

COMPLAINT

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

Michael N. Dotson and Wayne)
 Musgrove, and all others)
 similarly situated,)
)
 Plaintiffs,)
)
 v.)
)
 Donald Satterfield, Lemuel)
 Chester, Jack Colburne,)
 Charles Dayton, William I.)
 Wingate, Calvin Travers, in)
 their individual and)
 official capacities,)
)
 Defendants.)

FILED
 2021
 10/27/21
 DISTRICT OF MARYLAND
 BALTIMORE

COMPLAINT

Plaintiffs, on behalf of themselves and the class alleged herein, state the following:

I. Preliminary Statement

1. This is a class action brought by Plaintiffs on behalf of all persons who are or will be confined at the Dorchester County Detention Center (DCDC) in Cambridge, Maryland. Plaintiffs seek declaratory and injunctive relief for deprivations under color of state law of their rights, privileges and immunities secured by the Constitution of the United States, and, in particular, those secured by the First, Sixth, Eighth, and Fourteenth Amendments thereof.

2. Plaintiffs specifically seek relief from conditions at the DCDC which fall below the standards of human decency, deny basic human needs, and inflict needless suffering on prisoners.

Dotson v. Satterfield



Plaintiffs incarcerated in the DCDC further contend that they are forced to live in an environment where the ill effects of particular conditions, often exacerbated by other conditions, threaten their physical and mental well-being and result unnecessarily in their physical and mental deterioration.

3. The DCDC was constructed in Cambridge, Maryland, over 100 years ago. It is presently unfit for the safe housing of prisoners. Electrical, plumbing, and heating systems are dilapidated beyond hope of repair. The walls, floors and fixtures are crumbling. The outdated design of the structure prevents proper supervision of prisoners. The DCDC is a fire-trap. These hazards are exacerbated by extreme, chronic overcrowding. Sixty to eighty men and women are regularly crowded into space too small, under contemporary standards, for twenty. Men are frequently triple-celled in 50 square foot cells. There are only two bunks in each cell, requiring the third occupant to sleep on a thin mattress or blanket on the floor. The conditions at DCDC pose an imminent risk to the health and safety of the prisoners presently confined there.

II. Jurisdiction

4. Plaintiffs seek relief under 42 U.S.C. §1983 to redress injuries suffered by them and the class they represent for deprivation under color of state law of rights secured to them under the First, Sixth, Eighth and Fourteenth Amendments. This

Court has jurisdiction over the claims pursuant to 28 USC §1331 and 1343(3).

5. Venue in the District of Maryland is proper. Each of the Defendants resides in the District of Maryland, and each of the claims for relief arose in this district.

III. Plaintiffs

6. Michael N. Dotson and Wayne Musgrove are prisoners at the DCDC.

IV. Defendants

7. Donald Satterfield is the Jail Administrator and is responsible for the day-to-day operation of the DCDC. He is a full-time employee of the Dorchester County Council. Mr. Satterfield is an experienced correctional professional and, because of his daily presence in the jail, is fully aware of the deficiencies which exist therein.

8. Lemuel Chester, Jack Colburne, Charles Dayton, William Wingate, and Calvin Travers are members of the Dorchester County Council, and as such they have statutory responsibility, pursuant to the Dorchester County Code, section 44-2, for the management of the jail and appropriation of funds to meet the needs of those confined at the DCDC. The Dorchester County Council is fully aware of the deficiencies which exist at the DCDC, and yet has failed to remedy those deficiencies.

V. Class Action Allegations

9. This is a class action under Rules 23(a) and 23(b)(1) and (2) of the Federal Rules of Civil Procedure.

10. Plaintiffs are representative parties of a class of all persons who are confined at DCDC, or who may be so confined in the future.

11. Plaintiffs are members of the class and their claims are typical of all class members. Plaintiffs are represented by competent counsel and will fairly and adequately protect the interests of the class.

12. The class is so numerous that joinder of the members is impracticable. Current members of the class number approximately 60.

13. The lawsuit challenges various conditions of confinement at the DCDC and there are questions of law and fact common to the class.

14. The Defendants have acted and refused to act on grounds generally applicable to the class, thereby making appropriate final injunctive and declaratory relief with respect to the class.

VI. Factual Allegations

Shelter

15. The DCDC is grossly overcrowded. The main cellblock contains 20, approximately 50 square foot, cells. Fifty to sixty men are generally incarcerated in this area. There is a segregation area in the basement which is sometimes utilized to house prisoners for protection, for punishment or for work release. Five to six women are housed in an upstairs area originally designed as a small apartment. Men are often triple

celled in the main cellblock. The third man must sleep on mattresses on the floor due to overcrowding.

16. There is one operable shower for the entire male population. Sinks and toilets leak, causing floors to be constantly damp, even in areas where men must sleep on the floor. Prisoners have been forced to live for months without hot water. Toilet facilities are covered with mold and mildew.

17. There are no functioning heat or air conditioning systems in the jail. Ventilation is inadequate. Lighting is dim throughout the living areas. There are no lights inside the cells.

18. Prisoners are allowed to exercise only in the small catwalk areas in front of their cells or in a small space in the shower area. There is no structured space within the facility for exercise or recreation. Prisoners are not allowed to go outside for exercise or recreation.

19. Risk of injury by fire is great. Each cell must be unlocked manually to release prisoners. There are no adequate means of escape in the event of fire. The construction of the facility and the deterioration of basic utility systems increase the risk of fire. Fire drills are not held regularly.

Food

20. Prisoners are not provided with an adequate, nutritious diet. Many prisoners in the jail have suffered a significant weight loss during incarceration. Food is served at improper temperatures due to lack of proper equipment. Food handlers are

not trained in sanitary food preparation procedures. Men must eat in their cells, and food slots in the doors through which food is passed are filthy.

Sanitation

21. The DCDC is dirty throughout. Walls, ceilings and floors are difficult to clean due to age and deterioration. Men are not provided with adequate cleaning supplies to maintain their cell areas. The interior of the entire facility is dingy and in need of fresh paint.

22. Toilet facilities are deplorable. The shower is covered with slime and mold. Sinks and toilets are covered with the accumulation of years of grime. Sinks in the cells sometimes cannot be turned off at all, and the overflow contributes to the damp, cold environs. Plumbing facilities, including commodes, the shower and sinks, leak and are clogged, leaving water standing on floors and in the shower.

23. Laundry facilities are totally inadequate for this population. Sheets, towels and blankets are dingy. Mattresses are not sanitized between uses by prisoners. Prisoners must launder their own underwear in their cells. Disinfectants are not provided.

Personal Safety

24. Overcrowding leads to scarcity of resources, tension and stress which in turn encourage confrontations and violence. The inadequate space and design of the DCDC prevents defendants from adequately separating weak and vulnerable prisoners from stronger

ones. Guards are indifferent and unresponsive to prisoner's needs for protection. Staffing is not adequate to supervise prisoners. A trusty is responsible for the management of the living area. Guards are not stationed inside the main cellblock, but must be summoned by banging on bars or doors or by waiving towels from the cells in an effort to attract the attention of the officers who are monitoring the cellblock by way of television monitors located outside the blocks. Suicide attempts occur frequently; two have been successful within the past years. One prisoner has been beaten twice so severely as to require hospitalization.

25. The DCDC fails to provide employment, education or recreational opportunities resulting in pervasive idleness. Although at least partly caused by overcrowding, this idleness is also due to the indifference of the defendants to the needs of prisoners. No effort is made to provide activities which could be productive and relieve the tension and frustration of daily life at the DCDC. This idleness also contributes to the violence and the threat of violence.

26. Women prisoners are completely isolated from the population and from supervisory officers. They have no means of summoning assistance in case of emergency other than banging on the heavy wooden doors.

Medical, Mental Health, and Dental Care

27. Medical services, including dental and mental health care, at the DCDC are totally inadequate and constitute deliberate indifference to prisoners' serious medical needs. Emergency,

routine and basic preventive care are inadequate. Physician services are never provided. A nurse is present in the facility only once a week. Prisoners must wait long periods of time to receive medical or dental care treatment for serious problems. Mental health treatment is virtually non-existent.

28. Overcrowding has seriously exacerbated the deficiencies in services and staffing, and has increased the likelihood of the transmission of communicable diseases and other health risks. Routine screening of newly admitted prisoners is not done prior to placement in the general population of the facility.

29. Mentally disabled prisoners are not separated from the rest of the population. No treatment is provided for them. They remain at the mercy of more aggressive prisoners.

Visitation

30. Visitation facilities at the DCDC are inadequate. Prisoners are allowed visitors only one day per week and then only for 10 minutes per visitor with a maximum of three visitors. No contact visits are allowed. Children under 16 are never allowed to visit their parents.

Access to Courts

31. Prisoners at the DCDC are effectively denied access to the courts. There is no law library at the DCDC, and prisoners have only limited and indirect access to law books or other necessary materials such as paper, pens, typewriters, copy machines, envelopes or stamps. There are no law clerks to assist prisoners in their criminal cases, or in the myriad other legal

problems prisoners, especially those serving long periods of time, encounter. Only the booking room is available for visits with lawyers, and it is separated from the office where guards and sheriff's staff congregate by only a door with a screen, such that attorney-client conversations can be heard by anyone caring to listen. Thus, inmates encounter difficulty in communicating with those who represent them. Prisoners are thereby prevented from actively participating in the preparation of their cases.

VII. Claims for Relief

First Claim

32. Plaintiffs reallege and incorporate by reference paragraphs 15 through 29.

33. Defendants fail to provide Plaintiffs with the basic necessities of life, including adequate food, shelter, sanitation, medical, dental and mental health care, and personal safety. The conditions at the DCDC are incompatible with contemporary standards of decency, cause unnecessary and wanton infliction of pain and are not reasonably related to any legitimate governmental objectives. Sentenced prisoners are thereby subjected to cruel and unusual punishment in violation of the Eighth and Fourteenth Amendments to the United States Constitution, and pre-trial detainees are subjected to impermissible punitive conditions in violation of the Due Process clause of the Fourteenth Amendment.

Second Claim

34. Plaintiffs reallege and incorporate by reference paragraph 30.

35. Plaintiffs incarcerated at the DCDC are denied the basic right of familial relationships in appropriate surroundings in violation of their rights under the First Amendment to the United States Constitution.

Third Claim

36. Plaintiffs reallege and incorporate by reference paragraph 31.

37. Defendants, by their failure to provide adequate and appropriate materials and equipment, or law clerks to assist Plaintiffs, have denied Plaintiffs access to courts in violation of the Sixth and Fourteenth Amendments of the United States Constitution.

VIII. No Adequate Remedy At Law

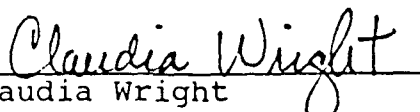
38. As a proximate result of the Defendants' policies, practices, procedures, acts and omissions, Plaintiffs have suffered, do suffer, and will continue to suffer immediate and irreparable injury, including physical, psychological and emotional injury. Plaintiffs' physical and psychological health and well-being will continue to deteriorate during the course of their confinement under the conditions described in this complaint. Plaintiffs have no plain, adequate or complete remedy at law to redress the wrongs described herein. Plaintiffs will continue to be irreparably injured by the policies, practices, procedures, acts and omissions of the Defendants unless this Court grants the injunctive relief that Plaintiffs seek.

IX. Prayer for Relief

WHEREFORE, Plaintiffs and the class they represent pray this Court:

1. Determine by order pursuant to Rule 23, Federal Rules of Civil Procedure, that this action may be maintained as a class action;
2. Issue a declaratory judgment stating the Defendants' policies, practices, acts and omissions described in this Complaint violate Plaintiffs' rights, guaranteed to them by the First, Sixth, Eighth and Fourteenth Amendments to the United States Constitution;
3. Permanently enjoin Defendants, their officers, agents, employees and successors in office, as well as those acting in concert and participating with them, from engaging in the unlawful practices described in this Complaint;
4. Retain jurisdiction of this matter until this Court's order has been carried out;
5. Award Plaintiffs their reasonable costs and attorneys' fees pursuant to 42 U.S.C. §1988; and
6. Grant such other relief as may be just and equitable.

Respectfully submitted,



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