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FILED

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JAMES P. WELSH, Clerk

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7 UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT
8 OF CALIFORNIA, SOUTHERN DIVISION

10 ROBERT CHARLES JORDAN, JR.,
11 Plaintiff,
12 vs.
13 STATE OF CALIFORNIA, et al.,
14 Defendants.

No. 44786
No. 44786-44309
Exhibit No. 4
Filed 6 AUG 11 1966
James P. Welsh, Clerk
By P. C. [Signature] Deputy Clerk

16 FIRST SET OF INTERROGATORIES PROPOUNDED
17 TO DEFENDANT CLETUS J. FITZHARRIS BY
18 PLAINTIFF ROBERT CHARLES JORDAN, JR.

18 Plaintiff ROBERT CHARLES JORDAN, JR. propounds the
19 following interrogatories to defendant CLETUS J. FITZHARRIS
20 pursuant to Rule 33 of the Federal Rules of Civil Procedure:

21 Interrogatory 1

22 State your full name, residence address and business
23 address.

24 Interrogatory 2

25 State whether you are currently employed.

26 Interrogatory 3

27 If you are currently employed, state the name and
28 business address of your present employer.

29 Interrogatory 4

30 With respect to the period from January 1, 1950 to

1 the present time, state:

2 (a) The name of each employer by whom you were
3 employed;

4 (b) The period of time during which you were
5 employed by each employer stated in response to Interrogatory
6 4(a);

7 (c) In summary form, the nature of your duties
8 and responsibilities and any changes thereof with respect to
9 each period stated in response to Interrogatory 4(b);

10 (d) With respect to any period of time when
11 you were employed by the State of California, by the United
12 States of America, or by any political or governmental sub-
13 division or entity of either, state the official title or
14 designation of each position which you occupied, indicating
15 the period of time with respect to each.

16 Interrogatory 5

17 State whether you are currently employed by the State
18 of California in the capacity of Superintendent, or chief exe-
19 cutive officer, of the Correctional Training Facility at Sole-
20 dad, California.

21 Interrogatory 6

22 If the answer to Interrogatory 5 is yes, state the
23 period of time during which you have occupied said position.

24 Interrogatory 7

25 If the answer to Interrogatory 5 is yes, with re-
26 spect to the period of time stated in response to Interroga-
27 tory 6 state:

28 (a) The name of the person or persons occupy-
29 ing the position of Deputy Superintendent, and the period of
30 time during which each said person occupied said position;

1 (b) If during said period the position now
2 designated as Deputy Superintendent was otherwise designated,
3 state what such other designation was and state all informa-
4 tion called for in Interrogatory 7(a) with respect thereto;

5 (c) Answer Interrogatory 7(a) with respect
6 to the Associate Superintendent;

7 (d) Answer Interrogatory 7(b) with respect
8 to the Associate Superintendent;

9 (e) Answer Interrogatory 7(a) with respect
10 to the Unit Three Program Administrator;

11 (f) Answer Interrogatory 7(b) with respect
12 to the Unit Three Program Administrator;

13 (g) Answer Interrogatory 7(a) with respect
14 to the Correctional Counselor Grade I at "O Wing";

15 (h) Answer Interrogatory 7(b) with respect
16 to the Correctional Counselor Grade I at "O Wing";

17 (i) Answer Interrogatory 7(a) with respect
18 to the Correctional Counselor Grade I at "X Wing";

19 (j) Answer Interrogatory 7(b) with respect
20 to the Correctional Counselor Grade I at "X Wing";

21 (k) Answer Interrogatory 7(a) with respect
22 to the Correctional Counselor Grade II at "O Wing";

23 (l) Answer Interrogatory 7(b) with respect
24 to the Correctional Counselor Grade II at "O Wing";

25 (m) Answer Interrogatory 7(a) with respect
26 to the Correctional Counselor Grade II at "X Wing";

27 (n) Answer Interrogatory 7(b) with respect
28 to the Correctional Counselor Grade II at "X Wing";

29 (o) Answer Interrogatory 7(a) with respect
30 to the Chief Medical Officer.

1 (p) Answer Interrogatory 7(b) with respect
2 to the Chief Medical Officer.

3 Interrogatory 8

4 State the period or periods of time during which
5 Robert Charles Jordan, Jr. has been incarcerated at the Cor-
6 rectional Training Facility at Soledad, California.

7 Interrogatory 9

8 With respect to the period or periods of time stated
9 in response to Interrogatory 8, state individually with respect
10 to the positions of Superintendent, Deputy Superintendent,
11 Associate Superintendent, Unit Three Program Administrator,
12 Correctional Counsel Grade I "O Wing", Correctional Counselor
13 Grade I "X Wing", Correctional Counselor Grade II "O Wing",
14 Correctional Counselor Grade II "X Wing", and the Chief Medi-
15 cal Officer -- or if during said period or periods the posi-
16 tions just stated were designated otherwise than as stated,
17 state what such other designations were and state all infor-
18 mation called for hereinafter with respect thereto --:

19 (a) To whom said officer was directly respon-
20 sible;

21 (b) Over whom said officer had direct respon-
22 sibility;

23 (c) With respect to the lines of authority
24 reflected in answers stated in response to Interrogatories
25 9(a) and 9(b), state the changes, if any, which have occurred,
26 and the reasons, if any, for such changes;

27 (d) Describe all documents reflecting the in-
28 formation stated in response to Interrogatories 9(a), 9(b) and
29 9(c), and with respect to each such document, if any, state
30 its location.

1 Interrogatory 10

2 State the exact location (e.g. cell number, area)
3 within the Correctional Training Facility at Soledad, Cali-
4 fornia where Robert Charles Jordan, Jr. has been confined
5 during his incarceration at the Correctional Training Facility,
6 and with respect to each said location state the precise dates
7 of said confinement.

8 Interrogatory 11

9 Describe all documents reflecting the information
10 stated in response to Interrogatory 10, and with respect to
11 each such document, if any, state its location.

12 Interrogatory 12

13 With respect to the locations stated in response
14 to Interrogatory 10, state in full the nature of such loca-
15 tion in terms of the degree of security within the Correc-
16 tional Training Facility at Soledad, California.

17 Interrogatory 13

18 Describe all documents reflecting the information
19 stated in response to Interrogatory 12, and with respect to
20 each such document, if any, state its location.

21 Interrogatory 14

22 With respect to each location stated in response
23 to Interrogatory 10, state in full the reasons, if any, for
24 said Robert Charles Jordan, Jr.'s confinement in that par-
25 ticular location, including the reasons, if any, for changing
26 said Robert Charles Jordan, Jr.'s location.

27 Interrogatory 15

28 Describe all documents reflecting the information
29 stated in response to Interrogatory 14, and with respect to
30 each such document, if any, state its location.

1 Interrogatory 16

2 With respect to each change of location stated in
3 response to Interrogatories 10 and 14, state the name of and
4 the official capacity of each individual responsible, directly
5 or indirectly, for each said change of location.

6 Interrogatory 17

7 With respect to each change of location referred
8 to in Interrogatory 16, and with respect to each individual
9 stated in response to Interrogatory 16:

10 (a) State the nature of authority, if any,
11 vested in said individual to take said action;

12 (b) With respect to the authority stated in
13 response to Interrogatory 17(a), if any, state the source
14 of such authority;

15 (c) State the name of and the official capacity
16 of each individual, if any, who could have taken said action
17 in lieu of the person or persons actually having taken it;

18 (d) With respect to each person stated in re-
19 sponse to Interrogatory 17(c), answer Interrogatory 17(a);

20 (e) With respect to each person stated in
21 response to Interrogatory 17(c), answer Interrogatory 17(b);

22 (f) State the name of and the official capa-
23 city of each individual, if any, who could have prevented
24 said action;

25 (g) With respect to each person stated in
26 response to Interrogatory 17(f), answer Interrogatory 17(a);

27 (h) With respect to each person stated in
28 response to Interrogatory 17(f), answer Interrogatory 17(b).

29 Interrogatory 18

30 Describe all documents reflecting the information

1 stated in response to Interrogatory 16 and Interrogatory 17
2 (including each subparagraph thereof), and with respect to
3 each such document, if any, state its location.

4 Interrogatory 19

5 Identify (by e.g. cell number, location, nature
6 of area within the Correctional Training Facility at Soledad,
7 California) each cell occupied by Robert Charles Jordan, Jr.,
8 from July 9, 1965 through July 21, 1965.

9 Interrogatory 20

10 With respect to each cell stated in response to
11 Interrogatory 19:

12 (a) State the name of each person occupying
13 said cell or cells during the sixty days preceding July 9, 1965;

14 (b) With respect to each person stated in re-
15 sponse to Interrogatory 20(a), state that person's present
16 mailing address, if known to you;

17 (c) Answer Interrogatory 20(a) with respect
18 to the sixty days subsequent to July 21, 1965;

19 (d) Answer Interrogatory 20(b) with respect
20 to the names stated in response to Interrogatory 20(c).

21 Interrogatory 21

22 Describe all documents reflecting the information
23 stated in response to Interrogatory 19 and Interrogatory 20
24 (including each subparagraph thereof), and with respect to
25 each such document, if any, state its location.

26 Interrogatory 22

27 With respect to each cell stated in response to
28 Interrogatory 19, and with respect to the period from July
29 9, 1965 through July 21, 1965:

30 (a) State the physical dimensions, indicating

1 which dimension runs across the front or opening side of the
2 cell, which deep or into the cell and the height of the cell;

3 (b) State whether there is a wall outside of
4 and near the opening side of the cell itself, and if so, how
5 far such wall is from the opening side of said cell;

6 (c) State the nature of the wall referred to
7 in Interrogatory 22(b), if there be such a wall, including
8 the means within or upon such wall, if any, for permitting
9 light or air to enter said cell itself;

10 (d) With respect to each element or factor
11 stated in response to Interrogatory 22(b), state the name
12 of each person who was responsible, directly or indirectly,
13 for the adjustment or other handling thereof during the period
14 of July 9, 1965 through July 21, 1965;

15 (e) With respect to each person stated in
16 response to Interrogatory 22(d), state what actions, if any,
17 said person in fact took with regard to the activity referred
18 to in Interrogatory 22(d) and the time any said action was
19 taken;

20 (f) State whether there was a policy, formal
21 or informal, with regard to the activity referred to in In-
22 terrogatory 22(d);

23 (g) With respect to the policy referred to
24 in Interrogatory 22(f), state in full the nature of said policy,
25 if any, and by whom and when it was promulgated;

26 (h) With respect to each action stated in
27 response to Interrogatory 22(e), state the authority, if any,
28 under which such action was taken and state the source of
29 said authority, if any;

30 (i) Describe all documents reflecting the in-

1 formation stated in response to subparagraphs (c) through (h)
2 of Interrogatory 22, and with respect to each such document,
3 if any, state its location;

4 (j) State in full detail the nature of faci-
5 lity of facilities, if any, for disposing of human bodily
6 wastes;

7 (k) With respect to the facilities referred
8 to in Interrogatory 22(j), state precisely the nature of con-
9 trol, if any, available to a person confined within said cell;

10 (l) With respect to the facilities referred
11 to in Interrogatory 22(j), state the nature of control, if
12 any, available to any person other than a person confined
13 within said cell;

14 (m) With respect to the information stated in
15 response to Interrogatory 22(l), state the name of each per-
16 son exercising such control, the nature of such action, and
17 the time of each such action;

18 (n) With respect to the information called
19 for by Interrogatory 22(l), state whether there was any policy,
20 formal or informal, regarding the exercise of said control;

21 (o) With respect to the policy referred to
22 in Interrogatory 22(n), state in full the nature of said
23 policy, and by whom and when it was promulgated;

24 (p) Describe all documents reflecting the
25 information stated in response to Interrogatory 22(m), (n),
26 and (o), and with respect to each such document, if any,
27 state its location;

28 (q) State in full detail the nature of faci-
29 lities of any kind and the useable condition of any such
30 facility permitting or enabling a person confined within

1 said cell to clean in any way any part of his body at any
2 time during his confinement in said cell;

3 (r) State the times when the facilities re-
4 ferred to in Interrogatory 22(q) were in fact made available;

5 (s) State whether there was any policy, for-
6 mal or informal, with respect to the facilities referred to
7 in Interrogatory 22(q) and with respect to the acts referred
8 to in Interrogatory 22(r);

9 (t) With respect to the policies referred to
10 in Interrogatory 22(s), state in full the nature of said
11 policies, if any, and by whom and when it was promulgated;

12 (u) Describe all documents reflecting the
13 information stated in response to subparagraphs (q) through
14 (t) of Interrogatory 22, and with respect to each such docu-
15 ment, if any, state its location;

16 (v) State when food was made available, what
17 food was made available, and what facilities or utensils
18 were made available for eating any such food;

19 (w) Describe all documents reflecting the
20 information stated in response to Interrogatory 22(v), and
21 with respect to each such document, if any, state its loca-
22 tion;

23 (x) State separately and individually with
24 respect to each following item, the facilities and the use-
25 able condition of any such facility for temperature control
26 and for ventilation control with respect to the interior of
27 said cell;

28 (y) With respect to the information stated in
29 response to Interrogatory 22(x), state the actual use and
30 period of time of such use of said facilities, if any;

1 (z) With respect to the information stated
2 in response to Interrogatory 22(y), state the name of each
3 person who took such action;

4 (aa) With respect to the information given
5 in response to Interrogatory 22(z), state the authority for
6 such action and the source of such authority, if any;

7 (bb) Describe all documents reflecting the
8 information stated in response to subparagraphs (x) through
9 (aa) of Interrogatory 22, and with respect to each such docu-
10 ment, if any, state its location;

11 (cc) State the opportunities, if any, made
12 available to the person confined in said cell for exercise
13 of any sort outside of said cell.

14 (dd) State whether said cell was at any time
15 cleaned in any manner;

16 (ee) With respect to the information stated
17 in response to Interrogatory 22(dd), if any, state when
18 and with what frequency said action was taken;

19 (ff) With respect to the information stated
20 in response to Interrogatory 22(dd) and 22(ee), if any, state
21 separately the name and capacity of each person taking said
22 action, the authority for such action and the source of such
23 authority, if any;

24 (gg) With respect to the information stated
25 in response to Interrogatory 22(dd) and 22(ee), if any, answer
26 Interrogatory 22(ff) with respect to each individual, if any,
27 who could have altered the nature of said action taken;

28 (hh) State what clothing or any other article
29 for personal use of any nature, including e.g. bedding, if
30 any, was provided for the inhabitant of said cell;

1 (ii) With respect to the information stated
2 in response to Interrogatory 22(hh), state the name of and
3 the official capacity of each person responsible for making
4 said provisions available;

5 (jj) With respect to the information stated
6 in response to Interrogatory 22(hh), state the name of and
7 the official capacity of each person in fact making said pro-
8 visions available, state the authority under which said per-
9 son acted, if any, and the source for said authority, if any;

10 (kk) Describe all documents reflecting the
11 information stated in response to subparagraphs (cc) through
12 (jj) of Interrogatory 22 (separately as to each said sub-
13 paragraph), and with respect to each such document, if any,
14 state its location.

15 Interrogatory 23

16 With respect to the period of time from July 21,
17 1965, through April 20, 1966, insofar as the answers would
18 differ from the answers given in response to subparagraphs
19 (f), (g), (j), (k), (l), (m), (q), (r), (s), (t), (v), (x),
20 (y), (cc), (dd), (ee), (ff), (gg), (hh), (ii), and/or (jj)
21 of Interrogatory 22, answer said subparagraphs of Interro-
22 gatory 22, separately as to each said subparagraph, indicat-
23 ing when, if at all, said change first became effective, and
24 when, if at all, there was a further subsequent change.

25 Interrogatory 24

26 With respect to the information given in response
27 to Interrogatory 23, state the reasons, if any, for such
28 changes.

29 Interrogatory 25

30 With respect to the information given in response

1 to Interrogatory 23, state separately as to each said change
2 the persons who were responsible, directly or indirectly, for
3 effecting each said change;

4 Interrogatory 26

5 With respect to the information given in response
6 to Interrogatory 25, state the authority under which each
7 such person acted.

8 Interrogatory 27

9 With respect to the information given in response
10 to Interrogatory 26, state the source, if any, of such
11 authority.

12 Interrogatory 28

13 With respect to the information given in response
14 to Interrogatory 23, state the cost in dollars of each such
15 change.

16 Interrogatory 29

17 With respect to the information given in response
18 to Interrogatory 28, state the source or sources of such
19 funds and the authority under which such funds were expended.

20 Interrogatory 30

21 Separately as to each Interrogatory hereinafter re-
22 ferred to, and separately as to each subparagraph thereof,
23 describe all documents reflecting the information stated in
24 response to Interrogatory 23 (including each subparagraph
25 thereof), Interrogatory 24, Interrogatory 25, Interrogatory
26 26, Interrogatory 27, Interrogatory 28 and Interrogatory 29,
27 and with respect to each document, if any, state its loca-
28 tion.

29 Interrogatory 31

30 With respect to the period stated in response to

1 Interrogatory 8, state with respect to each position listed
2 below the name of the person occupying said position and the
3 period of time during which said person occupied said posi-
4 tion -- or if during said period or periods the positions
5 stated below were designated otherwise than as stated, state
6 what such other designations were and state all information
7 called for herein with respect thereto --:

8 (a) Director of Corrections of the State of
9 California;

10 (b) Superintendent of the Correctional Train-
11 ing Facility at Soledad, California;

12 (c) Deputy Superintendent of the Correctional
13 Training Facility at Soledad, California;

14 (d) Associate Superintendent of the Correc-
15 tional Training Facility at Soledad, California;

16 (e) Unit Three Program Administrator;

17 (f) Correctional Counselor Grade I, "O Wing";

18 (g) Correctional Counselor Grade I, "X Wing";

19 (h) Correctional Counselor Grade II, "O Wing";

20 (i) Correctional Counselor Grade II, "X Wing";

21 (j) Chief Medical Officer.

22 Interrogatory 32

23 With respect to the period of time stated in response
24 to Interrogatory 8, state each occasion when Robert Charles
25 Jordan, Jr. was examined regarding his medical or dental
26 well-being, in any respect, by the Chief Medical Officer.

27 Interrogatory 33

28 Answer Interrogatory 32 with respect to any other
29 officer or person, specifying the name and position of said
30 person, if any.

1 Interrogatory 34

2 With respect to each occasion stated in response
3 either to Interrogatory 32 or to Interrogatory 33, state in
4 full detail the diagnosis, prescription, or any other pro-
5 fessional comment of any nature.

6 Interrogatory 35

7 State each occasion when Robert Charles Jordan, Jr.,
8 or anyone on his behalf, requested consultation or treatment
9 with respect to any matter of a medical or dental nature.

10 Interrogatory 36

11 State each occasion when Robert Charles Jordan, Jr.
12 has refused to accept services of medical or dental nature
13 which were tendered to him by any member of or on behalf of
14 any member of the staff of the Correctional Training Facility
15 at Soledad, California, indicating with respect to each said
16 occasion, if any, who so offered said services, that person's
17 capacity, and the time of said offer.

18 Interrogatory 37

19 State in full detail any professional comment re-
20 lating to the medical or dental condition of Robert Charles
21 Jordan, Jr. directed to any personnel of the Correctional
22 Training Facility at Soledad, California from anyone outside
23 of said facility, with respect to the period of time from
24 January 1, 1958 through April 20, 1966.

25 Interrogatory 38

26 Describe all documents reflecting the information
27 stated in response to Interrogatories 31, 32, 33, 34, 35, 36,
28 and 37 (separately as to each Interrogatory), and with respect
29 to each such document, if any, state its location.

30 Interrogatory 39

1 With respect to the period of time during which
2 Robert Charles Jordan, Jr. has been confined in "O Wing",
3 state whether or not there have been glass panes or any
4 other "window" substance of any nature in the outside wall
5 of the corridor adjacent to the cells within said "O Wing",
6 indicating specifically what changes in the nature of any
7 said "windows" have been made and the timing with respect
8 to any such change.

9 Interrogatory 40

10 With respect to any change stated in response to
11 Interrogatory 39, state the dollar cost, the authorization
12 for said expenditure, and the person or persons responsible
13 for making said changes.

14 Interrogatory 41

15 Describe all documents reflecting the information
16 stated in response to Interrogatory 39 and Interrogatory 40
17 (separately as to each Interrogatory), and with respect to
18 each such document, if any, state its location.

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20
21
22 Charles B. Cohler
23 Charles B. Cohler

24 Attorney for plaintiff
25 Robert Charles Jordan, Jr.
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CERTIFICATE OF SERVICE

1
2
3 I certify that a copy of the foregoing First Set
4 of Interrogatories Propounded to Defendant Cletus J. Fitz-
5 harris by Plaintiff Robert Charles Jordan, Jr. has been
6 served by mail on Honorable Thomas C. Lynch, Attorney General,
7 and Robert R. Granucci, Deputy Attorney General, attorneys
8 for defendant Cletus J. Fitzharris and for each of the de-
9 fendants, this 20th day of April, 1966.
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Charles B. Cohler

Charles B. Cohler