

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

IN THE FIFTH JUDICIAL CIRCUIT

CIVIL ACTION NO. 2005-CP-40-02925

T.R., P.R., K.W., and A.M. on behalf of)
themselves and others similarly situated;)
and Protection and Advocacy for People)
with Disabilities, Inc.,)

Plaintiffs,)

v.)

State of South Carolina; South Carolina)
Department of Corrections; and Jon)
Ozmin, as Director of the South Carolina)
Department of Corrections,)

Defendants.)

ORDER GRANTING
IN PART AND
DENYING IN PART
PLAINTIFFS' AMENDED
MOTION FOR
FURTHER INSPECTIONS

JEANETTE W. McBRIDE
C.C.P. & G.S.

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After a hearing on the matter, the Court hereby grants in part and denies in part Plaintiffs' amended motion to conduct further inspections of Lieber, Perry, and Lee Correctional Institutions.

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A. Lieber

Recent documentary evidence and inmate reports received by Plaintiffs' counsel indicate that inmates at Lieber may have been placed in shower stalls and "rec cages" for purposes of crisis intervention and lockup. This information was unknown to Plaintiffs at the time of their 2008 inspection of Lieber. The Court will allow Plaintiffs to conduct a one-day inspection of Lieber on November 8, 2010 in response to this discovered information.

At the inspection, Plaintiffs' psychiatric and correctional experts may interview inmates and review requested medical records, pursuant to the same procedures set forth in the August 17, 2010 Order setting forth procedures for the August 23-27 inspection. Plaintiffs must

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submit the names of inmates that will be interviewed during the inspection to SCDC prior to the visit. Plaintiffs' experts will also be allowed to inspect and photograph all shower stalls and rec cages used for purposes of crisis intervention or lockup.

Prior to or on the date of the inspection, Plaintiffs will be allowed to depose one (1) knowledgeable SCDC representative, pursuant to SCRCP 30(b)(6), on topics related to areas at Lieber used for crisis intervention and lockup. Plaintiffs' experts will be allowed to inspect and photograph any such areas identified.

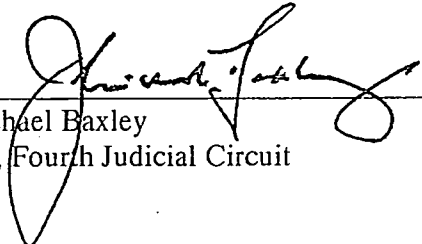
B. Perry

The Court denies Plaintiffs' request that its psychiatric experts be allowed to conduct a second inspection of Perry, based merely on recent staffing changes.

C. Expert Steve Carter

The Court grants Plaintiffs' request that its expert Steve Carter, accompanied by a photographer, be allowed to inspect Lieber, Perry, and Lee during the week of November 8-12, 2010, following the same procedures set forth in Section A, page 1 of the August 17, 2010 Order setting forth the procedures for August 23-27 inspection.

IT IS SO ORDERED.



J. Michael Baxley
Judge, Fourth Judicial Circuit

Hartsville, South Carolina

October 14, 2010.