

DISTRICT COURT, COUNTY OF CROWLEY, STATE OF COLORADO

Court Address: Sixteenth Judicial District Court
Crowley County Courthouse
110 E. 6th Street, Room 303
Ordway, Colorado 81063
Telephone 719-267-4468

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Plaintiff(s): VANCE A. ADAMS, SHANE L. ALLEN, RICHARD A. ALLISON, SEAN ANDREWS, EDWARD ARMIJO, ISAAC BANKS, OSCAR BARRON, KENNETH BATTS, JOHN BOWEN, HAROLD BRANTLEY, NEIL G. BREAMAN, ROY D. BUCK, RONALD BUZZARD, JR., AUGUSTINE S. CABRAL, CLINTON T. CALDWELL, PATRICK CALF ROBE, ISRAEL CHAVEZ, BRANDON LEE CLARY, ROBIN B. COMBS, SR., DAVID COOPER, JOSEPH DECKER, ROBERT DERMATES, DANIEL DIAZ, PHILLIP DIXON, JUSTIN DOUGHERTY, WESLEY FAIR, JOSE FERNANDEZ, THOMAS G. GALLEGOS, ANTHONY GARZA, ROY GIBBENS, OLIVER GILLER, DONALD GILLILAND, JEFF GILLIS, ZELO GOINGS, MWAMBA H. GOMA, DELFINO GONZALES, RICHARD GONZALES, ERWIN P. GREER, JAMES HACKETT, BRUCE HATFIELD, RODNEY J. HARRIS, BILLY HENDRIX, JEFF HOWARD, WARREN N. JOHNSON, BILLY LEE JONES, DOUGLAS JUSTICE, THOMAS KENNEDY, JOSEPH KINGSBURY, MATT KULAS, RONALD LARKINS, UIMAIAMA LUASIVA, JAMES LAWVER, MASON LeVEE, MIKE LOPEZ, JOSEPH LUJAN, KENNETH MACKEY, RICK MAESTAS, CARLOS REY MARTINEZ, TOMMY McCLAIN, PABLO MELENDEZ, DONALD MESTER, BRIAN MILLS, DANIEL DEAN MORRIS, TERRY MOWATT, ANH VU NGUYEN, WILLIAM OSTERFOSS, SOCRATES PACKER, RALPH D. PATRICK, STEPHEN D. PECK, CARROLL POLLARD, PAUL I POLLARD, JR., GEORGE L. RAMEY, WILLIAM J. ROPER, III, TIMOTHY L. SCHAAF, DONALD C. SCHOLOFF, JEREMY SIMMONS, CARLOS SMITH, RICK SMITH, ROBBY RAY SUMMA, PAUL WADE, CHRIS WATKINS, DEON WAYNEWOOD, JERRY M. WEIR, TYRONNE WILLIAMS, CHRISTOPHER J.

Case Number: 2005cv60
Div:

WIMBERLY, and DAVID E. WRIGHT.

Defendant(s): CORRECTIONS CORPORATION OF AMERICA, a Tennessee corporation; BRENT CROUSE, Warden, Crowley County Correctional Facility (CCCF); BILL BRIDGES, Associates Warden, CCCF; MICHAEL MILLER, Associate Warden, CCCF; RICHARD SELMAN, Chief of Security, CCCF; CPT. PALOMINO, CCCF; CAPTAIN GARCIA, CCCF; LT. LUNA, CCCF; S.O.R.T. COMMANDER JOHN JARAMILLO, CCCF; MICHAEL BACA, HCCF; ALAN BLANCO, CCCF; RAYMOND CARROLL, HCCF; THOMAS CRUMP, HCCF; ELY DeJESUS, HCCF; H. GALINDO, KCCC; DONALD GARCIA, CCCF; ROBERT GRIFFITH, CCCF; CHAD KASTELIC, CCCF; STEVE LUNA, CCCF; PAUL PACHECO, HCCF; JOHN PALOMINO, CCCF; EDDIE RUBIO, CCCF; BRAD SCHLOSS, HCCF; ADAM VIGIL, HCCF; LISA VIGIL, HCCF; JEFF CORDOVA, CCCF; TERRY DeVORE; RAYMOND FLORES, CCCF; MANUEL GONZALEZ; EARNEST MONTANEZ, CCCF ; PHILLIP OTERO, CCCF; ROLANDO FERNANDEZ, BCCF; LES HARNESS, BCCF; B. KING, BCCF; R. ORDONEZ, KCCC; SCOTT PRUETT, CCCF; O. J. SHELDEN, BCCF; AND JAMES TAYLOR, HCCF.

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FIRST AMENDED COMPLAINT FOR DAMAGES

COME NOW the above-named Plaintiffs, by and through their attorneys, William A. Trine and Deborah L. Taussig of Trine & Metcalf, P.C., and allege and complain as follows:

PRELIMINARY ALLEGATIONS

1. At all times material hereto, the Defendant, Corrections Corporation of America (hereinafter "CCA"), was and is a Tennessee corporation in the business of owning and operating private prisons, for profit, in the United States, including four private prisons in the State of Colorado. In July, 2004, CCA owned and operated the Crowley County Correctional Facility (hereinafter "CCCF") located in Crowley County, Colorado.

2. In order to increase its profits from housing prisoners, CCA has a national policy and practice of cutting costs by building prisons in remote rural areas to take advantage of cheap non-union labor, then understaffing and providing inadequate training to its guards. It also increases profits by accepting inmates from other states in order to keep its prisons filled. At all times material hereto, CCA's national policies, practices and procedures were utilized in its operation of CCCF.

3. At all times material hereto, the individually named Defendants were employees and/or agents of CCA acting under the direction and control of CCA and acting within the course and scope of their employment and/or agency. All tortious conduct of individual Defendants hereinafter alleged is imputed to CCA as a matter of law.

4. At all times material hereto, and on July 20 and 21, 2004, the Plaintiffs were inmates incarcerated at CCCF, a designated Level III or medium custody security facility with an offender capacity of 1,144 disbursed through six cell houses. Cellhouse 5 construction was incomplete at the time of the riot.

5. Each of the Plaintiffs seek damages for physical and mental injuries sustained as the result of a riot which occurred at CCCF on July 20 and 21, 2004. Plaintiffs' claims are based on State common law torts. Plaintiffs' claims are not based upon prison conditions under any statute or constitutional provision.

6. Plaintiffs' claims are based upon common law negligence, common law assault and battery, the common law tort of outrageous conduct, and civil conspiracy.

7. None of the Plaintiffs were actively involved in the riot, which was the result of Defendants' negligence and the conduct of other inmates.

GENERAL ALLEGATIONS

8. On July 20, 2004, at approximately 7:00 p.m., inmates at CCCF were released to the recreation yards and at approximately 7:05 p.m., a group of inmates in the West Recreation Yard requested to speak to the Warden about complaints and grievances that the inmates had, and the Shift Commander, Captain Garcia, accompanied by other correctional officers (hereinafter "CO's"), denied the request and immediately retreated

from the yard. The Shift Commander then directed that a public address system announcement be made ordering all inmates in the yard to return to their living units. The inmates who had requested to speak to the Warden became hostile and refused to return to their living units. An order was then given for the living units to lock their doors and for the prison staff to prepare to evacuate their posts.

9. CCCF did not have an adequate number of staff on duty and the staff present was not adequately trained to dispel a disturbance. Therefore, no effort was made by Captain Garcia and the CO's to control the disturbance, and, instead, Captain Garcia ordered the staff to prepare for an emergency evacuation.

10. The unruly group of inmates in the West Yard, upon observing the CO's evacuate the yards, began using free weights and exercise equipment to break windows in Housing Units 1 and 2.

11. The Plaintiffs listed below were in the West Yard when the disturbance occurred and they attempted to comply with the public address system announcement to return to their living units, but the CO in the control room did not initially open the entrance to the Housing Units and they were trapped in the West Yard. The rioters broke into Housing Units 1 and 2, the CO's fled and abandoned the Housing Units, and the rioters, knowing that all of the CO's had fled, began engaging in more flagrant, violent misconduct. Fires were started in the Units and at the doors to the Units, the management offices were broken into, rioting inmates rifled through case management records and files looking for information on other inmates considered to be police informants (snitches) and sex offenders, who were then targeted for assault. The Plaintiffs who were trapped in the West Yard include:

a. **Patrick Calf Robe:** He was locked out of Unit 6-A, but stayed near the unit until guards began shooting at those by the entrance. He then ran toward Unit 1, putting up his hands and attempting to lie down, when a guard shot at him. He stayed outside Unit I until handcuffed.

b. **Justin Dougherty:** He was in the weight room when the riot started and was unable to return to his cell on the East Side in Unit 4-C. Guards shot him when he tried to return. He ran to Unit 1 and inmates assaulted him before he found a cell to hide in. He was shot 3 or 4 times with rubber bullets and pellets.

c. **Jose Fernandez:** He observed CO's shooting at anything that moved, so he stood at the end of the Electronics Building until he could eventually turn himself in.

d. **Bruce Hatfield:** While waiting to gain entrance to Unit 6, he was assaulted by inmates, tried to turn himself in, but CO's shot at him.

e. **Thomas Kennedy:** He was locked out of Unit 6-A, hit by rocks being thrown by rioting inmates, and was cornered in an area with excessive smoke. He has asthma and tried to leave the corner, which was filling with smoke, and guards shot at him.

f. **Carlos Martinez:** He was trapped in the West Yard and he was shot in the face when he tried to return to his cell on the East Side.

g. **Ralph D. Patrick:** His cell was in Unit 4-B on the East Side, but he was trapped in the West Yard and guards would not let him through. He stayed in a far corner away from the rioters, but was shot after lying down as ordered by CO's.

h. **Timothy L. Schaaf:** He was returning to Unit 2-B from a White Bison AA meeting, but when he arrived at his unit, rioters were breaking into it, so he went to the opposite end of the yard outside of Unit 6. Then inmates threw rocks at him, so he went to the crossway by the entry to Unit 6 and waited until SORT rounded them up, tear-gassed them several times, and shot at him while he sat on the ground.

i. **Wesley L. Fair:** He was very sick that day and could barely walk due to problems with his legs and feet. He was at Medical attempting to get his medications when the riot began. He was told to go back to his unit, Unit 6, but he could not get in and so he sat the door until he was pelted with rocks and forced to move. Guards then shot him with pellets and gassed him before cuffing him so tight his wrists bled.

j. **Mason LeFee:** When the riot began, he was in the East Yard playing softball. He could not get to his cell in Unit 4 because a guard fired a gun at him, striking him in the leg and puncturing his pants and skin. He went to Unit 1 despite the smoke and gas filling the unit in order to avoid being shot by the guards. Although he went out voluntarily to the Yard to be cuffed, after he was cuffed, one of the guards kicked him in the ribs and pepper-sprayed him.

k. **Terry Mowatt:** He was in front of Unit 6 when the riot began, but was locked out and subjected to smoke, gas and being hit with rocks, which forced him to move to the gate that separated his unit from the rest of the yard. When he walked toward a SORT officer with his hands up, the SORT officer shot him. He was shot with rubber bullets at least ten different times and with a sandbag as he sat by the gate and when he attempted to surrender.

l. **Jeremy Simmons:** He was in the West Yard playing basketball when the riot began, was locked out of his unit, Unit 6, and had to endure smoke, being shot with rubber bullets many times and being tear-gassed while he sat outside Unit 6. He sat outside the unit door until he was hit by rocks and then he moved about 50 feet from the front of the unit door.

m. Donald C. Scholoff: He was lifting weights on the weight deck and went to his unit, Unit 6, but was locked out the entire time. He remained in front until rioters threw rocks at him and then he moved to the inlet. He was subjected to smoke, tear gas, and being shot at by guards.

n. Tyrone Williams: He was lifting weights when the riot began and he pushed the button to be let in so he could get to his cell in Unit 6-A, but he was locked out. He sat in front with the other inmates until he was hit in the shoulder and chest with rocks thrown by rioters and was forced to move to the unit gate. When SORT came in, they moved him toward Unit 6 and then gassed him, making his eyes sting and making breathing difficult. He was then cuffed.

o. David E. Wright: He was trapped in the West Yard when the riot started and prison personnel shut the gate preventing him from getting back to his cell. He was shot several times in his back and arms with pellets and sprayed with teargas as he attempted to get to his cell. He has asthma and he suffered an asthma attack from the smoke and gas.

12. The Plaintiffs listed below were able to escape the West Yard and return to their Units, but smoke created by fires began filling the Units and filling the cells through the ventilation system and under the cell doors. The rioters broke water pipes, sinks and toilets, along with damage to water lines and sprinkler systems, causing cells to flood and those who had locked down in their cells had both water and smoke flowing into their cells under the cell doors. The Plaintiffs who were able to escape the West Yard and return to their units include:

a. Kenneth Batts: He was returning from work, but was locked out of Unit 2-A until rioters broke into the unit. He then went to his cell and locked down.

b. Brandon Lee Clary: He was trapped in the West Yard and locked out of his unit for 30 minutes. He was then able to get in and went to his cell and locked down.

c. Donald Gilliland: He was coming from the East Yard to return to his cell in Unit 2-B, but was locked out and then shot in the eye with a pellet as he entered the unit to return to his cell. He tried to leave the unit because of the heavy smoke and gas, but saw another inmate shot as that inmate left the unit, so he stayed in the heavy smoke and gas.

d. Erwin Greer: He was in the West Yard when the riot started, but was locked out of Unit 1-B until the rioters broke in. He then went to his cell and remained there in heavy smoke and gas with a towel on his face to breathe. He was later shot with pepper spray in the face while being handcuffed.

e. **Matt Kulas:** He was in the West Yard when the riot began and was able to return to his cell. Because of heavy smoke and gas, he put a towel over his face and then tried to leave, but saw an inmate being stabbed and thrown off of a tier, so he hid.

f. **Rick Maestas:** He was able to return to his cell in Unit 1-A from the West Yard, and then he saw a cell door burning and another inmate being stabbed and thrown from a tier, so he remained in his cell.

g. **Pablo Melendez:** A CO recognized him and let him into Unit 2, which was filled with smoke and gas, but he was afraid to go outside because of the riot.

h. **Carlos Smith:** He was locked out of Unit 2 until rioters broke in. He then was able to return to his cell, which filled with smoke and gas.

i. **Robby Ray Summa:** He returned to his cell in Unit 1-B until it flooded and filled with smoke and because of his severe asthma, he left, but saw other inmates being beaten, so he returned to his cell.

j. **Augustine S. Cabral:** He was in the West Yard when the riot began and he tried to get back to his cell, but security would not let him back into his living unit. Other inmates from Unit 2 broke the locks to his living unit and he went to his cell where he remained during the riot despite needing a wet towel over his face to breathe because of the smoke.

13. Plaintiffs listed below were trapped in the West Yard units, which were flooding with water contaminated by feces, blood and broken glass. These Plaintiffs were in fear for their lives, knowing that the guards had fled leaving them to the mercy of the rioters, and knowing that fires were filling their cells with toxic smoke, and that their lives were in danger from fire, smoke inhalation and rioting inmates. Many of these Plaintiffs wrapped their faces with wet towels, attempting to protect themselves from toxic smoke inhalation. Many of these Plaintiffs also stuffed clothing or towels in the crack under their cell doors to reduce smoke inhalation. The Plaintiffs trapped in the West Yard units during the riot include:

a. **Shane Allen:** He was in Unit 1-B, which was filling with smoke and gas and was assaulted by other inmates, but trapped by a large fire at the front door and could not escape.

b. **Richard A. Allison:** He was in Unit 1-B, which was filling with smoke and gas, but he could not vacate his cell due to a neck injury he had sustained that morning.

c. **Oscar Barron:** He remained in Unit 1-B even though it was filling with smoke and gas.

d. Israel Chavez: He was changing clothes in Unit 2-A following a shower and tried to escape being assaulted by inmates who chased him with bars and chains. As he left the unit, he was shot in the leg with rubber bullets, returned and hid in a cell.

e. Oliver Giller: He remained in his cell in Unit 1-C during the riot. A few doors down, a cell was on fire causing heavy smoke and he placed a towel around his head to reduce the smoke inhalation.

f. Jeff Gillis: He remained in his cell in Unit 1-C during the riot. He suffered heavy smoke and gas inhalation, but he could not leave because rioting inmates had shanks and outside the guards were shooting.

g. Mwamba H. Goma: He is 55 years old and he remained in his cell in Unit 2-A despite heavy smoke and gas.

h. Richard Gonzales: He is 57 years old and 100% disabled, so he remained in his cell despite heavy smoke and gas.

i. Ronald Larkins: He remained in his cell in Unit 1-C despite heavy smoke and gas.

j. James Lawver: He was in Unit 2-A when the riot began and was assaulted by inmates. He tried to leave the unit, but the guards were shooting, so he went back to his cell despite heavy smoke and gas and an asthma condition.

k. Ahn Vu Nguyen: He remained in his cell in Unit 2-B despite inhalation of smoke and gas for about 7 hours.

l. William Osterfoss: Rioters broke into his cell in Unit 1-B, assaulted and robbed him, and he escaped to the yard with a head wound.

m. Paul Wade: He is 46 years old and remained in his cell in Unit 1-C despite heavy smoke and gas.

n. Chris Watkins: He remained in his cell in Unit 1 despite heavy smoke and gas.

o. Isaac Banks: He remained in his cell in Unit 1-B during the riot despite the smoke, flooding and inmate violence, including cells being burned and inmates being stabbed and beaten, because if he tried to go outside, he was at risk of being shot.

p. Warren Johnson: He was in his cell during the riot because he was suffering from a severe back injury inflicted prior to the riot. Despite the unit

filling with smoke and gas, forcing him to cover his head with a wet blanket in order to breathe and causing him to become violently ill and vomit, he stayed in his cell because he heard that inmates who fled the building were being shot.

q. Uimaiama Lausiva: He was in his cell in Unit 2-B during the riot and suffered from smoke inhalation for four to six hours and gas inhalation for three to five hours causing his eyes and throat to burn and making breathing difficult.

r. Daniel D. Morris, II: He was in his cell in Unit 2-B during the riot. He suffered from smoke and gas inhalation because the case manager's office, the unit manager's office, and the fire control room were on fire. Tear gas was then put into the ventilation system for about two hours, burning his face and making it hard to breathe.

14. The Plaintiffs listed below were trapped in the East Yard units, which were also flooding with water contaminated by feces, blood and broken glass. These Plaintiffs were also in fear for their lives, knowing that the guards had fled leaving them to the mercy of the rioters, and knowing that fires were filling their cells with toxic smoke, and that their lives were in danger from fire, smoke inhalation and rioting inmates. Plaintiffs ultimately trapped in the East Yard units include:

a. Vance Adams: He was in Unit 3-C in his cell when the riot started, and moved back and forth between the dayroom and his cell during the riot, attempting to escape heavy smoke.

b. Edward Armijo: He remained in his cell in Unit 3-A despite heavy smoke and gas.

c. John Bowen: He remained in his cell in Unit 3-A despite heavy smoke and gas.

d. Daniel Diaz: He was in the East Yard when the riot started and ran to his cell in Unit 3-C and stayed there despite heavy smoke and gas, with a towel around his face in order to breathe.

e. Thomas Gallegos: He returned to his cell in Unit 3-A after dinner and stayed there during the riot despite heavy smoke and gas.

f. Roy Gibbens: He was in the East Yard when the riot started and returned to his cell as ordered and then suffered from heavy smoke and gas. Inmates were being assaulted near his cell, so he sat in the dark in fear.

g. Billy Hendrix: He was in Unit 3-C when the riot started, then the unit was on fire, but he was afraid to leave because guards were shooting at people in the yard.

h. Joseph Kingsbury: He was in the Yard when the riot started, but the unit door was locked. He waited outside until the unit door was finally opened and then went to his cell in Unit 3-B despite smoke and gas.

i. Mike Lopez: he was in Unit 3-A when the riot started. When rioters broke in and began destroying things and beating people, he remained in his cell despite smoke, gas and flooding.

j. Tommy McClain: He is 49 years old and was in his cell in Unit 4-A when the riot started. He was forced out of his cell by smoke and into the Yard where he was handcuffed at gunpoint.

k. Donald Mester: He is 56 years old and remained in his cell in Unit 3-A during the riot for 4-5 hours, covering his face with wet towels in order to breathe.

l. Brian Mills: He remained in his cell in Unit 3-B during the riot despite smoke and gas.

m. William Roper, III: He remained in his cell in Unit 3-B during the riot despite smoke and gas.

n. Deon Waynewood: He was trapped in his cell in Unit 3 for 15-20 minutes, but couldn't breathe because of asthma and heavy smoke. Inmates were in the control tower breaking glass, which fell on him. He and other inmates were slipping and falling in the water, trying to escape the smoke. To escape, he had to jump through fire to get out of the unit and his coat caught on fire. When he got up, CO's were pointing guns at him and he began running with his hands up, but they continued shooting. He sat down on the field and while sitting, CO's shot teargas at him.

o. Christopher Wimberly: He remained in his cell in unit 3-B during the riot despite smoke inhalation for 3-4 hours.

p. Zelo Goings: He was in his cell in Unit 3-A when the riot started and stayed there the entire time, despite smoke and gas inhalation.

q. Joseph Lujan: He was in the hobby shop working when the riot began and he remained there until the hobby shop supervisor kicked him out into the chaos in the East Yard, at which time he attempted to go to his cell in Unit 3, but he was locked out and didn't get to his cell until the rioters broke into the unit. He remained in his cell despite being forced to breathe gas that caused him to vomit and choke.

15. The Plaintiffs listed below were trapped in the West Yard when the riot commenced, but escaped or were forced into the East Yard. These Plaintiffs include:

a. **Roy Buck:** He was in the West Yard when the riot started and attempted to follow orders to return to Unit 2-B, but was locked out, so he went to the East Yard to Unit 4 until the rioters forced him out of that unit. He then laid on the ground as ordered, but was shot in the knee with pellets.

b. **David Cooper:** He also was locked out of Unit 2-B and accompanied Roy Buck to the East Yard and Unit 4 until the rioters forced him out. He laid on the ground as ordered.

c. **Joseph Decker:** He was also in the West Yard and locked out of Unit 2-B, and accompanied Roy Buck and David Cooper to the East Yard and Unit 4, until forced out by rioters.

d. **James Hackett:** He was in the West Yard and could not return to Unit 2-A, so he sat in front of the canteen until ordered to go to the east side to Unit 4. When the riot reached Unit 4, he went to the softball field until he was eventually cuffed.

e. **Rick Smith:** He was initially locked in segregation in Unit 2 when the riot began, but escaped the burning building when his cell was opened and walked toward the bleachers in the West Yard with his hands in the air, was shot with pellets in the process, and the CO's then permitted him to enter the East Yard where he stood in front of Unit 3 until the riot was under control and he was cuffed.

f. **Delfino Gonzales:** He was in the hobby shop when the riot began and the shop supervisor initially would not let him leave to go to his cell. When the riot moved to the hobby shop, the supervisor decided to escape and instead of taking him with her to the East Yard, she sent this 56-year-old man with a pre-existing back problem out into the riot with guards shooting toward the hobby shop. He made his way to Yard Control where the CO's eventually opened the gates and let him through to the East Yard. He got to his cell in Unit 4 despite being locked out initially and stayed in his cell in the burning building, wrapping wet towels around his face in order to breathe. The SORT team never moved him from his smoke-filled cell.

16. The Plaintiffs listed below were initially trapped in their cells when the riot started, but other inmates opened their cell doors so that they could escape the fires and smoke. But in looking out the windows into the Yard, they observed inmates trapped in the West Yard being shot at by CO's using live ammunition, buckshot, birdseed, and rubber pellets. These Plaintiffs had the choice of remaining in burning buildings, suffering smoke inhalation or possible assault by rioters, or leaving the building and being shot. Most of them therefore stayed in the housing units. These Plaintiffs include:

a. **Sean Andrews:** He was in segregation in Unit 2-D, but was freed by rioting inmates and driven outside by smoke, where he was shot at when he entered the Yard and was forced back into Unit 2-D where he remained in his cell with smoke and gas inhalation.

b. **Harold Brantley:** He was in his cell in Unit 4-C, but slid his key under the door so other inmates could release him because he could not breathe. He escaped to the East Yard where he remained until the rioters were under control and he was cuffed.

c. **Clinton Caldwell:** He was in segregation in unit 2-D when the riot started and he stayed in segregation until smoke drove him out to the Yard where he was fired upon by CO Chavez who forced him back into Unit 2, where he returned to his cell with Plaintiff Sean Andrews.

d. **Jeff Howard:** He was in segregation in Unit 2-D when the riot started. He tried to escape the burning building, but when he entered the yard, was shot in the side with rubber bullets and in the legs with pellets and forced back to his cell, despite the smoke and gas.

e. **Billy Lee Jones:** He was in segregation in Unit 2-D and left the burning building because of fire and heavy smoke, but was shot twice with pellets while remaining in the Yard waiting for the riot to cease.

f. **Socrates Packer:** He was in segregation in Unit 2-C until inmates broke in and released him. When a riot squad finally entered the building, he was hit with teargas and fell to the floor with his hands up, but the squad ran past him and kept going exiting the building. He hid in his cell in Unit 2-A until the riot ended and he was cuffed.

g. **Stephen Peck:** He was returning from the medical line when the riot started and was initially locked out of his building. Then he was able to enter the building and was locked in his cell. When his cell filled with heavy smoke and other inmates opened his cell door, the fire blocked his exit from the building, so he remained in his cell in heavy smoke despite his impaired lung capacity from having one-half of his left lung previously removed.

h. **Paul I. Pollard, Jr.:** He complied with orders to lockdown in his cell in Unit 4-B and remained there until inmates broke him out so he could escape the smoke. However, a large fire at the front entrance had him trapped inside the burning building. He returned to his cell and put a wet towel over his mouth and nose to breathe. When the SORT team came in, they locked him in his cell again.

17. The Plaintiffs listed below were trapped in a locked cell or in the locked library and unable to escape:

a. **Neil G. Breman:** He was locked in his cell in Unit 3-A for 6 hours during the riot and could not escape the smoke and gas.

b. **Ronald Buzzard, Jr.:** He was locked in the law library during the riot and could not escape.

c. **Robert Dermates:** He was locked in his cell in Unit 2 for 4-6 hours in heavy smoke and gas and could not escape.

d. **Phillip Dixon:** He was locked in his cell in Unit 1-A in heavy smoke and gas and could not escape.

e. **Rodney J. Harris:** He was trapped in the locked library.

f. **Kenneth Mackey:** he was locked in his cell in Unit 1-B in a burning building and could not escape the heavy smoke and gas.

g. **George Ramey:** He was locked in segregation in Unit 2-D and told rioters not to open his door. He later begged SORT to let him out of his cell because he couldn't breathe, but they left him. He used a wet towel to breathe and was in a flooding, smoke-filled cell for hours.

h. **Jerry Weir:** He was trapped in the locked library.

i. **Robin B. Combs, Sr.:** He was returning to Unit 2-B from work in the cabinet shop, when he stopped at the medication line and the guards locked him in the Health Care Department before they abandoned the building. He remained locked in the building until he was ordered out via intercom and was handcuffed.

j. **Douglas Justice:** He was returning from work for Habitat for Humanity in the woodshop when the riot started and went to his cell in Unit 2 and locked down. He was exposed to heavy smoke and gas and could not escape. He suffers from asthma.

18. The below-listed Plaintiffs were shot when attempting to leave their burning units:

a. **Roy Buck:** He was shot in the knee with pellets after fleeing his burning unit.

b. **Israel Chavez:** He was shot in the leg with rubber bullets when trying to escape being assaulted by inmates in Unit 2.

c. **Anthony Garza:** He was in Unit 1-C when the riot started and due to excessive smoke and flooding water he attempted to turn himself in with arms up and was shot in the chest and back with rubber bullets and buckshot. He found a safe place in the Yard to wait until he was cuffed.

d. **Jeff Howard:** He was shot in the side with rubber bullets and in the legs with pellets while trying to flee the fire in Unit 2.

e. **Billy Lee Jones:** He was shot twice with pellets when trying to escape the fire and smoke in Unit 2.

f. **Rick Smith:** He was shot four times with pellets after exiting the burning building in Unit 2.

19. Upon fleeing the recreation yards and Housing Units, the prison CO's requested assistance from the CCCF Special Operations Response Teams ("SORT"), and from the Colorado Department of Corrections ("DOC"), SORT and Emergency Response Teams ("ERT"), from the Colorado State Patrol, the Crowley County, Otero County and Pueblo Sheriff's Offices, and SORT team members from the Kit Carson and Bent County private prisons, which are also operated by CCA.

20. The rioting continued unabated and spread to the East Recreation Yard and other Units. By 9:00 p.m., seven CCCF SORT members arrived and Unit 6, A Pod, was locked down and CCCF Chief Selman gave the order to fire rubber bullets and birdshot at inmates.

21. In the next few hours, as CCCF SORT teams and SORT teams borrowed from other facilities took control of the prison, Plaintiffs who had been trapped in the Recreation Yard and who did not participate in the riot were ordered to lie facedown on the ground, were ordered not to speak or move under threat of being shot, and their arms were pulled to their backs where they were handcuffed at the wrists by plastic ratcheted tie cuffs that were pulled so tight that the cuffs cut into the skin and caused inmates' hands to become numb. The inmates were then further punished by SORT team members, many dressed in black with black masks and no nametags, who pulled inmates by the arms and cuffs to their feet. If an inmate complained of pain from the tight cuffs, the cuffs, which had ratchets, would be used to pull the inmate to his feet, causing further cuff tightening.

22. After being cuffed, the inmates were walked to sections of the Yard being used to round up inmates where they were thrown to the ground and ordered not to move under threat of being shot.

23. Before SORT teams removed inmates from their cells in buildings filled with smoke, they shot teargas and sometimes pepper spray into the building and pods. As

pepper spray and teargas entered the exhaust system of Units, inmates trapped in their cells suffered from both smoke inhalation and the teargas and pepper spray.

24. When SORT teams entered cells on the floors that were flooded, inmates, including the Plaintiffs who were in those cells, were ordered to lie facedown in the water containing feces, blood, and broken glass, under threat or being shot if they refused to do so. The inmates, including Plaintiffs, were then dragged from their cells by their ankles through the contaminated water and glass. When removed from the cell, a SORT team member would place a knee on the inmate's neck while other SORT team members violently pulled the inmate's arms behind his back and placed ratcheted plastic tie cuffs on the inmate's wrists. The inmate was then walked by lifting the arms in the air behind the inmate's back, causing great pain to the wrists and shoulders, and was deposited outside the building where other inmates from inside the building were being placed.

25. All of the Plaintiffs, as well as other inmates, were handcuffed and treated as above-described and placed in the Yard where they remained throughout the night and morning of the following day, July 21, 2004.

26. Those inmates who were dragged from their cells by their ankles through water were forced to lie facedown on the ground, in the dirt, which became mud.

27. Throughout the night and early morning, the Plaintiffs and other inmates complained to CO's of wrist and shoulder pain, numbness of hands, and bleeding or swollen wrists and hands, asking that the handcuffs be loosened and all such requests were denied, often with the statement that, "this is what you deserve for rioting."

28. All of the inmates, including the Plaintiffs, began requesting water as they became thirsty and as the sun came up and it became hot the following day, and all such requests were denied until late morning, July 21, 2004. SORT team members drank water in front of the thirsty inmates, laughing.

29. As it became necessary for each of the Plaintiffs to urinate or defecate, requests to stand up to go urinate or use a restroom were denied and most of the Plaintiffs were forced to urinate in their clothing while cramped close together in the yard and some had to defecate in their pants. When asked to use the restroom, SORT team members or CO's told them to "pee in your pants," indicating this was further punishment for the riot.

30. During the morning of July 21, 2004, the handcuffs were removed from the back of many Plaintiffs and new cuffs placed on their wrists in front so that they could eat bologna sandwiches provided during the day.

31. By the late afternoon of July 21, 2004, the Plaintiffs were placed in cells in other pods that had not been damaged by the riot, but which were already occupied by inmates. Some were placed in cells in a building still under construction, which had no mattresses or bedding, and some were returned to cells still containing smoke and the

remnants of gas or pepper spray, but with no mattresses or bedding. All mattresses and bedding were removed from Plaintiffs' cells before they returned.

32. As further punishment, Plaintiffs were not provided clean clothing or a change in clothing and were not allowed to take showers. All of the Plaintiffs and other inmates were placed in "lockdown" and could not leave their cells. Box lunch bologna sandwiches were kicked into their cells daily and their diet consisted of bologna sandwiches for the first month following the riot.

33. After the first three days, CO's began taking Plaintiffs and other inmates to showers where all shower curtains had been removed and they were forced to strip down, often in front of female CO's, and were paraded naked into the showers. This activity was often videotaped. Some Plaintiffs did not receive a shower until the fourth or fifth day following the riot, and some had to wait seven or ten days. With all personal property removed from cells, none of the Plaintiffs had clothing they could change into and remove their filthy clothing containing urine.

34. All of the Plaintiffs, together with other inmates, were in lockdown for at least thirty days after the riot with no hot meals, no special dietary food for those with medical conditions which required special diets, with no access to telephones, no visitors permitted, and no access to the legal system.

FIRST CLAIM FOR RELIEF
(Common Law Negligence in Causing Riot)

35. CCA, through its officers, agents and employees, was negligent, which negligence was a substantial cause of the riot which occurred on July 20, 2004, and which negligence consisted, *inter alia*, in the following:

a. Inequality of Treatment

(1) During the days prior to the riot, 198 inmates from the State of Washington were moved to CCCF. They, along with 116 inmates from Wyoming and 807 Colorado inmates, brought the facility's total population to 1,130. CCA knew or reasonably should have known that accepting large numbers of inmates from Washington would result in resentment and anger over the inequities arising from disparate treatment that each group of inmates received.

(2) CCA knew before receiving inmates from Washington and Wyoming that the amount of inmate wages paid by each state per month for similar inmate work assignments is different, ranging from \$60 paid to Washington and Wyoming inmates while Colorado pays \$18.60 per month.

(3) CCA knew that, in separating Washington inmates from their families in Washington who could no longer visit, that the lack of visitation and connection with family would result in severe distress, depression and anxiety among many Washington inmates, and would result in unrest that could lead to or contribute to a disturbance.

(4) CCA did not provide inmates with supplies and items necessary for hygiene, and CCA was aware of inmate complaints of not earning enough money to purchase needed items from the canteen.

b. Food Service.

(1) Inmates' complaints about food quality and quantity were ignored by CCA, as were inmate complaints of treatment disparity between Colorado inmates and Washington inmates regarding food portions.

(2) Inmate complaints of improper preparation of medical and religious diets by the food service staff were ignored by CCA.

c. Misuse of Force.

(1) CCA staff improperly used excessive force on inmates prior to the riot, which angered many inmates who became aware of the use of excessive force.

(2) CCA negligently trained and monitored its employees, which resulted in employees' use of excessive and improper force.

d. Failure to Address Inmate Grievances and Issues.

(1) On July 20, 2004, some inmates in the West Recreation Yard requested to speak to the warden about their grievances and complaints, which request was denied by CCA's shift commander.

e. CCA Ignored Prior Warnings of Potential Riot.

(1) CCA was warned by members of its staff and by some inmates that inmates were unhappy and could riot if the issues and grievances were not addressed. CCA negligently ignored these warnings and took no remedial action.

f. Knowledge of Prior Riot.

(1) CCA knew or reasonably should have known of a prior riot at CCCF in 1999, resulting from a massive move of Washington inmates

from Washington to CCCF, yet CCA negligently permitted another mass removal of Washington prisoners to CCCF in early July 2004, which again resulted in a riot created by the conditions heretofore set forth.

36. Although Plaintiffs did not participate in the riot, CCA's negligence, which was a cause of the riot, resulted in Plaintiffs being physically and mentally abused as set forth in Paragraphs 21 through 34 of this Complaint. As a result, each of the Plaintiffs was injured and damaged in the following particulars:

- a. Injury to wrists from tight plastic cuffs, swollen and numb hands, and painful shoulders;
- b. Smoke and toxic substance inhalation;
- c. Skin, eye and nostril irritation from teargas and/or pepper spray;
- d. Extreme mental anguish, fear of serious bodily injury or death, humiliation and embarrassment, stress and post-traumatic stress disorders;
- e. Physical pain, discomfort and depression;
- f. The below-listed Plaintiffs suffered aggravation to pre-existing health conditions:

(1) **Richard A. Allison:** He was in extreme pain and stayed in his cell during the riot because he slipped the morning of the riot and injured his neck on a slab of concrete outside the shower. CCCF planned to take him to the hospital the next day. A SORT officer slammed him to the ground face-first in a foot of water despite being informed of his neck injury and put pressure with his foot at the base of Allison's neck and then dragged him through water to the yard. He suffered possible spinal damage. He was denied medical treatment.

(2) **Edward Armijo:** He is a 46-year-old man with pre-existing degenerative spine disease, pinched sciatic nerve, and herniated disc at L4/L5. He uses a cane. SORT knelt on his back while cuffing him too tight, then they dragged him from his cell by his ankles. He was then dropped on his face in the yard and when he tried to roll off of his injured face, he was kicked. He was then forced to walk without a cane.

(3) **Neil Breaman:** He is a 47-year-old man with a previous dislocated shoulder injury, which was aggravated by being cuffed in the back and SORT putting pressure on his shoulders, causing partial separation of his shoulders.

(4) **Jeff Gillis:** He had a previous shoulder injury, which was re-injured by SORT's use of force in cuffing.

(5) **Richard Gonzales:** He is a 57-year-old Vietnam veteran, 100% disabled with severe arthritis and has had five back surgeries and uses a cane. His left shoulder was injured by forceful cuffing and now painfully pops out when he uses it. He is a diabetic, but was denied medications.

(6) **Thomas Kennedy:** He has pre-existing deteriorating discs at C5, 6 and 7. A SORT officer slammed his knee into Kennedy's neck and back when he was lying on the ground as ordered. He now has difficulty rotating his neck and trouble sleeping due to the pain. He has severe asthma, which was aggravated by excessive smoke and being gassed after being cuffed. He had difficulty breathing for at least two months after the riot, with choking and wheezing.

(7) **Joseph Kingsbury:** His chronic back problems were aggravated by cuffing and being dragged face-first by his ankles. He had aggravated back problems for approximately three months.

(8) **Brian Mills:** When SORT jerked him by his feet when dragging him from his cell, his Ankylosing Spondylites, a chronic back condition, was aggravated causing nerve damage and resulting in the lost of some feeling in his left leg.

(9) **Ralph Patrick:** He is a former Marine who has osteoarthritic changes in the lower cervical spine associated with abnormal curvature of the cervical spine. This condition was aggravated by the force used in cuffing him. He has asthma and the exposure to smoke and gas caused a severe asthma attack. He was then given the wrong medication and had a seizure. During his seizure, he was kicked in the head by Lt. Luna and in the stomach by Lt. Munzo and was eventually taken to the hospital.

(10) **William Roper, II:** He had a previous elbow injury, which was aggravated by forceful cuffing and which remains painful. Pre-existing stomach problems were aggravated, requiring medication.

(11) **Jerry Weir:** Pre-existing back problems were aggravated by being cuffed seven hours behind the back, and being forced to lie facedown in the mud for 2.5 hours. He sustained neurological damage to his neck, shoulder and back, which was confirmed with an MRI. He wakes up in pain every night.

(12) **Robert Dermates:** He is 60% disabled with degenerative disc disease and a herniated disc at L5/S1. His condition was aggravated by force used in cuffing and time spent in cuffs.

(13) **Jose Fernandez:** He had a previously dislocated shoulder and his request to loosen the cuffs, which were causing severe shoulder pain and numb hands, was denied.

(14) **Donald Gilliland:** He has pre-existing arthritis in shoulders and knees and was cuffed behind his back for 11.5 hours and in the front for 5.5 hours, aggravating this condition.

(15) **James Hackett:** Has Muscular Dystrophy and his muscles lock up in pain when forced to be in one position. His requests to have his hands cuffed in front due to Muscular Dystrophy were denied and he was cuffed for seven hours behind his back and three hours in front.

(16) **Donald Mester:** He is 56-years-old with pre-existing arthritis. SORT threw him to the ground and kned him while applying cuffs and then dragged him from his cell. The left side of his chest and shoulder were black and blue and he had a lump on his cheek and forehead from hitting the ground. Cuffing caused extreme pain in his arthritic shoulders and wrists.

(17) **Stephen Peck:** Half of his left lung had been removed due to an accident. He was trapped in his cell and suffered severe smoke inhalation and had great trouble breathing.

(18) **David Cooper:** He had pre-existing asthma aggravated by gas and smoke inhalation and difficulty breathing for days following the riot.

(19) **James Lawver:** His pre-existing asthma was aggravated by smoke inhalation he endured for six hours and gas fume inhalation for two to three hours. He suffered an asthma attack, but was denied medical treatment and requests for his asthma inhaler and thought he would die.

(20) **Bobby Ray Summa:** He has pre-existing asthma, which was aggravated by smoke and gas inhalation while he was in his cell. He was allowed to get his inhaler when SORT dragged him out of his cell, but he couldn't use it because he was cuffed behind his back. He was not permitted to use his inhaler for 8 hours, until he was cuffed in front.

(21) **Deon Waynewood:** He has pre-existing asthma and smoke inhalation while in his cell drove him outside so he could breathe. While he was sitting in the field, he was shot with teargas.

(22) **Robin B. Combs, Sr.:** He is a 41-year-old man with degenerative disc disease between L4 and L5, chronic neck, shoulder, hip pain bilaterally, inguinal hernia and high blood pressure. He takes anti-inflammatory medication for chronic, persistent pain in shoulder, upper back and hip. Before being cuffed, he informed SORT he had muscle problems. Nevertheless, SORT yanked his arms behind his back, cuffed him so tight that the cuffs cut into his wrists, covering his wrists and hands in blood. His arms were yanked up, forcing him to bend forward at the waist as he was virtually dragged and then thrown to the ground. His shoulders were injured.

(23) **Wesley L. Fair:** He is a 47-year-old man with severe hypertension, diabetes, shoulder surgery, arthritis, and a disability that affects his legs and feet, which required multiple surgeries. When cuffed, he asked the guard not to twist his arm because he was still in pain from shoulder surgery and was told, "You should have thought of that before you started rioting." He was dragged 5 feet then forced to crawl because he couldn't walk, and then pushed to the ground. His shoulder hurt for months afterwards.

(24) **Carroll Pollard:** He is a 60-year-old man with a previously broken back that was re-injured from being cuffed too tight. He also has bad knees that have been broken and need replacement.

(25) **Donald C. Scholoff:** He has severe back and ankle problems. His back now chronically hurts from being cuffed too tight, kneed in the back and kicked.

(26) **Warren Johnson:** He informed the SORT team that he was under the care of Dr. Sutton for a severe back injury, later diagnosed as two herniated discs, and that he had adhesive capsulitis or "frozen shoulders." One SORT member put a knee in the back of Mr. Johnson's neck, pinning his face under water, and wrenched Mr. Johnson's arms behind his back, cuffing him so tightly he cried out. He was dragged by the ankles from his cell and thrown down in the dirt. His injuries were further aggravated by being forced to sleep without a mattress on a metal bunk for 48 hours and by being denied his back medications.

(27) **Douglas Justice:** He is 47 years of age and had a pre-existing shoulder injury that was aggravated when he was cuffed too tightly, dragged by the cuffs from his cell, thrown in the dirt and forced to sit cuffed in extreme pain. His left front deltoid is injured, causing a loss of range of motion and persistent pain. He also suffers from asthma and being exposed to smoke and gas while locked down in his cell aggravated

his condition. When he requested water, he was told to shut up or he would be gassed again.

(28) **Tyronne Williams:** He has a bad knee and shoulder from high school wrestling. SORT made him crawl on his hands and knees on the concrete through rocks and broken glass, which aggravated his knee. He told SORT he had a bad shoulder, but they cuffed him behind his back and tightened the cuffs excessively, which caused his shoulder to swell and reinjured it.

(29) **David E. Wright:** He has asthma and he suffered an asthma attack due to the continuous smoke and gas exposure, including being gassed while being cuffed. The guards refused to get him medical treatment or to give him his asthma medication.

(30) **Paul I. Pollard, Jr.:** He is a 47-year-old diabetic who is blind in one eye and who had pre-existing limited mobility in his arms and neck due to a damaged rotator cuff and due to burn scars from being severely burned over 75% of his body. As a result of cuffing, his shoulder rotator cuff was further damaged. He was denied medical treatment and a proper diet for his diabetes, resulting in fluctuating blood sugar levels and swollen feet, legs and hands.

g. Plaintiffs Justin Dougherty, Carlos Martinez, Ralph Patrick, Israel Chavez, Roy Buck, Rick Smith, Jeff Howard, Billy Lee Jones, Anthony Garza, Wesley L. Fair, Terry Mowatt, Carroll Pollard, Jeremy Simmons, Donald Gilliland, and David E. Wright suffered injuries from being shot with buckshot, rubber pellets or live ammunition;

h. Inmates who were shot were then subjected to painful treatment for their injuries and removal of buckshot;

i. Most of the Plaintiffs' personal property was destroyed or vanished in the riot.

SECOND CLAIM FOR RELIEF
(Common Law Negligence in Not Controlling Disturbance)

37. CCA, through its officers, agents and employees, and the above-captioned individual Defendants, were negligent in failing to control and curtail the disturbance before it became a riot, which negligence consisted, *inter alia*, of the following:

a. CCA negligently failed to develop and implement a proper plan specifying the procedures to be followed when a disturbance occurs which could threaten facility security.

b. CCA failed to properly train its CO employees and security personnel on the control of an inmate disturbance before the disturbance becomes a riot, and failed to properly train its employees and personnel on the procedures to be used to control a riot without the use of excessive force.

c. It was CCA's practice to hire inexperienced staff and pay low wages, which resulted in high employee turnover. As a result, CCA did not have an adequate number of trained CO's, ERT's, and SORT's on duty or available to dispel the disturbance before it degenerated into a riot.

d. The individual Defendant-employees of CCA negligently failed to respond to the disturbance as quickly and effectively as possible to prevent the disturbance from developing into a riot.

e. CCA negligently failed to guard and monitor the weight exercise equipment and secure the equipment so that it could not be used for destructive purposes in a riot.

f. CCA violated its contract with the Colorado Department of Corrections ("CDOC") in failing to develop an emergency plan consistent with CDOC Administrative Regulation 300-30RD, which violation constitutes negligence *per se*.

g. The negligence of CCA's officers, agents and employees as heretofore set forth is imputed to CCA as a matter of law.

THIRD CLAIM FOR RELIEF
(Assault and Battery)

38. The conduct of CCA's agents and employees as described in Paragraphs 21 through 27 of this Complaint constitutes an assault and battery on Plaintiffs.

39. In assaulting and battering the Plaintiffs, CCA's agents and employees used more force than a reasonable person would have used under the same or similar circumstances to protect CCA's property or to protect themselves from harm.

40. The physical force described in Paragraphs 21 through 27 of this Complaint, which constitutes an assault and battery on the Plaintiffs, was used as punishment in violation of the American Correctional Association Standard 4-ALDF-2B-01 (Ref. 3-ALDF-3A-30 and 3A-31).

41. At all times material hereto, the agents and employees of CCA who assaulted and battered the Plaintiffs were acting under the direct supervision and control of CCA and within the scope of their employment and their conduct is imputed to CCA as a matter of law.

42. As a result of the assault and batteries above-described, each of the Plaintiffs was injured and damaged as described in Paragraph 36 of this Complaint.

FOURTH CLAIM FOR RELIEF
(Outrageous Conduct)

43. The conduct of CCA's agents and employees as described in Paragraphs 21 through 34 of this Complaint constitutes the tort of extreme and outrageous conduct, which caused each of the Plaintiffs to suffer severe emotional distress.

44. The outrageous conduct of CCA's agents and employees is imputed to CCA as a matter of law.

45. As a result of the outrageous conduct, each of the Plaintiffs was also injured and damaged as described in Paragraph 36 of this Complaint.

46. The outrageous conduct and the assault and batteries by CCA's agents and employees constitute willful and wanton conduct giving rise to punitive damages.

FIFTH CLAIM FOR RELIEF
(Civil Conspiracy)

47. The individual Defendants and other agents and employees of CCA, together with unnamed members of CDOC's SORT and ERT teams, agreed, by words or conduct, to punish the Plaintiffs by use of excessive and unlawful force.

48. The excessive and unlawful force is described in Paragraphs 21 through 29 of this Complaint.

49. The excessive and unlawful force was utilized for the unlawful purpose of punishing the Plaintiffs who did not participate in the riot.

50. The conduct described in Paragraphs 21 through 34 of this Complaint constitutes a civil conspiracy and the conduct of all persons who participated in the conspiracy is imputed one to the other, giving rise to joint liability.

WHEREFORE, each of the Plaintiffs prays that judgment be entered against the Defendants, jointly and severally, for compensatory damages in an amount to be determined by a jury for all injuries and damages sustained as heretofore set forth, for punitive damages in an amount to be determined by the jury, for all of the costs incurred by Plaintiffs in this litigation, for pre-judgment interest as allowed by law, and for such and further relief as the Court may deem appropriate.

DATED this _____ day of August, 2005.

TRINE & METCALF, P.C.

William A. Trine, #577
Deborah A. Taussig, #33156
1435 Arapahoe Avenue
Boulder, Colorado 80302
303-442-0173

The Plaintiffs' Addresses:

1. **Released**

1. Oscar Barron
6895 Monaco St.
Commerce City, CO 80022
2. Clinton Caldwell, # 21621
2113 S. Owyhee
Boise, ID 83705

2. **Minnesota**

Prairie Correctional Facility
P.O. Box 500
Appleton, MN 56208

1. Roy Buck, # 820908
2. Ronald Buzzard, # 846650
3. Patrick Calf Robe, # 859954
4. Robin B. Combs, Sr., # 927929
5. David Cooper, #853702
6. Joseph Decker, # 996051 – no questionnaire
7. Robert Dermates, # 853736
8. Wesley L. Fair, # 771104
9. Donald Gilliland, # 831122
10. Rodney Harris, # 822647
11. Warren Johnson, # 262330
12. Douglas Justice, # 260861
13. Thomas Kennedy, # 843320
14. Uimaiama Lausiva, # 998967
15. Daniel D. Morris II, # 862786
16. Terry Mowatt, # 763876
17. Ahn Vu Nguyen, # 834442
18. Timothy L. Schaaf, # 940815
19. Donald C. Scholoff, # 975208
20. Jeremy Simmons, # 797465
21. Tyrone Williams, # 856113

3. **Texas**

Mason LeVee, # 23450
Rolling Plains Regional Jail & Detention Center
118 County Rd. 206
P.O. Box 877

Haskell, TX 79521

Billy Lee Jones, # 20868
Ralph Patrick, # 21403
Bill Clayton Detention Center
2600 S. Sunset Ave.
Littlefield, TX 79339

6. **Wyoming**

Harold Brantley, # 22790
Justin Dougherty, # 22319
David E. Wright, # 22328

Wyoming State Penitentiary
Post Office Box 400
Rawlins, Wyoming 82301-0400

7. **Colorado**

Crowley Correctional Facility
6564 St. Hwy 96
Olney Springs, CO 81062

1. Vance Adams, # 115980
2. Shane Allen, # 113180
3. Richard Anton Allison, # 121675
4. Sean Andrews, # 117767
5. Edward Armijo, # 100381
6. Isaac Banks, # 44152
7. Kenneth Batts, # 92246
8. John Bowen, # 121395
9. Neil G. Breaman, # 60485
10. Augustine S. Cabral, # 54912
11. Israel Chavez, # 98352
12. Phillip Dixon, # 45530
13. Thomas Gallegos, # 120932
14. Anthony Garza, # 118945
15. Roy Gibbens, # 108695
16. Oliver Giller, # 109839
17. Jeff Gillis, # 117093
18. Zelo Goings, # 62970
19. Mwamba H. Goma, # 42056
20. Delphino Gonzales, # 96117
21. Richard Gonzales, # 46594
22. Erwin Greer, # 91687

23. James Hackett, # 68097
24. Bruce Hatfield, # 51276
25. Billy Hendrix, # 49265
26. Jeff Howard, # 104664
27. Joseph Kingsbury, # 114205
28. Matt Kulas, # 114511
29. Ronald Larkins, # 59063
30. James Lawver, # 107086
31. Mike Lopez, # 57261
32. Joseph Luhan, # 85908
33. Kenneth Mackey, # 99951
34. Rick Maestas, # 93165
35. Carlos Martinez, # 121984
36. Tommy McClain, # 74039
37. Donald Mester, # 1133
38. Brian Mills, # 81002
39. William Osterfoss, # 119478
40. Stephen Peck, # 93079
41. Carroll Pollard, # 28198
42. Paul I. Pollard, Jr., # 66360
43. George Ramey, # 82301
44. William Roper III, # 98635
45. Carlos Smith, # 115070
46. Rick Smith, # 85457
47. Bobby Ray Summa, # 111701
48. Paul Wade, # 46744
49. Chris Watkins, # 75036
50. Deon Waynewood, # 107292
51. Jerry Weir, # 110159
52. Christopher Wimberly, # 64412

Brandon Lee Clary, # 87062
Arrowhead Correctional Center, Unit-D
P.O. Box 300
Canon City, CO 81215

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FCI Englewood
Federal Correctional Institution
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Jose Fernandez, # 121677
Trinidad Correctional Facility
P.O. Box 2001
Trinidad, CO 81082

Pablo Melendez, # 118479
Socrates Packer, #118711

Delta Correctional Center
4102 Sawmill Mesa Road
Delta, CO 81416