

FORM TO BE USED BY A PRISONER IN FILING A COMPLAINT
UNDER THE CIVIL RIGHTS ACT 42 U.S.C. SECTION 1983

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

KAREN RENEE CRUTCHFIELD

1307 SEVEN LOCK'S RD.
Montgomery County Detention Center
Rockville, Maryland 20854

(Enter the full name, address,
date of birth, and institution
number of the plaintiff in this
action)

vs.

CIVIL ACTION NO. _____

John E. Wright, Warden
Montgomery County Detention Center
1307 Seven Lock's Rd.
Rockville, Maryland 20854

(Enter the full name and the
address of the defendant(s) in
this action)

I. Previous Lawsuits:

A. Have you begun other actions in state or federal court
court dealing with the same facts involved in this action or
otherwise relating to your imprisonment?
YES [] NO [XXXX]

B. If your answer to A is yes, describe that action in the
spaces below. (If there is more than one lawsuit, describe
the additional lawsuits on the reverse side of this page).

1. Parties to the previous action:

Plaintiff N/A

Defendant(s) N/A

Crutchfield v. Wright



JC-MD-003-001

2. Court (if Federal Court, name the district; if a state court, name the city or county) N/A

3. Docket Number N/A

4. Name of the Judge to whom the case was assigned N/A

5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?) N/A

6. Approximate date of filing the lawsuit N/A

7. Approximate date of the disposition N/A

II. Place of Present Confinement Montgomery County Detention Center
1507 Seven Lock's Rd.
Rockville, Maryland 20854

Prior Institutional Identification Numbers unknown

A. Is there a state prison grievance procedure in this institution?
Yes [] No [XXXXX]

1. If your answer is yes:

a) Did you file a grievance regarding your complaint, proceeding under the Administrative Remedy Procedure which is set forth at DCR 185-2?
Yes [] No [XXXXX]

b) If your answer is yes, what steps did you take and what was the result? Went to Warden's call line on
numerous occasions, but recieved no relief.

c) If your answer is no, explain why you did not file.
see above

B. If there is no prison grievance procedure in the institution, did you complain to the prison authorities?
YES [XXXXX] No []

1. If your answer is yes:

a. What steps did you take? Talked to the Warden, but
received no relief.

b. What was the result? no relief

III. Statement of Claim

(State here as briefly as possible the facts of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach an extra sheet, if necessary for each copy of the complaint submitted.)

Supporting Facts see attached pages

IV. Relief

(State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.)

see attached pages

SIGNED THIS 3 day of August 19 88.

SIGNATURE OF PLAINTIFF

If you wish to proceed IN FORMA PAUPERIS, complete form #2

STATEMENT OF CLAIM

The plaintiff is being housed in an administrative segregation unit in the Montgomery County Detention Center, because the plaintiff has been tested positive for H.I.V. virus (Aid's), by the Warden, John E. Wright, of the Montgomery County Detention Center and/or the Warden's agent's and employee's, under color of state law, in violation of the plaintiff's Civil Right's and the following United State's Constitutional Right's:

1. The Eighth (8th) Amendment right to be free from cruel and unusual punishment. By placing the plaintiff in segregation it is cruel and unusual because, including but not limited to, it take's plaintiff out of general population where she can talk and be around other prisoner's. And it force's the plaintiff to sit in a small cell where she is not free to walk around and exercise like inmate's in general population.

2. The fourteenth (14th) Amendment right to Due Process of Law prior to the imposition of punishment. The Plaintiff is being punished by this institution prior to an adjudication of guilt in accordance with Due Process of Law, because, plaintiff has been placed in segregation, without Due Process of Law, because of her medical problem's.

That in light of Turner v. Safley, 107 S.Ct. 2254 (1987), the Defendant should find an alternative to placing the Plaintiff in segregation because of her medical condition. With there being sixty-four (64) cell's in the female population section of this institution, seperated in four (4) equal

section's, and there being only thirty (30) to thirty-five (35) female prisoner's housed in this institution on a daily basis, and there being a minimum of three (3) female H.I.V. patient's in this institution, this institution, at de minimis cost, could and should house said H.I.V. patient's, and in particular the plaintiff, in one of the four (4) afore-mentioned female section's of this institution at no added risk to the security and health consideration's of this institution.

RELIEF

WHEREFORE, plaintiff respectfully request's that this honorable court enter a judgement granting the plaintiff:

1. A declaratory judgement that the defendant's act's, policies and practice's herein described and complained of violated plaintiff's right's under the United State's Constitution.

2. A preliminary and permanent injunction which:

A. Prohibit's the defendant's, their successor's in office, agent's and employee's and all other person's in active concert and participation with them from placing the plaintiff in segregation because of her medical condition.

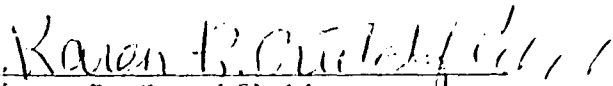
B. Prohibit's the defendant's, their successor's in office, agent's and employee's and all other person's in active concert and participation with them from transferring the plaintiff to any other institution, without plaintiff's express consent, during the pendency of this law suit, or other wise retaliating against the plaintiff in any other manner.

C. Require's the defendant, John E. Wright, to submit within ninety (90) day's of this court's order and declaration of the unconstitutionality of the defendant's policy and procedure's of placing H.I.V. patient's in segregation a list of proposed procedure's and criteria that comply with this court's declaration and order and the Eighth (8th) and Fourteenth (14th) Amendment's of the United State's Constitution.

3. And an order from the court that order's the defendant to pay to the plaintiff one (1,000,000.00) million dollar's in punitive and compensatory damage's

4. And any and all such further relief as this honorable court deem's fair and appropriate.

Respectfully Submitted,


Karen R. Crutchfield
1307 Seven Lock's Rd
Rockville, Maryland 20854

cc/file