    |
| OMHGM 0000158-0000160           | Great Meadow Satellite Unit Principal DSM IV Diagnoses                                                                                    |
| DCSCOF 0005732-0005733          | Justification for the Need for Additional Nurses at Level 2 Facilities                                                                    |
| OMHCNY 053410-053419            | CNYPC Performance Improvement Proposal, Callout Compliance Rate                                                                           |
| DCSCOF 005734-0005735           | Memorandum to M. Prisco from C. Frater re: OMH inmates on Psychiatric medications                                                         |
| OMHCNY 026023-026024            | 7/20/00 Letter from R. Miraglia to A. Holmes RE: Forensic Overtime                                                                        |
| OMHCNY 047164-047172            | 8/00 IRC Meetings                                                                                                                         |
| OMHCNY 056580-056584            | Performance Improvement Forum Meeting 8/16/00                                                                                             |
| OMHCNY 053389-053391            | CNYPC Outpatient Performance Improvement Projects (2000), (Updated 9/19/00)                                                               |
| OMHCNY 056826-056836            | CNYPC Outpatient Performance Improvement Cover Sheet                                                                                      |
| OMHCNY 047116-047118            | Incident Review Committee Meeting 11/15/00                                                                                                |
| OMHCNY 056568-056571            | Performance Improvement Committee Meeting 11/16/00                                                                                        |

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| OMHSS 0002733-0002740                          | 12/5/00 Memorandum from Bord to Adams re: JCAHO Mock Survey                                                                                                                 |
| OMHCNY 053303-053309                           | CNYPC Outpatient Performance Improvement Projects (2000)<br>(Updated 12/11/00)                                                                                              |
| OMHCNY 053443-053447                           | 12/13/00 Memorandum from Lauve to Performance Improvement<br>Committee Members re: Performance Improvement Committee<br>Meeting Minutes 11/16/00                            |
| OMHCNY 056502-056509                           | Performance Improvement Forum Committee Meeting                                                                                                                             |
| OMHCNY 047102-047107                           | Incident Review Committee Meeting 12/13/00                                                                                                                                  |
| OMHSS 0000178                                  | 12/21/00 Memorandum from Boyd to Perilli re: SHU Training<br>Feedback                                                                                                       |
| OMHGM 0000013-0000015                          | Memorandum from Greasley to Shimkunas re: Justification for Sixth<br>Nurse                                                                                                  |
| OMHBH 0000165                                  | Letter from Michelle A. Petrino Unit Chief OMH to Capt. Ballte and<br>Capt. Gladding re: SHU/PMH Training                                                                   |
| OMHCNY 030773-030839                           | CNYPC Environment of Care Performance Program Report<br>Monthly/Quarterly/Annual Report                                                                                     |
| OMHBH 0000159-0000164                          | SHU Rounds Schedule – 2001                                                                                                                                                  |
| OMHBH 0000158                                  | Memorandum from Sheryl L. Salaris to Michelle Petrino re: Langley<br>Stipulation                                                                                            |
| OMHCNY 056868-056884                           | CNYPC Performance Improvement Proposal Coversheet:<br>Improvement of Patient Escort Rates                                                                                   |
| OMHCNY 056860-056867                           | CNYPC Performance Improvement Proposal Coversheet: Reducing<br>Redivison of Patient Transfers to RCTP                                                                       |
| OMHCNY 056885-056919;<br>OMHGM 0000130-0000131 | CNYPC Performance Improvement Proposal – Callout Compliance<br>Rate; 5/7/01 Memorandum from Shimkunas to Duncan re:<br>Continuation of Restricted Diet in Observation Cells |
| OMHCNY 056535-056538                           | Performance Improvement Forum Committee Meeting                                                                                                                             |
| OMHCNY 047703-047706                           | Psychological Autopsy of A.S.                                                                                                                                               |
| OMHCNY 056820-056825                           | CNYPC Performance Improvement Proposal Coversheet: RCTP<br>Release to Departure Study                                                                                       |
| OMHGM 0000149                                  | E-mail from Shimkunas to Don (Sawyer) re: OMH Levels in SHU                                                                                                                 |
| OMHCNY 047720-047729                           | Memorandum from Herrmann to Smith, Farago, Sawyer, &<br>Buscema, re: Psychological Autopsy Report – Patient H.L.                                                            |
| OMHCNY 043334-043339                           | Clinton Satellite and Catchment Evaluation of Operating Systems                                                                                                             |
| OMHCNY 045180-045185;                          | Memorandum from Spriggs to Herrmann re: Shane Maxwell,<br>attaching Root Cause Analysis & Action Plan in Response to Sentinel<br>Event                                      |
| OMHCNY 043340-043346                           | Memorandum from Sawyer to Smith re: Clinton Satellite Unit Visit<br>Reports and Recommendations                                                                             |
| OMHCNY 047681-047683                           | Morbidity/Mortality Review Committee Meeting Minutes                                                                                                                        |
| OMHCNY 047751-047760                           | Documents re: death of Harry Figueroa, including Incident Review<br>Committee Meeting Minutes, e-mails, and Report of Special<br>Investigation                              |
| OMHGM 0000016<br>OMHCNY 090350                 | E-mail from Shimkunas to Smith re: Operational Problems<br>Re SHU                                                                                                           |

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| OMHGM 0000154          | E-mail from Al Shimkunas to Donald Sawyer re: SHU Follow-up                                                                                                                    |
| OMHCNY 034140-034153   | Memorandum from Herrmann to Miraglia, re: CNYPC Quarterly Incident Statistic Report                                                                                            |
| OMHSS 0002758-0002761  | Message from Superintendent, Sing Sing Correctional Facility to David Boyd re: SHU Committee                                                                                   |
| OMHGM 0000152-0000153  | E-mail from Shimkunas to Sawyer et al. re: Great Meadow Observation Overflow Reduction                                                                                         |
| OMHCNY 056471-056477   | Performance Improvement Forum Committee Meeting Minutes                                                                                                                        |
| OMHCNY 034215-034218   | Satellite Roundtable Meeting                                                                                                                                                   |
| OMHSS 0002756-0002757  | E-mail from Culkun to Boyd re: Reply to Sing Sing SHU                                                                                                                          |
| OMHCNY 047742-047744   | Letter from Herrmann to Farago re: Incident Investigation Recommendation(s) re: death of <u>G.G.D.</u>                                                                         |
| OMHSS 0002754-0002755  | E-mail from Spriggs to CN Unit Chiefs re: SHU Private Interview Letter, Monitoring Form and Progress Note                                                                      |
| OMHCNY 047730-047733   | Morbidity/Mortality Review Committee Meeting                                                                                                                                   |
| OMHGM 0000148          | Memorandum from Shimkunas, to OMH Clinicians on SHU Rounds re: 24 Hour Screenings                                                                                              |
| OMHSS 0002763-0002771  | Special Housing Unit Multi-Agency Review Committee on Inmates with Active Mental Health Cases                                                                                  |
| OMHCNY 056451-056460   | Performance Improvement Forum Committee Meeting                                                                                                                                |
| OMHCNY 043223-043261   | Mental Health Crisis Observation Cell and Dormitory Bed Usage in the Mental Health Satellite Units Operated by CNYPC July 2001 – June 2002 Draft                               |
| OMHGM 0000146          | E-mail from Shimkunas to Privett re: SHU Contacts/Operations                                                                                                                   |
| OMHSS 0000142-0000143  | E-mail from Mahoney to ICP Coordinators re: DOCS ICP Budgets                                                                                                                   |
| OMHCNY 053494-053497   | CNYPC Outpatient Performance Improvement Projects (2002), (Updated 10/25/02)                                                                                                   |
| OMHSS 0000101          | Email from Leclair to Wilhem et al. re: OBS Cell Discharge Procedure                                                                                                           |
| OMHSS 0002762          | E-mail from Key to Fischer and Kikendall re: 11/8 Meeting                                                                                                                      |
| OMHCNY 056428-056439   | Performance Improvement Forum Committee Meeting Minutes                                                                                                                        |
| OMHCNY 028921-028927   | Letter from Peter Swords & Jennifer Wynn to James Conway re: Summary Observations from the Prison Visiting Committee                                                           |
| OMHCNY 028928-028931   | CNYPC Mental Health Services in Special Housing Units Initial Plan of Improvement                                                                                              |
| OMHCNY 043100-043116   | Transfers to Civil Psychiatric Inpatient Services from a Maximum Security Forensic Hospital - Draft                                                                            |
| OMHCNY 043037- 043039  | Documentation requirements (Management Indicators, Functional Assessment, Record Review/Treatment Plan Modification, Case Management Committee, Private/Confidential Sessions) |
| OMHCNY 015730-015732   | CNYPC Capital Budget Request Justification                                                                                                                                     |
| OMHGM 0000150-0000151  | SHU Confidential Interview Survey – Great Meadow                                                                                                                               |
| OMHMS 0000204          | Inmate Characteristics                                                                                                                                                         |
| DCSCOF 0006279-0006280 | Inmate Disciplinary Issues                                                                                                                                                     |
| OMHCNY 056679-056703   | CNYPC Quality Cube and Performance Improvement Projects                                                                                                                        |

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| OMHCNY 047765-047769             | Special Housing Unit (SHU) Admissions 1999                                                                                                                                                                                                                                                                                                                                                                                    |
| OMHELM 0000368-0000376           | Overview of Mental Health: Disorders Frequently Found in DOCS Inmates. Case Review of 282 Inmates                                                                                                                                                                                                                                                                                                                             |
| <b>Videotapes</b>                |                                                                                                                                                                                                                                                                                                                                                                                                                               |
|                                  | Anderson training video: "Consideration of Mental Impairments in the Inmate Disciplinary Program"                                                                                                                                                                                                                                                                                                                             |
|                                  | 10/26/99 P.N. (93A6135): Cell Extraction and Strip Frisk<br>3/5/00 F.F.Z. (98A5780): Interview with OMH<br>7/25/94 K.K. (93A3824): Removal to Hospital<br>5/21/03 Y.B. (9561036): Observation<br>11/10/4 Y.H. (01A1808): Removal to Observation<br><br>5/15/01 H.H.P. (98A0441): Disciplinary Hearing (audiotape)                                                                                                             |
| <b>Case Filings and Exhibits</b> |                                                                                                                                                                                                                                                                                                                                                                                                                               |
| No Bates                         | DAI v. OMH Complaint filed 5/28/02                                                                                                                                                                                                                                                                                                                                                                                            |
| No Bates                         | Document Requests:<br><br>Plaintiff's First Request filed 9/6/02<br>Plaintiff's Second Request filed 4/1/03<br>Plaintiff's Third Request filed 5/1/03<br>Plaintiff's Fourth Request filed 6/11/03<br>Plaintiff's Fifth Request filed 7/18/03<br>Plaintiff's Sixth Request filed 8/20/03<br>Plaintiff's Seventh Request filed 9/26/03<br>Plaintiff's Eighth Request filed 11/10/03<br>Plaintiff's Ninth Request filed 11/21/03 |
| No Bates                         | 1/13/04 Testimony Before the Assembly Standing Committee on Correction and Assembly Standing Committee on Mental Health, Mental Retardation and Developmental Disabilities in re: Disciplinary Confinement and Treatment of Prison Inmates With Serious Mental Illness                                                                                                                                                        |
| No Bates                         | Case Management Order dated 6/23/04                                                                                                                                                                                                                                                                                                                                                                                           |
| No Bates                         | New York Penal Law, §240.32                                                                                                                                                                                                                                                                                                                                                                                                   |



**DISCIPLINARY DISPOSITIONS  
FROM DOCS INSTITUTIONAL FILE REVIEWS OF 25 INMATES**

|                                                            |             |
|------------------------------------------------------------|-------------|
| Percentage of inmates receiving over 6 months of SHU time: | 92% (23/25) |
| Percentage of inmates receiving over 1 year of SHU time:   | 84% (21/25) |
| Percentage of inmates receiving over 3 years of SHU time:  | 72% (18/25) |
| Percentage of inmates receiving over 5 years of SHU time:  | 48% (12/25) |
| Percentage of inmates receiving over 10 years of SHU time: | 24% (6/25)  |

|                                      |             |
|--------------------------------------|-------------|
| Total SHU Time Accumulated:          | 59,259 days |
| Total Keeplock Time Accumulated:     | 21,563 days |
| Total Recommended Loss of Good Time: | 39,715 days |

|                                                   |               |
|---------------------------------------------------|---------------|
| Average SHU Time Accumulated per Inmate:          | 2,370.36 days |
| Average Keeplock Time Accumulated per Inmate:     | 862.52 days   |
| Average Recommended Loss of Good Time per Inmate: | 1588.6 days   |

| Disciplinary Dispositions from DOCS Institutional File Reviews of 25 Inmates |                  |                              |                       |                                   |                            |                                            |                                     |
|------------------------------------------------------------------------------|------------------|------------------------------|-----------------------|-----------------------------------|----------------------------|--------------------------------------------|-------------------------------------|
| Inmate Name                                                                  | Date of Incident | SHU Time per incident (days) | SHU Time TOTAL (days) | Keeplock Time per incident (days) | Keeplock Time TOTAL (days) | Rec. Loss of Good Time per incident (days) | Rec. Loss of Good Time TOTAL (days) |
| A.V.                                                                         |                  |                              | 3085                  |                                   | 181                        |                                            | 1805                                |
|                                                                              | 9/19/1993        | 0                            |                       | 7                                 |                            | 0                                          |                                     |
|                                                                              | 12/9/1993        | 0                            |                       | 10                                |                            | 0                                          |                                     |
|                                                                              | 1/27/1994        | 0                            |                       | 35                                |                            | 0                                          |                                     |
|                                                                              | 4/26/1994        | 0                            |                       | 3                                 |                            | 0                                          |                                     |
|                                                                              | 9/19/1994        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|                                                                              | 10/18/1994       | 0                            |                       | 6                                 |                            | 0                                          |                                     |
|                                                                              | 1/10/1995        | 60                           |                       | 0                                 |                            | 0                                          |                                     |
|                                                                              | 3/6/1995         | 30                           |                       | 0                                 |                            | 0                                          |                                     |
|                                                                              | 3/14/1995        | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|                                                                              | 4/6/1995         | 60                           |                       | 0                                 |                            | 0                                          |                                     |
|                                                                              | 4/28/1995        | 120                          |                       | 0                                 |                            | 120                                        |                                     |
|                                                                              | 5/1/1995         | 60                           |                       | 0                                 |                            | 0                                          |                                     |
|                                                                              | 5/2/1995         | 60                           |                       | 0                                 |                            | 0                                          |                                     |
|                                                                              | 5/8/1995         | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|                                                                              | 5/10/1995        | 30                           |                       | 0                                 |                            | 0                                          |                                     |
|                                                                              | 5/12/1995        | 60                           |                       | 0                                 |                            | 0                                          |                                     |
|                                                                              | 5/13/1995        | 120                          |                       | 0                                 |                            | 0                                          |                                     |
|                                                                              | 5/13/1995        | 30                           |                       | 0                                 |                            | 0                                          |                                     |
|                                                                              | 5/24/1995        | 30                           |                       | 0                                 |                            | 0                                          |                                     |
|                                                                              | 5/27/1995        | 30                           |                       | 0                                 |                            | 0                                          |                                     |
|                                                                              | 5/27/1995        | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|                                                                              | 6/27/1995        | 0                            |                       | 0                                 |                            | 180                                        |                                     |
|                                                                              | 7/31/1995        | 30                           |                       | 0                                 |                            | 30                                         |                                     |
|                                                                              | 9/13/1995        | 365                          |                       | 0                                 |                            | 0                                          |                                     |
|                                                                              | 10/1/1995        | 365                          |                       | 0                                 |                            | 0                                          |                                     |
|                                                                              | 1/8/1996         | 180                          |                       | 0                                 |                            | 0                                          |                                     |
|                                                                              | 3/27/1996        | 180                          |                       | 0                                 |                            | 180                                        |                                     |
|                                                                              | 4/13/1996        | 180                          |                       | 0                                 |                            | 0                                          |                                     |
|                                                                              | 5/2/1996         | 90                           |                       | 0                                 |                            | 90                                         |                                     |
|                                                                              | 5/14/1996        | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|                                                                              | 6/21/1996        | 180                          |                       | 0                                 |                            | 90                                         |                                     |
|                                                                              | 4/4/1997         | 365                          |                       | 0                                 |                            | 365                                        |                                     |
|                                                                              | 8/5/1997         | 60                           |                       | 0                                 |                            | 30                                         |                                     |
|                                                                              | 10/29/1997       | 40                           |                       | 0                                 |                            | 270                                        |                                     |
|                                                                              | 4/9/1998         | 0                            |                       | 0                                 |                            | 360                                        |                                     |
|                                                                              | 6/24/2001        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|                                                                              | 11/27/2001       | 0                            |                       | 0                                 |                            | 90                                         |                                     |
|                                                                              | 1/21/2002        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|                                                                              | 9/11/2002        | 0                            |                       | 30                                |                            | 0                                          |                                     |
| B.P.                                                                         |                  |                              | 1145                  |                                   | 1035                       |                                            | 120                                 |
|                                                                              | 5/26/2000        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|                                                                              | 6/21/2000        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|                                                                              | 9/12/2000        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|                                                                              | 10/10/2000       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|                                                                              | 11/5/2000        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|                                                                              | 12/30/2000       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|                                                                              | 2/21/2001        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|                                                                              | 2/27/2001        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|                                                                              | 7/6/2001         | 360                          |                       | 5                                 |                            | 0                                          |                                     |
|                                                                              | 10/1/2001        | 0                            |                       | 90                                |                            | 0                                          |                                     |

| Inmate Name | Date of Incident | SHU Time per incident (days) | SHU Time TOTAL (days) | Keeplock Time per incident (days) | Keeplock Time TOTAL (days) | Rec. Loss of Good Time per incident (days) | Rec. Loss of Good Time TOTAL (days) |
|-------------|------------------|------------------------------|-----------------------|-----------------------------------|----------------------------|--------------------------------------------|-------------------------------------|
|             | 10/19/2001       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 11/3/2001        | 0                            |                       | 90                                |                            | 0                                          |                                     |
|             | 12/10/2001       | 0                            |                       | 90                                |                            | 0                                          |                                     |
|             | 1/26/2002        | 0                            |                       | 90                                |                            | 0                                          |                                     |
|             | 2/28/2002        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 3/13/2002        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 3/19/2002        | 0                            |                       | 60                                |                            | 0                                          |                                     |
|             | 3/28/2002        | 60                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 4/19/2002        | 180                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 5/6/2002         | 90                           |                       | 0                                 |                            | 90                                         |                                     |
|             | 7/28/2002        | 0                            |                       | 20                                |                            | 0                                          |                                     |
|             | 7/29/2002        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 10/25/2002       | 0                            |                       | 20                                |                            | 0                                          |                                     |
|             | 10/28/2002       | 0                            |                       | 60                                |                            | 0                                          |                                     |
|             | 11/1/2002        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 11/7/2002        | 365                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 1/13/2003        | 60                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 1/14/2003        | 30                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 1/16/2003        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 1/28/2003        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 2/21/2003        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 2/22/2003        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 9/19/2003        | 0                            |                       | 0                                 |                            | 30                                         |                                     |
| D.I.        |                  |                              | 6899                  |                                   | 750                        |                                            | 3575                                |
|             | 8/26/1995        | 44                           |                       | 46                                |                            | 90                                         |                                     |
|             | 7/19/1996        | 0                            |                       | 45                                |                            | 0                                          |                                     |
|             | 6/9/1997         | 365                          |                       | 0                                 |                            | 120                                        |                                     |
|             | 1/22/1998        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 3/5/1998         | 0                            |                       | 14                                |                            | 0                                          |                                     |
|             | 3/28/1998        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 5/27/1998        | 365                          |                       | 0                                 |                            | 90                                         |                                     |
|             | 8/21/1998        | 365                          |                       | 0                                 |                            | 180                                        |                                     |
|             | 9/17/1998        | 540                          |                       | 0                                 |                            | 180                                        |                                     |
|             | 11/5/1998        | 60                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 11/11/1998       | 45                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 2/8/2000         | 240                          |                       | 0                                 |                            | 240                                        |                                     |
|             | 5/19/2000        | 180                          |                       | 0                                 |                            | 180                                        |                                     |
|             | 2/21/2001        | 180                          |                       | 0                                 |                            | 90                                         |                                     |
|             | 4/24/2001        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 6/5/2001         | 365                          |                       | 0                                 |                            | 365                                        |                                     |
|             | 6/13/2001        | 180                          |                       | 0                                 |                            | 180                                        |                                     |
|             | 8/9/2001         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 8/16/2001        | 0                            |                       | 20                                |                            | 0                                          |                                     |
|             | 8/18/2001        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 9/10/2001        | 90                           |                       | 0                                 |                            | 90                                         |                                     |
|             | 9/13/2001        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 9/20/2001        | 90                           |                       | 0                                 |                            | 90                                         |                                     |
|             | 9/21/2001        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 9/21/2001        | 180                          |                       | 0                                 |                            | 180                                        |                                     |
|             | 10/23/2001       | 150                          |                       | 0                                 |                            | 150                                        |                                     |
|             | 12/15/2001       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 12/20/2001       | 270                          |                       | 0                                 |                            | 0                                          |                                     |

| Inmate Name | Date of Incident | SHU Time per incident (days) | SHU Time TOTAL (days) | Keeplock Time per incident (days) | Keeplock Time TOTAL (days) | Rec. Loss of Good Time per incident (days) | Rec. Loss of Good Time TOTAL (days) |
|-------------|------------------|------------------------------|-----------------------|-----------------------------------|----------------------------|--------------------------------------------|-------------------------------------|
|             | 1/28/2002        | 360                          |                       | 0                                 |                            | 360                                        |                                     |
|             | 2/15/2002        | 270                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 3/2/2002         | 180                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 3/4/2002         | 270                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 3/4/2002         | 365                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 3/30/2002        | 365                          |                       | 0                                 |                            | 540                                        |                                     |
|             | 3/31/2002        | 180                          |                       | 0                                 |                            | 180                                        |                                     |
|             | 5/14/2002        | 120                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 5/25/2002        | 180                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 6/11/2002        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 7/20/2002        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 8/20/2002        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 10/12/2002       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 11/4/2002        | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 1/19/2003        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 1/20/2003        | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 6/12/2003        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 8/17/2003        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 8/26/2003        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 8/29/2003        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 11/20/2003       | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 2/9/2004         | 270                          |                       | 0                                 |                            | 270                                        |                                     |
|             | 10/19/2004       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 12/14/2004       | 0                            |                       | 25                                |                            | 0                                          |                                     |
|             | 1/13/2005        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 1/13/2005        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 2/28/2005        | 270                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 3/9/2005         | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             |                  |                              | 1634                  |                                   | 934                        |                                            | 780                                 |
| D.M.        | 9/25/2000        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 10/4/2000        | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 10/16/2000       | 59                           |                       | 0                                 |                            | 180                                        |                                     |
|             | 10/20/2000       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 2/2/2001         | 90                           |                       | 0                                 |                            | 180                                        |                                     |
|             | 2/6/2001         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 2/25/2001        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 7/17/2001        | 0                            |                       | 20                                |                            | 0                                          |                                     |
|             | 9/2/2001         | 0                            |                       | 20                                |                            | 0                                          |                                     |
|             | 10/5/2001        | 0                            |                       | 15                                |                            | 0                                          |                                     |
|             | 11/7/2001        | 0                            |                       | 270                               |                            | 180                                        |                                     |
|             | 1/9/2002         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 2/18/2002        | 60                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 3/15/2002        | 0                            |                       | 90                                |                            | 0                                          |                                     |
|             | 4/10/2002        | 180                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 6/4/2002         | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 8/16/2002        | 0                            |                       | 5                                 |                            | 0                                          |                                     |
|             | 9/10/2002        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 9/11/2002        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 9/17/2002        | 90                           |                       | 0                                 |                            | 60                                         |                                     |
|             | 10/10/2002       | 60                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 10/29/2002       | 171                          |                       | 9                                 |                            | 0                                          |                                     |
|             | 1/24/2003        | 0                            |                       | 30                                |                            | 0                                          |                                     |

| Inmate Name | Date of Incident | SHU Time per incident (days) | SHU Time TOTAL (days) | Keeplock Time per incident (days) | Keeplock Time TOTAL (days) | Rec. Loss of Good Time per incident (days) | Rec. Loss of Good Time TOTAL (days) |
|-------------|------------------|------------------------------|-----------------------|-----------------------------------|----------------------------|--------------------------------------------|-------------------------------------|
|             | 1/28/2003        | 180                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 5/7/2003         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 7/8/2003         | 0                            |                       | 60                                |                            | 0                                          |                                     |
|             | 7/22/2003        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 10/21/2003       | 85                           |                       | 5                                 |                            | 0                                          |                                     |
|             | 10/21/2003       | 0                            |                       | 90                                |                            | 0                                          |                                     |
|             | 12/9/2003        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 12/29/2003       | 180                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 1/14/2004        | 180                          |                       | 0                                 |                            | 180                                        |                                     |
|             | 4/29/2004        | 119                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 11/3/2004        | 0                            |                       | 20                                |                            | 0                                          |                                     |
| E.L.        |                  |                              | 7591                  |                                   | 714                        |                                            | 4955                                |
|             | 1/24/1990        | 0                            |                       | 60                                |                            | 90                                         |                                     |
|             | 3/8/1990         | 0                            |                       | 35                                |                            | 0                                          |                                     |
|             | 3/24/1990        | 30                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 4/3/1990         | 0                            |                       | 7                                 |                            | 0                                          |                                     |
|             | 7/7/1990         | 545                          |                       | 0                                 |                            | 360                                        |                                     |
|             | 7/10/1990        | 545                          |                       | 0                                 |                            | 360                                        |                                     |
|             | 8/16/1990        | 90                           |                       | 0                                 |                            | 90                                         |                                     |
|             | 2/14/1991        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 4/5/1991         | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 4/16/1991        | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 5/29/1991        | 180                          |                       | 0                                 |                            | 180                                        |                                     |
|             | 7/5/1991         | 45                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 7/22/1991        | 35                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 8/1/1991         | 120                          |                       | 0                                 |                            | 120                                        |                                     |
|             | 3/1/1992         | 90                           |                       | 0                                 |                            | 30                                         |                                     |
|             | 3/31/1992        | 0                            |                       | 15                                |                            | 0                                          |                                     |
|             | 4/30/1992        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 5/13/1992        | 180                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 7/23/1992        | 0                            |                       | 14                                |                            | 0                                          |                                     |
|             | 8/26/1992        | 0                            |                       | 14                                |                            | 0                                          |                                     |
|             | 11/19/1992       | 0                            |                       | 21                                |                            | 0                                          |                                     |
|             | 12/19/1992       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 1/15/1993        | 0                            |                       | 14                                |                            | 0                                          |                                     |
|             | 2/12/1993        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 3/3/1993         | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 8/29/1994        | 365                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 8/29/1994        | 365                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 9/4/1994         | 365                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 12/12/1996       | 0                            |                       | 10                                |                            | 0                                          |                                     |
|             | 1/5/1997         | 365                          |                       | 0                                 |                            | 365                                        |                                     |
|             | 1/18/1997        | 0                            |                       | 120                               |                            | 120                                        |                                     |
|             | 2/5/1997         | 0                            |                       | 60                                |                            | 0                                          |                                     |
|             | 4/8/1997         | 180                          |                       | 0                                 |                            | 90                                         |                                     |
|             | 4/8/1997         | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 4/14/1997        | 180                          |                       | 0                                 |                            | 90                                         |                                     |
|             | 4/14/1997        | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 4/17/1997        | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 4/18/1997        | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 5/20/1997        | 60                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 2/28/1998        | 0                            |                       | 60                                |                            | 0                                          |                                     |

| Inmate Name | Date of Incident | SHU Time per incident (days) | SHU Time TOTAL (days) | Keeplock Time per incident (days) | Keeplock Time TOTAL (days) | Rec. Loss of Good Time per incident (days) | Rec. Loss of Good Time TOTAL (days) |
|-------------|------------------|------------------------------|-----------------------|-----------------------------------|----------------------------|--------------------------------------------|-------------------------------------|
|             | 3/10/1998        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 3/16/1998        | 60                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 3/20/1998        | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 4/1/1998         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 5/11/1998        | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 5/12/1998        | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 5/13/1998        | 0                            |                       | 20                                |                            | 0                                          |                                     |
|             | 5/23/1998        | 60                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 7/19/1998        | 0                            |                       | 0                                 |                            | 180                                        |                                     |
|             | 8/15/1998        | 0                            |                       | 0                                 |                            | 90                                         |                                     |
|             | 8/17/1998        | 180                          |                       | 0                                 |                            | 180                                        |                                     |
|             | 8/23/1998        | 180                          |                       | 0                                 |                            | 180                                        |                                     |
|             | 4/25/1999        | 311                          |                       | 54                                |                            | 360                                        |                                     |
|             | 2/7/2001         | 60                           |                       | 30                                |                            | 0                                          |                                     |
|             | 9/13/2001        | 120                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 1/8/2002         | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 2/19/2002        | 360                          |                       | 0                                 |                            | 270                                        |                                     |
|             | 4/17/2002        | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 7/23/2002        | 1440                         |                       | 0                                 |                            | 1440                                       |                                     |
|             | 8/7/2002         | 0                            |                       | 0                                 |                            | 180                                        |                                     |
|             | 9/28/2002        | 0                            |                       | 0                                 |                            | 180                                        |                                     |
| G.U.        |                  |                              | 314                   |                                   | 305                        |                                            | 330                                 |
|             | 2/2/2000         | 90                           |                       | 0                                 |                            | 90                                         |                                     |
|             | 12/19/2000       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 5/3/2001         | 0                            |                       | 5                                 |                            | 0                                          |                                     |
|             | 9/6/2001         | 0                            |                       | 60                                |                            | 60                                         |                                     |
|             | 11/29/2001       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 3/21/2002        | 0                            |                       | 15                                |                            | 0                                          |                                     |
|             | 7/25/2002        | 224                          |                       | 0                                 |                            | 180                                        |                                     |
|             | 9/13/2002        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 12/31/2002       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 8/7/2003         | 0                            |                       | 15                                |                            | 0                                          |                                     |
|             | 9/23/2003        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 6/22/2004        | 0                            |                       | 60                                |                            | 0                                          |                                     |
| I.X.        |                  |                              | 260                   |                                   | 840                        |                                            | 210                                 |
|             | 10/9/1994        | 0                            |                       | 10                                |                            | 0                                          |                                     |
|             | 3/13/1995        | 0                            |                       | 14                                |                            | 0                                          |                                     |
|             | 4/5/1995         | 0                            |                       | 6                                 |                            | 0                                          |                                     |
|             | 4/6/1995         | 0                            |                       | 60                                |                            | 0                                          |                                     |
|             | 4/11/1995        | 0                            |                       | 0                                 |                            | 30                                         |                                     |
|             | 4/12/1995        | 0                            |                       | 0                                 |                            | 30                                         |                                     |
|             | 4/24/1995        | 0                            |                       | 120                               |                            | 0                                          |                                     |
|             | 4/25/1995        | 0                            |                       | 180                               |                            | 30                                         |                                     |
|             | 4/29/1995        | 0                            |                       | 90                                |                            | 0                                          |                                     |
|             | 8/31/1995        | 0                            |                       | 20                                |                            | 0                                          |                                     |
|             | 9/2/1995         | 0                            |                       | 45                                |                            | 0                                          |                                     |
|             | 5/26/1997        | 0                            |                       | 27                                |                            | 0                                          |                                     |
|             | 5/27/1997        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 7/9/1997         | 0                            |                       | 20                                |                            | 0                                          |                                     |
|             | 5/27/1999        | 0                            |                       | 10                                |                            | 0                                          |                                     |
|             | 5/27/2000        | 0                            |                       | 20                                |                            | 0                                          |                                     |
|             | 9/30/2000        | 0                            |                       | 15                                |                            | 0                                          |                                     |

| Inmate Name | Date of Incident | SHU Time per incident (days) | SHU Time TOTAL (days) | Keeplock Time per incident (days) | Keeplock Time TOTAL (days) | Rec. Loss of Good Time per Incident (days) | Rec. Loss of Good Time TOTAL (days) |
|-------------|------------------|------------------------------|-----------------------|-----------------------------------|----------------------------|--------------------------------------------|-------------------------------------|
|             | 1/7/2001         | 0                            |                       | 10                                |                            | 0                                          |                                     |
|             | 2/20/2001        | 0                            |                       | 15                                |                            | 0                                          |                                     |
|             | 2/23/2001        | 80                           |                       | 10                                |                            | 30                                         |                                     |
|             | 5/29/2001        | 0                            |                       | 15                                |                            | 0                                          |                                     |
|             | 8/13/2001        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 11/5/2001        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 11/24/2001       | 0                            |                       | 57                                |                            | 0                                          |                                     |
|             | 2/1/2002         | 0                            |                       | 6                                 |                            | 0                                          |                                     |
|             | 2/17/2002        | 180                          |                       | 0                                 |                            | 90                                         |                                     |
| J. U        |                  |                              | 2188                  |                                   | 596                        |                                            | 1710                                |
|             | 1/10/1993        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 6/10/1993        | 0                            |                       | 14                                |                            | 0                                          |                                     |
|             | 6/15/1993        | 0                            |                       | 21                                |                            | 0                                          |                                     |
|             | 8/9/1993         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 10/12/1993       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 12/31/1993       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 3/4/1994         | 180                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 4/26/1994        | 45                           |                       | 30                                |                            | 0                                          |                                     |
|             | 5/8/1994         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 6/22/1994        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 10/21/1994       | 0                            |                       | 10                                |                            | 0                                          |                                     |
|             | 11/9/1994        | 180                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 3/30/1995        | 365                          |                       | 0                                 |                            | 360                                        |                                     |
|             | 7/21/1995        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 9/14/1995        | 180                          |                       | 30                                |                            | 180                                        |                                     |
|             | 10/16/1995       | 195                          |                       | 0                                 |                            | 180                                        |                                     |
|             | 7/25/1996        | 0                            |                       | 21                                |                            | 0                                          |                                     |
|             | 3/5/1997         | 267                          |                       | 0                                 |                            | 180                                        |                                     |
|             | 3/20/1997        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 7/20/1998        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 2/11/1999        | 0                            |                       | 16                                |                            | 0                                          |                                     |
|             | 5/6/1999         | 0                            |                       | 4                                 |                            | 0                                          |                                     |
|             | 5/9/1999         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 5/18/1999        | 0                            |                       | 7                                 |                            | 0                                          |                                     |
|             | 5/12/2000        | 180                          |                       | 0                                 |                            | 180                                        |                                     |
|             | 12/31/2000       | 300                          |                       | 0                                 |                            | 180                                        |                                     |
|             | 1/16/2001        | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 4/4/2001         | 31                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 8/1/2002         | 0                            |                       | 18                                |                            | 0                                          |                                     |
|             | 11/8/2002        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 12/31/2002       | 90                           |                       | 0                                 |                            | 90                                         |                                     |
|             | 1/14/2003        | 85                           |                       | 95                                |                            | 360                                        |                                     |
| L. X.       |                  |                              | 3601                  |                                   | 565                        |                                            | 2790                                |
|             | 2/15/1997        | 0                            |                       | 270                               |                            | 180                                        |                                     |
|             | 1/20/1998        | 0                            |                       | 15                                |                            | 0                                          |                                     |
|             | 3/18/1998        | 0                            |                       | 10                                |                            | 0                                          |                                     |
|             | 4/4/1998         | 0                            |                       | 180                               |                            | 90                                         |                                     |
|             | 6/19/1998        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 7/5/1998         | 365                          |                       | 0                                 |                            | 180                                        |                                     |
|             | 7/5/1998         | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 7/10/1998        | 420                          |                       | 0                                 |                            | 360                                        |                                     |
|             | 8/6/1998         | 365                          |                       | 0                                 |                            | 360                                        |                                     |

| Inmate Name | Date of Incident | SHU Time per incident (days) | SHU Time TOTAL (days) | Keeplock Time per incident (days) | Keeplock Time TOTAL (days) | Rec. Loss of Good Time per incident (days) | Rec. Loss of Good Time TOTAL (days) |
|-------------|------------------|------------------------------|-----------------------|-----------------------------------|----------------------------|--------------------------------------------|-------------------------------------|
|             | 4/21/2001        | 261                          |                       | 0                                 |                            | 360                                        |                                     |
|             | 10/4/2001        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 11/27/2001       | 540                          |                       | 0                                 |                            | 180                                        |                                     |
|             | 11/28/2001       | 720                          |                       | 0                                 |                            | 360                                        |                                     |
|             | 2/14/2002        | 30                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 6/27/2002        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 3/8/2003         | 720                          |                       | 0                                 |                            | 720                                        |                                     |
|             | 10/4/2004        | 90                           |                       | 0                                 |                            | 0                                          |                                     |
| M.C.        |                  |                              | 2261                  |                                   | 1670                       |                                            | 1140                                |
|             | 10/27/1989       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 10/31/1989       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 2/20/1990        | 0                            |                       | 4                                 |                            | 0                                          |                                     |
|             | 3/30/1990        | 0                            |                       | 60                                |                            | 0                                          |                                     |
|             | 4/5/1990         | 0                            |                       | 10                                |                            | 0                                          |                                     |
|             | 4/10/1990        | 60                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 5/2/1990         | 0                            |                       | 14                                |                            | 0                                          |                                     |
|             | 5/19/1990        | 0                            |                       | 10                                |                            | 0                                          |                                     |
|             | 6/4/1990         | 0                            |                       | 180                               |                            | 360                                        |                                     |
|             | 6/7/1990         | 0                            |                       | 40                                |                            | 0                                          |                                     |
|             | 7/17/1990        | 0                            |                       | 75                                |                            | 0                                          |                                     |
|             | 8/3/1990         | 0                            |                       | 90                                |                            | 0                                          |                                     |
|             | 3/13/1991        | 0                            |                       | 90                                |                            | 90                                         |                                     |
|             | 3/20/1991        | 0                            |                       | 15                                |                            | 0                                          |                                     |
|             | 9/9/1991         | 0                            |                       | 9                                 |                            | 0                                          |                                     |
|             | 4/6/1992         | 0                            |                       | 10                                |                            | 0                                          |                                     |
|             | 5/2/1992         | 0                            |                       | 4                                 |                            | 0                                          |                                     |
|             | 5/13/1992        | 0                            |                       | 10                                |                            | 0                                          |                                     |
|             | 5/14/1992        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 5/16/1992        | 0                            |                       | 7                                 |                            | 0                                          |                                     |
|             | 6/26/1992        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 8/11/1992        | 60                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 11/6/1992        | 0                            |                       | 6                                 |                            | 0                                          |                                     |
|             | 11/9/1992        | 36                           |                       | 9                                 |                            | 0                                          |                                     |
|             | 1/29/1993        | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 1/29/1993        | 0                            |                       | 60                                |                            | 0                                          |                                     |
|             | 9/14/1994        | 0                            |                       | 4                                 |                            | 0                                          |                                     |
|             | 10/28/1994       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 9/4/1995         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 3/5/1996         | 0                            |                       | 3                                 |                            | 0                                          |                                     |
|             | 5/15/1996        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 6/3/1996         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 10/3/1996        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 1/16/1997        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 6/30/1997        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 8/19/1997        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 11/19/1997       | 0                            |                       | 120                               |                            | 0                                          |                                     |
|             | 1/6/1998         | 0                            |                       | 120                               |                            | 60                                         |                                     |
|             | 5/12/1998        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 7/3/1998         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 8/17/1998        | 60                           |                       | 120                               |                            | 0                                          |                                     |
|             | 10/28/1998       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 1/27/1999        | 0                            |                       | 30                                |                            | 0                                          |                                     |

| Inmate Name | Date of Incident | SHU Time per incident (days) | SHU Time TOTAL (days) | Keeplock Time per incident (days) | Keeplock Time TOTAL (days) | Rec. Loss of Good Time per incident (days) | Rec. Loss of Good Time TOTAL (days) |
|-------------|------------------|------------------------------|-----------------------|-----------------------------------|----------------------------|--------------------------------------------|-------------------------------------|
|             | 3/13/1999        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 4/9/1999         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 8/20/1999        | 365                          |                       | 0                                 |                            | 180                                        |                                     |
|             | 12/3/1999        | 300                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 6/28/2000        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 2/10/2001        | 300                          |                       | 0                                 |                            | 90                                         |                                     |
|             | 5/14/2001        | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 9/11/2001        | 180                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 12/28/2001       | 180                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 5/29/2002        | 180                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 1/3/2003         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 5/21/2004        | 360                          |                       | 0                                 |                            | 360                                        |                                     |
| M. H.       |                  |                              | 745                   |                                   | 523                        |                                            | 570                                 |
|             | 6/12/2000        | 0                            |                       | 15                                |                            | 0                                          |                                     |
|             | 7/5/2000         | 0                            |                       | 4                                 |                            | 0                                          |                                     |
|             | 10/10/2000       | 0                            |                       | 90                                |                            | 90                                         |                                     |
|             | 4/27/2001        | 0                            |                       | 4                                 |                            | 0                                          |                                     |
|             | 5/3/2001         | 0                            |                       | 16                                |                            | 0                                          |                                     |
|             | 9/7/2001         | 0                            |                       | 95                                |                            | 30                                         |                                     |
|             | 9/7/2001         | 0                            |                       | 20                                |                            | 0                                          |                                     |
|             | 12/9/2001        | 0                            |                       | 20                                |                            | 0                                          |                                     |
|             | 1/20/2002        | 0                            |                       | 34                                |                            | 0                                          |                                     |
|             | 3/25/2002        | 270                          |                       | 0                                 |                            | 360                                        |                                     |
|             | 9/3/2002         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 1/2/2003         | 145                          |                       | 15                                |                            | 0                                          |                                     |
|             | 8/9/2003         | 90                           |                       | 90                                |                            | 90                                         |                                     |
|             | 9/3/2003         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 9/18/2003        | 60                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 10/4/2003        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 1/14/2004        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 3/17/2005        | 180                          |                       | 0                                 |                            | 0                                          |                                     |
| R. E.       |                  |                              | 90                    |                                   | 30                         |                                            | 0                                   |
|             | 10/7/2003        | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 9/3/2004         | 0                            |                       | 15                                |                            | 0                                          |                                     |
|             | 2/18/2005        | 0                            |                       | 15                                |                            | 0                                          |                                     |
| R. L.       |                  |                              | 2160                  |                                   | 492                        |                                            | 1590                                |
|             | 4/25/1998        | 0                            |                       | 120                               |                            | 60                                         |                                     |
|             | 6/30/1998        | 0                            |                       | 6                                 |                            | 0                                          |                                     |
|             | 8/28/1998        | 0                            |                       | 120                               |                            | 0                                          |                                     |
|             | 10/15/1998       | 0                            |                       | 15                                |                            | 0                                          |                                     |
|             | 12/26/1998       | 1080                         |                       | 0                                 |                            | 720                                        |                                     |
|             | 12/28/1998       | 90                           |                       | 0                                 |                            | 90                                         |                                     |
|             | 1/11/1999        | 180                          |                       | 0                                 |                            | 180                                        |                                     |
|             | 4/21/1999        | 0                            |                       | 21                                |                            | 0                                          |                                     |
|             | 4/11/2000        | 180                          |                       | 0                                 |                            | 360                                        |                                     |
|             | 5/13/2000        | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 9/14/2000        | 60                           |                       | 0                                 |                            | 180                                        |                                     |
|             | 11/14/2000       | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 1/13/2001        | 120                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 3/13/2001        | 30                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 3/14/2001        | 30                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 7/26/2001        | 0                            |                       | 30                                |                            | 0                                          |                                     |

| Inmate Name | Date of Incident | SHU Time per incident (days) | SHU Time TOTAL (days) | Keeplock Time per incident (days) | Keeplock Time TOTAL (days) | Rec. Loss of Good Time per incident (days) | Rec. Loss of Good Time TOTAL (days) |
|-------------|------------------|------------------------------|-----------------------|-----------------------------------|----------------------------|--------------------------------------------|-------------------------------------|
| R. M.       | 8/30/2001        | 180                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 9/29/2001        | 30                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 10/11/2001       | 0                            |                       | 90                                |                            | 0                                          |                                     |
|             | 11/7/2001        | 0                            |                       | 90                                |                            | 0                                          |                                     |
|             |                  |                              | 1640                  |                                   | 203                        |                                            | 1145                                |
|             | 3/19/2002        | 80                           |                       | 0                                 |                            | 90                                         |                                     |
|             | 6/26/2002        | 0                            |                       | 8                                 |                            | 0                                          |                                     |
|             | 6/28/2002        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 7/5/2002         | 0                            |                       | 20                                |                            | 0                                          |                                     |
|             | 7/20/2002        | 60                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 7/20/2002        | 120                          |                       | 0                                 |                            | 90                                         |                                     |
|             | 8/1/2002         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 9/18/2002        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 9/26/2002        | 180                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 9/26/2002        | 60                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 9/29/2002        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 10/1/2002        | 180                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 10/7/2002        | 360                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 10/11/2002       | 0                            |                       | 25                                |                            | 0                                          |                                     |
|             | 11/11/2002       | 90                           |                       | 0                                 |                            | 30                                         |                                     |
|             | 11/11/2002       | 90                           |                       | 0                                 |                            | 30                                         |                                     |
|             | 11/12/2002       | 60                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 1/5/2003         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 1/16/2003        | 90                           |                       | 0                                 |                            | 90                                         |                                     |
|             | 1/29/2003        | 90                           |                       | 0                                 |                            | 90                                         |                                     |
|             | 2/3/2003         | 180                          |                       | 0                                 |                            | 0                                          |                                     |
| R. Z.       | 3/19/2004        | 0                            |                       | 0                                 |                            | 365                                        |                                     |
|             | 7/10/2004        | 0                            |                       | 0                                 |                            | 360                                        |                                     |
|             |                  |                              | 840                   |                                   | 120                        |                                            | 510                                 |
|             | 3/24/2003        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 7/29/2003        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 8/5/2003         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 9/10/2003        | 90                           |                       | 0                                 |                            | 180                                        |                                     |
|             | 9/20/2003        | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 10/7/2003        | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 10/16/2003       | 0                            |                       | 0                                 |                            | 90                                         |                                     |
|             | 11/12/2003       | 120                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 11/26/2003       | 180                          |                       | 0                                 |                            | 180                                        |                                     |
|             | 12/24/2003       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 11/7/2004        | 60                           |                       | 0                                 |                            | 60                                         |                                     |
|             | 11/20/2004       | 60                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 3/19/2005        | 60                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 3/30/2005        | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             |                  |                              | 1450                  |                                   | 2628                       |                                            | 2670                                |
| T. S.       | 11/7/1996        | 0                            |                       | 365                               |                            | 360                                        |                                     |
|             | 6/16/1997        | 0                            |                       | 15                                |                            | 0                                          |                                     |
|             | 8/16/1997        | 0                            |                       | 180                               |                            | 60                                         |                                     |
|             | 2/19/1998        | 0                            |                       | 240                               |                            | 180                                        |                                     |
|             | 4/15/1998        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 8/6/1998         | 0                            |                       | 90                                |                            | 90                                         |                                     |
|             | 8/10/1998        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 5/20/1999        | 0                            |                       | 180                               |                            | 0                                          |                                     |

| Inmate Name | Date of Incident | SHU Time per incident (days) | SHU Time TOTAL (days) | Keeplock Time per incident (days) | Keeplock Time TOTAL (days) | Rec. Loss of Good Time per incident (days) | Rec. Loss of Good Time TOTAL (days) |
|-------------|------------------|------------------------------|-----------------------|-----------------------------------|----------------------------|--------------------------------------------|-------------------------------------|
|             | 6/16/1999        | 180                          |                       | 0                                 |                            | 180                                        |                                     |
|             | 9/29/1999        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 11/4/1999        | 0                            |                       | 15                                |                            | 0                                          |                                     |
|             | 12/13/1999       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 1/23/2000        | 0                            |                       | 20                                |                            | 0                                          |                                     |
|             | 5/25/2000        | 0                            |                       | 360                               |                            | 360                                        |                                     |
|             | 11/10/2000       | 180                          |                       | 0                                 |                            | 180                                        |                                     |
|             | 11/10/2000       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 11/11/2000       | 0                            |                       | 15                                |                            | 0                                          |                                     |
|             | 11/14/2000       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 11/15/2000       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 2/26/2001        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 3/5/2001         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 3/5/2001         | 0                            |                       | 20                                |                            | 0                                          |                                     |
|             | 3/10/2001        | 0                            |                       | 20                                |                            | 0                                          |                                     |
|             | 4/15/2001        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 9/22/2001        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 9/22/2001        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 9/26/2001        | 100                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 9/27/2001        | 0                            |                       | 20                                |                            | 0                                          |                                     |
|             | 10/4/2001        | 90                           |                       | 0                                 |                            | 180                                        |                                     |
|             | 6/5/2002         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 8/19/2002        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 9/9/2002         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 9/23/2002        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 11/17/2002       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 11/17/2002       | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 11/27/2002       | 120                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 12/1/2002        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 12/30/2002       | 0                            |                       | 28                                |                            | 0                                          |                                     |
|             | 1/9/2003         | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 2/18/2003        | 240                          |                       | 480                               |                            | 720                                        |                                     |
|             | 2/24/2003        | 360                          |                       | 0                                 |                            | 360                                        |                                     |
|             | 7/19/2003        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 8/18/2003        | 0                            |                       | 10                                |                            | 0                                          |                                     |
|             |                  |                              | 3165                  |                                   | 998                        |                                            | 2730                                |
| J.M.        | 1/21/1997        | 0                            |                       | 1                                 |                            | 0                                          |                                     |
|             | 4/29/1997        | 0                            |                       | 365                               |                            | 180                                        |                                     |
|             | 5/2/1998         | 180                          |                       | 0                                 |                            | 270                                        |                                     |
|             | 5/29/1998        | 0                            |                       | 27                                |                            | 0                                          |                                     |
|             | 5/30/1998        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 6/8/1998         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 6/16/1998        | 0                            |                       | 90                                |                            | 0                                          |                                     |
|             | 6/16/1998        | 180                          |                       | 0                                 |                            | 180                                        |                                     |
|             | 6/17/1998        | 90                           |                       | 0                                 |                            | 90                                         |                                     |
|             | 6/18/1998        | 30                           |                       | 0                                 |                            | 30                                         |                                     |
|             | 6/18/1998        | 30                           |                       | 0                                 |                            | 30                                         |                                     |
|             | 6/19/1998        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 6/20/1998        | 60                           |                       | 0                                 |                            | 60                                         |                                     |
|             | 6/20/1998        | 120                          |                       | 0                                 |                            | 120                                        |                                     |
|             | 10/11/1998       | 0                            |                       | 21                                |                            | 0                                          |                                     |
|             | 3/2/1999         | 30                           |                       | 0                                 |                            | 0                                          |                                     |

| Inmate Name | Date of Incident | SHU Time per incident (days) | SHU Time TOTAL (days) | Keeplock Time per incident (days) | Keeplock Time TOTAL (days) | Rec. Loss of Good Time per incident (days) | Rec. Loss of Good Time TOTAL (days) |
|-------------|------------------|------------------------------|-----------------------|-----------------------------------|----------------------------|--------------------------------------------|-------------------------------------|
|             | 3/4/1999         | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 3/17/1999        | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 4/16/1999        | 60                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 5/30/1999        | 30                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 7/30/1999        | 220                          |                       | 0                                 |                            | 180                                        |                                     |
|             | 8/16/1999        | 180                          |                       | 0                                 |                            | 90                                         |                                     |
|             | 11/27/1999       | 0                            |                       | 14                                |                            | 0                                          |                                     |
|             | 11/28/1999       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 12/10/1999       | 30                           |                       | 0                                 |                            | 30                                         |                                     |
|             | 1/19/2000        | 270                          |                       | 0                                 |                            | 120                                        |                                     |
|             | 1/26/2000        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 2/1/2000         | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 2/16/2000        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 6/28/2000        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 7/27/2000        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 10/25/2000       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 12/7/2000        | 270                          |                       | 0                                 |                            | 270                                        |                                     |
|             | 1/20/2001        | 240                          |                       | 0                                 |                            | 360                                        |                                     |
|             | 5/30/2001        | 270                          |                       | 0                                 |                            | 300                                        |                                     |
|             | 7/9/2002         | 60                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 9/8/2002         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 9/10/2002        | 30                           |                       | 30                                |                            | 0                                          |                                     |
|             | 9/11/2002        | 30                           |                       | 30                                |                            | 0                                          |                                     |
|             | 9/17/2002        | 60                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 9/18/2002        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 9/5/2003         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 11/8/2003        | 365                          |                       | 0                                 |                            | 360                                        |                                     |
|             | 12/10/2003       | 0                            |                       | 60                                |                            | 0                                          |                                     |
|             | 1/25/2004        | 60                           |                       | 0                                 |                            | 60                                         |                                     |
| U.O.        |                  |                              | 3803                  |                                   | 1011                       |                                            | 2280                                |
|             | 4/29/1997        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 5/16/1997        | 0                            |                       | 15                                |                            | 0                                          |                                     |
|             | 5/19/1997        | 0                            |                       | 14                                |                            | 0                                          |                                     |
|             | 7/10/1997        | 0                            |                       | 15                                |                            | 0                                          |                                     |
|             | 7/13/1997        | 0                            |                       | 15                                |                            | 0                                          |                                     |
|             | 8/27/1997        | 180                          |                       | 0                                 |                            | 180                                        |                                     |
|             | 9/12/1997        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 9/26/1997        | 180                          |                       | 0                                 |                            | 270                                        |                                     |
|             | 9/30/1997        | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 10/2/1997        | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 10/20/1997       | 0                            |                       | 20                                |                            | 0                                          |                                     |
|             | 10/20/1997       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 11/26/1997       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 7/15/1999        | 0                            |                       | 7                                 |                            | 0                                          |                                     |
|             | 9/28/1999        | 0                            |                       | 3                                 |                            | 0                                          |                                     |
|             | 10/18/1999       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 11/1/1999        | 53                           |                       | 37                                |                            | 0                                          |                                     |
|             | 3/4/2000         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 4/17/2000        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 5/8/2000         | 0                            |                       | 15                                |                            | 0                                          |                                     |
|             | 5/11/2000        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 5/15/2000        | 180                          |                       | 0                                 |                            | 90                                         |                                     |

| Inmate Name | Date of Incident | SHU Time per incident (days) | SHU Time TOTAL (days) | Keeplock Time per incident (days) | Keeplock Time TOTAL (days) | Rec. Loss of Good Time per incident (days) | Rec. Loss of Good Time TOTAL (days) |
|-------------|------------------|------------------------------|-----------------------|-----------------------------------|----------------------------|--------------------------------------------|-------------------------------------|
|             | 7/13/2000        | 60                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 9/15/2000        | 90                           |                       | 0                                 |                            | 90                                         |                                     |
|             | 10/11/2000       | 60                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 3/9/2001         | 180                          |                       | 0                                 |                            | 180                                        |                                     |
|             | 3/14/2001        | 0                            |                       | 30                                |                            | 30                                         |                                     |
|             | 5/18/2001        | 60                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 9/26/2001        | 180                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 11/18/2001       | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 12/19/2001       | 0                            |                       | 45                                |                            | 0                                          |                                     |
|             | 2/27/2002        | 60                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 4/8/2002         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 4/8/2002         | 180                          |                       | 0                                 |                            | 180                                        |                                     |
|             | 5/18/2002        | 0                            |                       | 15                                |                            | 0                                          |                                     |
|             | 6/26/2002        | 180                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 7/4/2002         | 0                            |                       | 60                                |                            | 0                                          |                                     |
|             | 7/12/2002        | 0                            |                       | 15                                |                            | 0                                          |                                     |
|             | 7/13/2002        | 0                            |                       | 15                                |                            | 0                                          |                                     |
|             | 7/19/2002        | 0                            |                       | 15                                |                            | 0                                          |                                     |
|             | 9/9/2002         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 9/10/2002        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 9/16/2002        | 0                            |                       | 60                                |                            | 0                                          |                                     |
|             | 10/27/2002       | 60                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 11/5/2002        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 12/16/2002       | 0                            |                       | 60                                |                            | 0                                          |                                     |
|             | 12/27/2002       | 0                            |                       | 15                                |                            | 0                                          |                                     |
|             | 1/10/2003        | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 3/3/2003         | 720                          |                       | 0                                 |                            | 720                                        |                                     |
|             | 3/4/2003         | 180                          |                       | 0                                 |                            | 180                                        |                                     |
|             | 4/13/2003        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 4/15/2003        | 420                          |                       | 0                                 |                            | 180                                        |                                     |
|             | 4/16/2003        | 180                          |                       | 30                                |                            | 0                                          |                                     |
|             | 5/18/2003        | 0                            |                       | 90                                |                            | 0                                          |                                     |
|             | 7/22/2003        | 60                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 11/7/2003        | 0                            |                       | 0                                 |                            | 180                                        |                                     |
|             | 1/15/2004        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 7/27/2004        | 180                          |                       | 0                                 |                            | 0                                          |                                     |
| W.M.        |                  |                              | 4080                  |                                   | 878                        |                                            | 360                                 |
|             | 6/7/1989         | 30                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 6/8/1989         | 60                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 7/12/1989        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 7/14/1989        | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 8/12/1989        | 180                          |                       | 0                                 |                            | 180                                        |                                     |
|             | 8/23/1989        | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 8/23/1989        | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 9/15/1989        | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 9/15/1989        | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 9/21/1989        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 9/21/1989        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 9/28/1989        | 60                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 9/29/1989        | 60                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 3/9/1990         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 4/19/1990        | 0                            |                       | 60                                |                            | 0                                          |                                     |

| Inmate Name | Date of Incident | SHU Time per incident (days) | SHU Time TOTAL (days) | Keeplock Time per incident (days) | Keeplock Time TOTAL (days) | Rec. Loss of Good Time per incident (days) | Rec. Loss of Good Time TOTAL (days) |
|-------------|------------------|------------------------------|-----------------------|-----------------------------------|----------------------------|--------------------------------------------|-------------------------------------|
|             | 7/25/1990        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 7/3/1991         | 180                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 7/24/1992        | 0                            |                       | 14                                |                            | 0                                          |                                     |
|             | 8/20/1994        | 0                            |                       | 21                                |                            | 0                                          |                                     |
|             | 8/21/1994        | 30                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 8/23/1994        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 7/6/1995         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 8/4/1995         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 12/31/1995       | 150                          |                       | 0                                 |                            | 90                                         |                                     |
|             | 6/25/1996        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 7/1/1996         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 7/2/1996         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 7/28/1996        | 90                           |                       | 0                                 |                            | 30                                         |                                     |
|             | 7/30/1996        | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 10/23/1996       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 10/28/1996       | 120                          |                       | 0                                 |                            | 60                                         |                                     |
|             | 11/22/1996       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 11/23/1996       | 120                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 12/2/1996        | 0                            |                       | 21                                |                            | 0                                          |                                     |
|             | 4/13/1997        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 8/11/1997        | 0                            |                       | 21                                |                            | 0                                          |                                     |
|             | 10/31/1997       | 30                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 11/28/1997       | 60                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 12/1/1997        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 12/6/1997        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 12/28/1997       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 2/2/1998         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 2/3/1998         | 180                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 3/16/1998        | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 4/24/1998        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 5/3/1998         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 6/19/1998        | 180                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 7/27/1998        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 11/3/1998        | 0                            |                       | 21                                |                            | 0                                          |                                     |
|             | 11/5/1998        | 60                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 11/6/1998        | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 12/31/1998       | 1080                         |                       | 0                                 |                            | 0                                          |                                     |
|             | 1/3/1999         | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 12/11/1999       | 180                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 6/5/2000         | 180                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 6/29/2000        | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 12/31/2001       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 2/2/2002         | 60                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 3/1/2002         | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 3/20/2002        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 8/5/2003         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             |                  |                              | 1320                  |                                   | 1159                       |                                            | 600                                 |
|             | 10/9/1995        | 0                            |                       | 21                                |                            | 0                                          |                                     |
|             | 10/30/1995       | 0                            |                       | 21                                |                            | 0                                          |                                     |
|             | 11/15/1995       | 0                            |                       | 90                                |                            | 0                                          |                                     |
|             | 12/17/1995       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 2/12/1996        | 0                            |                       | 30                                |                            | 0                                          |                                     |

| Inmate Name | Date of Incident | SHU Time per incident (days) | SHU Time TOTAL (days) | Keeplock Time per incident (days) | Keeplock Time TOTAL (days) | Rec. Loss of Good Time per incident (days) | Rec. Loss of Good Time TOTAL (days) |
|-------------|------------------|------------------------------|-----------------------|-----------------------------------|----------------------------|--------------------------------------------|-------------------------------------|
|             | 2/12/1996        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 2/17/1996        | 0                            |                       | 10                                |                            | 0                                          |                                     |
|             | 3/6/1996         | 0                            |                       | 60                                |                            | 0                                          |                                     |
|             | 3/7/1996         | 0                            |                       | 40                                |                            | 0                                          |                                     |
|             | 3/8/1996         | 180                          |                       | 0                                 |                            | 90                                         |                                     |
|             | 3/15/1996        | 60                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 3/16/1996        | 60                           |                       | 0                                 |                            | 30                                         |                                     |
|             | 3/20/1996        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 4/7/1996         | 90                           |                       | 30                                |                            | 180                                        |                                     |
|             | 8/21/1996        | 30                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 11/30/1996       | 0                            |                       | 15                                |                            | 0                                          |                                     |
|             | 1/6/1997         | 30                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 9/5/1997         | 0                            |                       | 15                                |                            | 0                                          |                                     |
|             | 9/18/1997        | 0                            |                       | 15                                |                            | 0                                          |                                     |
|             | 3/31/1998        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 6/26/1998        | 0                            |                       | 15                                |                            | 0                                          |                                     |
|             | 8/27/1998        | 0                            |                       | 11                                |                            | 0                                          |                                     |
|             | 11/27/1998       | 0                            |                       | 20                                |                            | 0                                          |                                     |
|             | 1/9/2000         | 0                            |                       | 14                                |                            | 0                                          |                                     |
|             | 1/11/2000        | 0                            |                       | 3                                 |                            | 0                                          |                                     |
|             | 4/23/2000        | 0                            |                       | 7                                 |                            | 0                                          |                                     |
|             | 5/2/2000         | 0                            |                       | 21                                |                            | 0                                          |                                     |
|             | 7/24/2000        | 0                            |                       | 15                                |                            | 0                                          |                                     |
|             | 10/6/2000        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 12/18/2000       | 30                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 7/28/2001        | 0                            |                       | 70                                |                            | 0                                          |                                     |
|             | 11/6/2001        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 9/4/2002         | 0                            |                       | 3                                 |                            | 0                                          |                                     |
|             | 10/8/2002        | 0                            |                       | 60                                |                            | 0                                          |                                     |
|             | 10/29/2002       | 0                            |                       | 60                                |                            | 0                                          |                                     |
|             | 10/31/2002       | 0                            |                       | 9                                 |                            | 0                                          |                                     |
|             | 1/7/2003         | 0                            |                       | 7                                 |                            | 0                                          |                                     |
|             | 1/9/2003         | 0                            |                       | 28                                |                            | 0                                          |                                     |
|             | 3/6/2003         | 90                           |                       | 14                                |                            | 0                                          |                                     |
|             | 4/25/2003        | 90                           |                       | 30                                |                            | 0                                          |                                     |
|             | 4/25/2003        | 180                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 5/21/2003        | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 9/25/2003        | 90                           |                       | 30                                |                            | 0                                          |                                     |
|             | 10/23/2003       | 0                            |                       | 15                                |                            | 0                                          |                                     |
|             | 12/4/2003        | 0                            |                       | 20                                |                            | 0                                          |                                     |
|             | 1/2/2004         | 0                            |                       | 60                                |                            | 0                                          |                                     |
|             | 4/9/2004         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 4/30/2004        | 0                            |                       | 60                                |                            | 0                                          |                                     |
|             | 5/10/2004        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 5/26/2004        | 180                          |                       | 0                                 |                            | 180                                        |                                     |
|             | 5/27/2004        | 120                          |                       | 0                                 |                            | 120                                        |                                     |
| Y.S.        |                  |                              | 90                    |                                   | 341                        |                                            | 0                                   |
|             | 8/10/2002        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 12/16/2002       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 1/23/2003        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 3/6/2003         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 3/17/2003        | 0                            |                       | 15                                |                            | 0                                          |                                     |

| Inmate Name | Date of Incident | SHU Time per incident (days) | SHU Time TOTAL (days) | Keeplock Time per incident (days) | Keeplock Time TOTAL (days) | Rec. Loss of Good Time per incident (days) | Rec. Loss of Good Time TOTAL (days) |
|-------------|------------------|------------------------------|-----------------------|-----------------------------------|----------------------------|--------------------------------------------|-------------------------------------|
|             | 4/17/2003        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 8/2/2003         | 0                            |                       | 60                                |                            | 0                                          |                                     |
|             | 8/7/2003         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 6/3/2004         | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 6/15/2004        | 0                            |                       | 27                                |                            | 0                                          |                                     |
|             | 11/8/2004        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 1/22/2005        | 0                            |                       | 29                                |                            | 0                                          |                                     |
| Z.J.        |                  |                              | 1184                  |                                   | 1506                       |                                            | 1230                                |
|             | 4/8/1999         | 0                            |                       | 10                                |                            | 0                                          |                                     |
|             | 4/15/1999        | 0                            |                       | 20                                |                            | 0                                          |                                     |
|             | 6/1/1999         | 0                            |                       | 20                                |                            | 0                                          |                                     |
|             | 8/13/1999        | 0                            |                       | 180                               |                            | 90                                         |                                     |
|             | 12/11/1999       | 0                            |                       | 60                                |                            | 0                                          |                                     |
|             | 1/14/2000        | 150                          |                       | 120                               |                            | 90                                         |                                     |
|             | 3/13/2000        | 0                            |                       | 46                                |                            | 0                                          |                                     |
|             | 4/2/2000         | 0                            |                       | 14                                |                            | 0                                          |                                     |
|             | 4/24/2000        | 0                            |                       | 120                               |                            | 120                                        |                                     |
|             | 4/27/2000        | 0                            |                       | 20                                |                            | 0                                          |                                     |
|             | 4/27/2000        | 0                            |                       | 25                                |                            | 0                                          |                                     |
|             | 4/30/2000        | 30                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 5/21/2000        | 90                           |                       | 0                                 |                            | 90                                         |                                     |
|             | 6/9/2000         | 0                            |                       | 20                                |                            | 0                                          |                                     |
|             | 6/9/2000         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 6/10/2000        | 0                            |                       | 90                                |                            | 90                                         |                                     |
|             | 7/9/2000         | 0                            |                       | 15                                |                            | 0                                          |                                     |
|             | 7/23/2000        | 0                            |                       | 15                                |                            | 0                                          |                                     |
|             | 8/4/2000         | 90                           |                       | 0                                 |                            | 90                                         |                                     |
|             | 8/16/2000        | 45                           |                       | 0                                 |                            | 90                                         |                                     |
|             | 8/17/2000        | 29                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 8/17/2000        | 90                           |                       | 0                                 |                            | 120                                        |                                     |
|             | 8/17/2000        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 8/19/2000        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 8/15/2001        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 9/6/2001         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 9/6/2001         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 9/7/2001         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 9/25/2001        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 9/26/2001        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 10/19/2001       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 12/5/2001        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 12/21/2001       | 0                            |                       | 15                                |                            | 0                                          |                                     |
|             | 12/21/2001       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 12/28/2001       | 60                           |                       | 0                                 |                            | 30                                         |                                     |
|             | 1/2/2002         | 0                            |                       | 20                                |                            | 0                                          |                                     |
|             | 1/15/2002        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 2/6/2002         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 2/16/2002        | 0                            |                       | 20                                |                            | 0                                          |                                     |
|             | 2/19/2002        | 0                            |                       | 26                                |                            | 0                                          |                                     |
|             | 3/5/2002         | 0                            |                       | 25                                |                            | 0                                          |                                     |
|             | 3/16/2002        | 0                            |                       | 45                                |                            | 0                                          |                                     |
|             | 4/4/2002         | 0                            |                       | 25                                |                            | 0                                          |                                     |
|             | 6/21/2002        | 0                            |                       | 30                                |                            | 0                                          |                                     |

| Inmate Name | Date of Incident | SHU Time per incident (days) | SHU Time TOTAL (days) | Keeplock Time per incident (days) | Keeplock Time TOTAL (days) | Rec. Loss of Good Time per Incident (days) | Rec. Loss of Good Time TOTAL (days) |
|-------------|------------------|------------------------------|-----------------------|-----------------------------------|----------------------------|--------------------------------------------|-------------------------------------|
|             | 7/10/2002        | 0                            |                       | 10                                |                            | 0                                          |                                     |
|             | 7/11/2002        | 0                            |                       | 10                                |                            | 0                                          |                                     |
|             | 7/11/2002        | 0                            |                       | 10                                |                            | 0                                          |                                     |
|             | 7/20/2002        | 60                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 8/22/2002        | 0                            |                       | 15                                |                            | 0                                          |                                     |
|             | 8/23/2002        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 12/17/2002       | 30                           |                       | 0                                 |                            | 30                                         |                                     |
|             | 1/14/2003        | 90                           |                       | 0                                 |                            | 90                                         |                                     |
|             | 1/22/2003        | 0                            |                       | 0                                 |                            | 120                                        |                                     |
|             | 1/22/2003        | 0                            |                       | 0                                 |                            | 90                                         |                                     |
|             | 5/16/2003        | 180                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 8/6/2003         | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 8/6/2003         | 90                           |                       | 0                                 |                            | 90                                         |                                     |
|             | 12/9/2003        | 30                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 12/10/2003       | 30                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 1/30/2004        | 0                            |                       | 30                                |                            | 0                                          |                                     |
| Z.O.        |                  |                              | 2315                  |                                   | 812                        |                                            | 2435                                |
|             | 3/15/1998        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 4/16/1998        | 0                            |                       | 27                                |                            | 0                                          |                                     |
|             | 5/15/1998        | 0                            |                       | 60                                |                            | 60                                         |                                     |
|             | 8/7/1998         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 9/25/1998        | 0                            |                       | 15                                |                            | 0                                          |                                     |
|             | 10/2/1998        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 10/20/1998       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 11/24/1998       | 0                            |                       | 20                                |                            | 0                                          |                                     |
|             | 12/28/1998       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 2/3/1999         | 0                            |                       | 180                               |                            | 120                                        |                                     |
|             | 3/11/1999        | 360                          |                       | 0                                 |                            | 900                                        |                                     |
|             | 4/7/1999         | 0                            |                       | 60                                |                            | 0                                          |                                     |
|             | 5/12/1999        | 720                          |                       | 0                                 |                            | 720                                        |                                     |
|             | 8/19/1999        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 8/20/1999        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 8/22/1999        | 365                          |                       | 0                                 |                            | 365                                        |                                     |
|             | 10/19/1999       | 90                           |                       | 0                                 |                            | 90                                         |                                     |
|             | 11/25/1999       | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 2/28/2000        | 30                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 2/28/2000        | 30                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 4/6/2000         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 9/3/2000         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 10/1/2000        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 12/6/2000        | 270                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 2/3/2001         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 4/1/2001         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 6/2/2001         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 10/23/2001       | 180                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 3/18/2002        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 6/16/2002        | 180                          |                       | 0                                 |                            | 180                                        |                                     |
|             | 2/4/2005         | 0                            |                       | 30                                |                            | 0                                          |                                     |
| C.C.U.      |                  |                              | 6344                  |                                   | 2780                       |                                            | 5550                                |
|             | 11/3/1993        | 259                          |                       | 0                                 |                            | 360                                        |                                     |
|             | 9/30/1994        | 0                            |                       | 7                                 |                            | 0                                          |                                     |
|             | 11/7/1994        | 180                          |                       | 0                                 |                            | 180                                        |                                     |

| Inmate Name | Date of Incident | SHU Time per incident (days) | SHU Time TOTAL (days) | Keeplock Time per incident (days) | Keeplock Time TOTAL (days) | Rec. Loss of Good Time per incident (days) | Rec. Loss of Good Time TOTAL (days) |
|-------------|------------------|------------------------------|-----------------------|-----------------------------------|----------------------------|--------------------------------------------|-------------------------------------|
|             | 2/15/1995        | 115                          |                       | 0                                 |                            | 90                                         |                                     |
|             | 11/3/1995        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 12/10/1995       | 0                            |                       | 15                                |                            | 0                                          |                                     |
|             | 12/27/1995       | 0                            |                       | 6                                 |                            | 0                                          |                                     |
|             | 4/20/1996        | 0                            |                       | 180                               |                            | 0                                          |                                     |
|             | 6/24/1996        | 0                            |                       | 14                                |                            | 0                                          |                                     |
|             | 10/24/1996       | 0                            |                       | 90                                |                            | 0                                          |                                     |
|             | 11/5/1996        | 0                            |                       | 180                               |                            | 60                                         |                                     |
|             | 7/11/1997        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 9/15/1997        | 0                            |                       | 7                                 |                            | 0                                          |                                     |
|             | 10/20/1997       | 0                            |                       | 180                               |                            | 0                                          |                                     |
|             | 10/27/1997       | 0                            |                       | 120                               |                            | 0                                          |                                     |
|             | 1/29/1998        | 0                            |                       | 180                               |                            | 180                                        |                                     |
|             | 4/9/1998         | 0                            |                       | 90                                |                            | 0                                          |                                     |
|             | 6/18/1998        | 0                            |                       | 60                                |                            | 0                                          |                                     |
|             | 2/6/1999         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 5/31/1999        | 0                            |                       | 20                                |                            | 0                                          |                                     |
|             | 6/17/1999        | 180                          |                       | 0                                 |                            | 180                                        |                                     |
|             | 11/14/1999       | 360                          |                       | 0                                 |                            | 360                                        |                                     |
|             | 12/1/1999        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 12/2/1999        | 120                          |                       | 0                                 |                            | 120                                        |                                     |
|             | 12/4/1999        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 12/7/1999        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 12/11/1999       | 120                          |                       | 0                                 |                            | 120                                        |                                     |
|             | 12/26/1999       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 12/28/1999       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 12/29/1999       | 0                            |                       | 16                                |                            | 0                                          |                                     |
|             | 12/29/1999       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 1/1/2000         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 1/16/2000        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 1/19/2000        | 360                          |                       | 180                               |                            | 360                                        |                                     |
|             | 2/10/2000        | 720                          |                       | 0                                 |                            | 720                                        |                                     |
|             | 2/10/2000        | 720                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 2/11/2000        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 2/12/2000        | 720                          |                       | 0                                 |                            | 0                                          |                                     |
|             | 3/25/2000        | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 1/13/2001        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 3/22/2001        | 0                            |                       | 0                                 |                            | 180                                        |                                     |
|             | 3/22/2001        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 6/8/2001         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 8/1/2001         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 8/30/2001        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 9/6/2001         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 9/29/2001        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 9/29/2001        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 11/5/2001        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 11/13/2001       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 12/14/2001       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 12/19/2001       | 0                            |                       | 0                                 |                            | 360                                        |                                     |
|             | 12/29/2001       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 2/12/2002        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 2/13/2002        | 0                            |                       | 30                                |                            | 0                                          |                                     |

| Inmate Name | Date of Incident | SHU Time per incident (days) | SHU Time TOTAL (days) | Keeplock Time per incident (days) | Keeplock Time TOTAL (days) | Rec. Loss of Good Time per Incident (days) | Rec. Loss of Good Time TOTAL (days) |
|-------------|------------------|------------------------------|-----------------------|-----------------------------------|----------------------------|--------------------------------------------|-------------------------------------|
|             | 3/1/2002         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 3/2/2002         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 5/5/2002         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 5/6/2002         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 5/9/2002         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 5/11/2002        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 5/11/2002        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 6/28/2002        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 7/2/2002         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 7/5/2002         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 7/6/2002         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 11/8/2002        | 90                           |                       | 0                                 |                            | 90                                         |                                     |
|             | 11/21/2002       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 4/2/2003         | 0                            |                       | 25                                |                            | 0                                          |                                     |
|             | 4/27/2003        | 360                          |                       | 0                                 |                            | 360                                        |                                     |
|             | 5/10/2003        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 6/21/2003        | 180                          |                       | 0                                 |                            | 180                                        |                                     |
|             | 6/25/2003        | 60                           |                       | 0                                 |                            | 60                                         |                                     |
|             | 8/28/2003        | 90                           |                       | 0                                 |                            | 90                                         |                                     |
|             | 8/29/2003        | 90                           |                       | 0                                 |                            | 90                                         |                                     |
|             | 10/1/2003        | 90                           |                       | 0                                 |                            | 0                                          |                                     |
|             | 10/6/2003        | 90                           |                       | 0                                 |                            | 90                                         |                                     |
|             | 1/15/2004        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 1/22/2004        | 360                          |                       | 0                                 |                            | 360                                        |                                     |
|             | 2/11/2004        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 3/16/2004        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 3/21/2004        | 90                           |                       | 0                                 |                            | 90                                         |                                     |
|             | 4/3/2004         | 90                           |                       | 0                                 |                            | 90                                         |                                     |
|             | 4/23/2004        | 180                          |                       | 0                                 |                            | 180                                        |                                     |
|             | 4/28/2004        | 90                           |                       | 0                                 |                            | 90                                         |                                     |
|             | 6/15/2004        | 180                          |                       | 0                                 |                            | 180                                        |                                     |
|             | 6/24/2004        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 10/22/2004       | 90                           |                       | 0                                 |                            | 90                                         |                                     |
|             | 11/1/2004        | 90                           |                       | 0                                 |                            | 90                                         |                                     |
|             | 11/2/2004        | 90                           |                       | 0                                 |                            | 60                                         |                                     |
|             | 12/24/2004       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 3/1/2005         | 90                           |                       | 0                                 |                            | 90                                         |                                     |
|             | 3/5/2005         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 3/9/2005         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 3/18/2005        | 0                            |                       | 30                                |                            | 0                                          |                                     |
| E. E. B.    |                  |                              | 1055                  |                                   | 492                        |                                            | 630                                 |
|             | 1/16/2001        | 0                            |                       | 16                                |                            | 0                                          |                                     |
|             | 4/2/2001         | 0                            |                       | 23                                |                            | 0                                          |                                     |
|             | 4/28/2001        | 0                            |                       | 13                                |                            | 0                                          |                                     |
|             | 5/25/2001        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 6/19/2001        | 0                            |                       | 90                                |                            | 0                                          |                                     |
|             | 6/22/2001        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 8/21/2001        | 0                            |                       | 20                                |                            | 0                                          |                                     |
|             | 9/27/2001        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 10/10/2001       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 10/28/2001       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|             | 11/10/2001       | 0                            |                       | 30                                |                            | 0                                          |                                     |

| Inmate Name                    | Date of Incident | SHU Time per incident (days) | SHU Time TOTAL (days) | Keeplock Time per incident (days) | Keeplock Time TOTAL (days) | Rec. Loss of Good Time per incident (days) | Rec. Loss of Good Time TOTAL (days) |
|--------------------------------|------------------|------------------------------|-----------------------|-----------------------------------|----------------------------|--------------------------------------------|-------------------------------------|
|                                | 11/12/2001       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|                                | 11/12/2001       | 0                            |                       | 30                                |                            | 0                                          |                                     |
|                                | 11/12/2001       | 180                          |                       | 0                                 |                            | 180                                        |                                     |
|                                | 11/12/2001       | 365                          |                       | 0                                 |                            | 270                                        |                                     |
|                                | 1/26/2002        | 180                          |                       | 0                                 |                            | 0                                          |                                     |
|                                | 1/27/2002        | 180                          |                       | 0                                 |                            | 0                                          |                                     |
|                                | 4/2/2002         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|                                | 4/6/2002         | 0                            |                       | 30                                |                            | 0                                          |                                     |
|                                | 8/8/2002         | 60                           |                       | 0                                 |                            | 0                                          |                                     |
|                                | 3/11/2003        | 0                            |                       | 30                                |                            | 0                                          |                                     |
|                                | 9/30/2003        | 90                           |                       | 0                                 |                            | 180                                        |                                     |
| <b>TOTAL DAYS</b>              |                  | <b>SHU TIME ACCUMULATED=</b> | <b>59259</b>          | <b>KEEPLOCK TIME ACCUMULATED=</b> | <b>21563</b>               | <b>REC. LOSS OF GOOD TIME=</b>             | <b>39715</b>                        |
| <b>AVERAGE DAYS PER INMATE</b> |                  | <b>SHU TIME ACCUMULATED=</b> | <b>2370.36</b>        | <b>KEEPLOCK TIME ACCUMULATED=</b> | <b>862.52</b>              | <b>REC. LOSS OF GOOD TIME=</b>             | <b>1588.6</b>                       |

Percentage of inmates receiving over 6 months of SHU time: 92% (23/25)  
 Percentage of inmates receiving over 1 year of SHU time: 84% (21/25)  
 Percentage of inmates receiving over 3 years of SHU time: 72% (18/25)  
 Percentage of inmates receiving over 5 years of SHU time: 48% (12/25)  
 Percentage of inmates receiving over 10 years of SHU time: 24% (6/25)