

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

| | | |
|----------------------------------|---|--------------------------|
| Johnathan Lacy, Kenneth Farris, |) | |
| Marquis Bowers, Maurice Boston, |) | |
| and Kevin Dawson, individually |) | |
| and for all others similarly |) | |
| situation |) | |
| |) | |
| <i>Plaintiffs</i> |) | 14-CV-6259 |
| |) | |
| <i>-vs-</i> |) | <i>(Judge Gettleman)</i> |
| |) | |
| Thomas Dart, Sheriff of Cook |) | |
| County and Cook County, Illinois |) | |
| |) | |
| <i>Defendants</i> |) | |

AMENDMENT TO COMPLAINT

Pursuant to leave of Court, plaintiffs, by counsel, file the following as an amendment to move the Court to allow the addition of Kevin Dawson as a plaintiff and for leave to file an amendment to their amended complaint (ECF #9):

1. Plaintiff Kevin Dawson is a wheelchair using detainee at the Cook County Jail.
2. Dawson entered the Cook County Jail on March 22, 2010.
3. Plaintiff Dawson, like most pre-trial detainees at the Cook County Jail, attends court once each month.

4. Dawson is a defendant in a case pending at the Leighton Courthouse; he is also a defendant in a case pending at the Skokie courthouse.

5. Dawson attends court in each of his criminal cases about once each month.

6. Dawson attended court in the Leighton Courthouse on December 30, 2014.

7. Before attending court, Dawson was held in “bullpen 34/5” in the “RCDC building” for several hours. This bullpen has a toilet that cannot be used by persons, like Dawson, who require a wheelchair. Nor does the bullpen have a sink that can be used by wheelchair using persons like Dawson.

8. Dawson expects to continue to attend Court once each month at the Leighton Courthouse.

9. Absent relief from this Court, defendants will continue to deprive Dawson of access to a toilet and sink before his appearances at the Leighton courthouse.

10. After several hours in “bullpen 34/5,” Dawson was required to wheel himself, without assistance, through a long basement tunnel and

then to wheel himself up a steep ramp to the Leighton courthouse. No one offered to assist Dawson in this journey.

11. Absent relief from this Court, defendants will continue to require Dawson to wheel himself without assistance through a long tunnel and up a steep ramp.

12. After wheeling himself up the steep ramp, a Sheriff's employee escorted Dawson to a bullpen behind Courtroom 306. Dawson could not enter this bullpen on his own, but was able to do so with assistance from another detainee.

13. Dawson could not reach the toilet in the bullpen behind Courtroom 306 because of physical barriers.

14. Absent relief from this Court, defendants will continue to hold Dawson in the above described bullpen behind Courtroom 306 at each future court appearance.

15. Dawson sought to attend a scheduled court appearance in the Skokie courthouse on January 6, 2015.

16. Employees of defendant Sheriff transported Dawson to the Skokie courthouse along with two other wheelchair detainees who had scheduled court appearances at the Markham Courthouse.

17. The van used to transport Dawson on January 6, 2015 was designed to secure and safely transport no more than two wheelchair using persons.

18. The employees of defendant Sheriff who transported Dawson to the Skokie Courthouse on January 6, 2015 did not secure Dawson's wheelchair in the van.

19. Dawson arrived at the Skokie Courthouse at about 1:30 p.m. and was required to wheel himself up a steep ramp without assistance.

20. As he entered the lockup area, an employee of defendant Sheriff told Dawson that his case had been continued and that he would be returned to the Jail.

21. Dawson was then required to roll down a steep ramp without assistance.

22. Absent relief from this Court, defendants will continue to transport Dawson in overloaded and insecure vans and will require Dawson to wheel himself without assistance up and down the steep ramp at the Skokie courthouse.

Wherefore plaintiff Dawson requests that the Court grant appropriate injunctive relief and monetary damages.

Respectfully submitted,

/s/ Kenneth N. Flaxman
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