

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA

JOSHUA DUNN, et al.,

Plaintiffs,

v.

KIM THOMAS, in his official capacity as
Commissioner of the Alabama Department of
Corrections, et al.,

Defendants.

Civil Action No. 2:14-cv-00601-WKW-TFM

**NOTICE OF MOTION AND MOTION FOR PRELIMINARY INJUNCTION
REQUIRING DEFENDANTS TO CONTROL AVAILABILITY OF RAZOR BLADES
AND MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF**

Plaintiffs Howard Carter, Joshua Dunn, Daletrick Hardy, Leviticus Pruitt, and Robert Williams hereby move this Court for a preliminary injunction. Plaintiffs seek to enjoin the Defendants' unconstitutional policy and practice of failing to protect Plaintiffs and other prisoners suffering from mental illness or mental health crises from engaging in self-harm. Specifically, Defendants Kim Thomas and Ruth Naglich are deliberately indifferent to the substantial risk of harm that is created by the unrestricted distribution of razor blades to male

issues; (3) the threatened injury to Plaintiffs outweighs whatever damage the proposed injunction could cause Defendants; and (4) the injunction would not be adverse to the public interest.

Plaintiffs' Motion is supported by the accompanying Memorandum of Points and Authorities, and all exhibits thereto, filed herewith, as well as any additional evidence submitted to this Court for its consideration.

Plaintiffs request expedited discovery on the issues raised herein and a hearing on the Motion.

TABLE OF CONTENTS

MEMORANDUM AND POINTS AND AUTHORITIES

I. INTRODUCTION

Defendants Thomas and Naglich have created an environment where men in their custody suffering from serious mental illness or mental health crises have essentially unlimited access to razor blades. Double-edged and disposable razors are distributed freely to male prisoners without any tracking or accounting. At one prison, a box of razor blades is left out in the dorm for prisoners to come and take what they want. At another, there is a desk drawer

Plaintiff Joshua Dunn was placed in segregation in July 2013 at St. Clair Correctional Facility (“St. Clair”). In August 2013, Plaintiff Dunn began suffering from a serious mental health crisis. He asked to see mental health, but no one responded to his request. He had several razor blades in his cell. After asking for mental health care, he was given yet another single-blade disposable razor in his segregation cell. He used the razor to slice open his forearm.

y Exhibit 2, Declaration of Joshua Dunn Regarding Razor Blades (“Dunn Decl.”). The injury was severe and required several staples to close the wound. He called out to a guard for help. The guard threw his hands up and walked away. Forty-five minutes later, a second guard passed by while serving dinner in the segregation unit. Plaintiff Dunn showed the guard that he was bleeding. The guard responded, “I don’t give a f**k. I got chow to serve.” ¶ Later that evening, two guards finally took Plaintiff Dunn to the infirmary. He was subsequently placed in suicide watch for three days. He received no mental health treatment either in suicide watch or upon returning to segregation. When he returned to his segregation cell, the blood and razor that he used to cut himself were still there, as were the other razors he had prior to cutting himself. As a result of his self-harm, Dunn was sentenced to an additional month in segregation. ¶

After more than three hours without assistance, Officer McQueen and Sergeant Hamilton arrived. Sergeant Hamilton responded by yelling, “Why the f**k you keep cutting yourself on my shift? ... I’m going to break you from doing that.” Plaintiff Dunn was then handcuffed and taken to the outside yard where he was beaten by Officer McQueen and Sergeant Hamilton. While beating him, Sergeant Hamilton warned Plaintiff Dunn that the next time he cut himself they would “let [his] bitch-ass die.” He was then left in the yard for an hour. ¶

Plaintiff Dunn was eventually taken to the infirmary four hours after he cut himself. His

suicide watch cell, she found a razor blade and cut herself again. She was taken to medical then returned to suicide watch. The razor that she previously found in suicide watch had not been removed from the cell. She used the razor blade to cut herself again and was taken to medical. She was able to bring the razor from suicide watch to the medical unit. Neither guards nor medical staff attempted to confiscate the razor, which Plaintiff Williams used several times to cut herself. The razor blade remained in her possession until she voluntarily surrendered it to the nurse. She was returned to segregation without further mental health treatment. Plaintiff Williams still has access to razor blades. ¶

Plaintiffs ask this Court for a preliminary injunction that will enjoin the Defendants' from distributing razor blades to prisoners in a manner that is unrestricted and entirely void of procedures for tracking or collecting razors. Defendants' current practice fails to protect Plaintiffs and other prisoners in need of mental health care from engaging in self-harm.

II. FACTUAL BACKGROUND

The moving Plaintiffs are prisoners incarcerated in men's facilities of Alabama Department of Corrections ("ADOC"). They suffer from serious mental illness or mental health crises and have a history of self-harm. Plaintiffs have repeatedly cut themselves while in the custody of ADOC. Yet, Defendants continue to provide Plaintiffs and those similarly situated with razor blades. Moreover, the lack of adequate medical care in ADOC facilities exacerbates the risk of harm from the availability of razor blades.

Plaintiff Howard Carter has a long history of mental illness and has repeatedly cut himself while in ADOC custody. He has used razor blades to attempt suicide at St. Clair, Holman Correctional Facility ("Holman") and Donaldson Correctional Facility ("Donaldson"). ADOC regularly provides him with two disposable razor blades prior to taking a shower. He is

then allowed to take the razors back to his cell.

Exhibit 10, Declaration of Jonathan Sanford Regarding Razor Blades (“Sanford Decl.”) ¶ 14;

Exhibit 11, Declaration of Richard Businelle Regarding Razor Blades (“Businelle Decl.”) ¶ 10.

Razors are distributed by both runners and guards. Prisoners often receive multiple razors at one time. y &

At Staton Correctional Facility (“Staton”), prisoners are issued double-edged razors from the officers’ cubicle.⁵ They can get two single-blade disposable razors twice a day from laundry and can purchase three 3-packs of twin-blade disposable razors from the canteen. Exhibit 14, Smith Decl. ¶¶ 4-6; Exhibit 15, Clements Decl. ¶¶ 5-6. In the infirmary, prisoners are given four or five disposable razors at a time. Exhibit 16, Lay Decl. ¶ 5. At Holman, in segregation, prisoners are distributed razors in the shower and allowed to take them back to their cells. Exhibit 7, Pruitt Decl. ¶ 9; Exhibit 4, Carter Decl. ¶¶ 15-17. At Limestone Correctional Facility (“Limestone”), prisoners are distributed five disposable razors from the shift office or from the officers’ cubicle. Exhibit 19, McClendon Decl. ¶ 10.

At Easterling Correctional Facility (“Easterling”), one or two disposable razors are passed out by runners every Friday night. Prisoners can get double-edged razors from the officers’ cubicle and can buy three 3-packs of disposable razors from the canteen. Exhibit 21, Declaration of Roger Moseley Regarding Razor Blades (“Moseley Decl.”) ¶¶ 4-5, 8; Exhibit 22, Declaration of Marty George Regarding Razor Blades (“George Decl.”) ¶¶ 4-6; Exhibit 12, Bennett Decl. ¶¶ 6-8. In segregation at Easterling, razors are given to prisoners in the shower and often are taken back to prisoners’ cells. Exhibit 22, George Decl. ¶¶ 12-13. In the honor dormitory, prisoners can receive multiple disposable razors a day from a runner and have access to an unlocked desk where disposable razors are stored. Exhibit 21, Moseley Decl. ¶¶ 5-7. At Donaldson, prisoners are issued disposable razors, but double-edged razors are still available. Exhibit 23, Declaration of William Villar Regarding Razor Blades (“Villar Decl.”) ¶¶ 8-9. At

⁵ The officers’ cubicle is a station located within prison dormitories which is commonly referred as a “cube”, “cubicle”, or “dorm cubicle.”

At Bullock Correctional Facility (“Bullock”), in the mental health dormitory, prisoners can get disposable razors from a runner or guard in the laundry room daily. Disposable razors are distributed by guards in the dormitories or at the shift office daily. Prisoners can buy a 3-pack of twin-blade disposable razors from the canteen each week. Double-edged razors are accessible to prisoners. Razor blades are also accessible in disciplinary segregation and suicide watch cells. Exhibit 34, Declaration of Robert Dillard Regarding Razor Blades (“Dillard Decl.”) ¶ 12; Exhibit 10, Sanford Decl. ¶ 14; Exhibit 11, Businelle Decl. ¶ 10. In the RTU, prisoners obtain razor blades from the officers’ cubicle. They can buy a 3-pack of twin-blade disposable razors from the canteen. Exhibit 35, Declaration of Richard Terrell Regarding Razor Blades

are not reprimanded and the razors are not collected. Exhibit 31, Bowe ¶ 11; Exhibit 34, Dillard ¶ 11; Exhibit 10, Sanford Decl. ¶ 13; Exhibit 11, Businelle Decl. ¶ 12.

Defendants Thomas and Naglich are aware that the current policy and practice of razor blade distribution and availability in ADOC facilities fails to protect prisoners suffering from mental health crises from engaging in self-harm. On January 21, 2011, an incident report was made by ADOC, documenting the death of a prisoner who committed suicide at Limestone using a state-issued razor blade. The incident was investigated by Investigation & Intelligence (“I&I”) and a variety of statements and reports were made. Exhibit 36, LCF Incident Report. Defendant Thomas received a copy of these documents and reports.⁷ Exhibit 37, AR-300 at 5. Razors remained widely available.

In August 2013, Plaintiff Dunn was taken to the infirmary after harming himself with a razor. He received a disciplinary citation for his self-harm. Exhibit 2, Dunn Decl. ¶ 9. All disciplinary citations are documented in a written report. Exhibit 38, AR-403 at 3. Disciplinary

On or about January or February 2014, a prisoner attempted suicide by cutting his throat with a razor blade in segregation. The prisoner had a history of self-harm. Exhibit 2, Dunn Decl.

¶ 22. ADOC requires that attempted suicides be docu

On June 6, 2014, ADOC counsel Alyce Robertson Addison responded to the issue of availability of razor blades at the direction of Defendant Thomas. The response states that ADOC investigated the razor blade issue and “has taken action to remedy” the situation. ¶ ADOC’s plan consists of no longer ordering double-edged razors for any facilities and

accessible. Double-edged razors that are already in population have not been collected. Exhibit 34, Dillard Decl. ¶ 12; Exhibit 11, Businelle Decl. ¶ 11. In the mental health dormitories at Bullock, no efforts have been initiated to track or collect razors. Exhibit 10, Sanford Decl. ¶ 9, Exhibit 34, Dillard Decl. ¶¶ 9-11; Exhibit 11, Businelle Decl. ¶¶ 5-6. Razor blades are still accessible in suicide watch cells. Exhibit 10, Sanford Decl. ¶ 14. In the RTU at Bullock, there is no consistent process for turning in razor blades. Prisoners are generally allowed to receive new razors without turning in old ones. Razor blades purchased from the canteen are not collected and entirely unaccounted for. Exhibit 35, Terrell Decl. ¶¶ 5-7.

At Julia Tutwiler Prison for Women (“Tutwiler”), ADOC’s distribution of razor blades to female prisoners is vastly different from its distribution of razor blades at men’s facilities. At Tutwiler, only disposable razors are available to prisoners. Exhibit 44, Declaration of Casey Couch Regarding Razor Blades (“Couch Decl.”) ¶ 5. Razor blades are distributed to prisoners once a month. ¶ Prisoners are required to turn in old razors in order to get new ones. ¶ In segregation, female prisoners are not allowed to have razors in their cells. Prisoners in segregation are given razors as they enter the shower and razors are collected when they exit the shower. ¶

to the persons in ADOC custody. *Wright v. Doe Tangle*, 792 F.2d 1052, 1058 (11th Cir. 1986).

Providing adequate mental health care includes protecting mentally ill persons and persons suffering from mental health crises from self-harm. *Wright v. Doe Tangle*, 30 F.3d 1390, 1396 (11th Cir. 1994). Defendants' policies and customs regarding razor blades violate Plaintiffs' right to adequate medical and mental health care under the Eighth and Fourteenth Amendments.

A federal court has inherent authority to issue an injunction to remedy a violation of constitutional rights. *Wright v. Doe Tangle*

substantial case on the merits.” *A v.* , 835 F. Supp. 2d 1165, 1175 (M.D. Ala. 2011); *v.* , 650 F.2d 555, 565 (5th Cir. June 1981).

Here, Plaintiffs are likely to succeed on the merits of their claim that Defendants Thomas and Naglich are deliberately indifferent to the mental health needs of Plaintiffs in that they have, for years, allowed the unrestricted distribution of razor blades. Moreover, the equities weigh heavily in favor of granting an injunction.

Prison officials who display deliberate indifference to the serious psychiatric needs of a prisoner, or deliberate indifference to a “strong likelihood” that a prisoner will take his own life, violate the Eighth Amendment and may be liable under § 1983. *v.* , 429 U.S. at 104-05, 97 S.Ct. at 291; *v.* , 867 F.2d at 1274-75 (11th Cir. 1989); *v.* , 334 F.3d 986; *v.* , 10 F.3d 1535, 1540 (11th Cir. 1994); *v.* , 908 F.2d 1561, 1564 (11th Cir. 1990).

To establish that a prison official is deliberately indifferent, a plaintiff must demonstrate that (1) a substantial risk of serious harm exists; (2) defendants disregard such risk; and (3) there is a causal connection between defendant’s indifference and plaintiff’s injury. *v.* , 511 U.S. 825, 834 (1994); *v.* , 489 U.S. 378, 391 (1989).

Furthermore, “to impose §1983 liability on a municipality, a plaintiff must show: (1) that his constitutional rights were violated; (2) that the municipality had a custom or policy that constituted deliberate indifference to that constitutional right; and (3) that the policy or custom caused the violation.” *v.*

Wright, 769 F.2d 700, 706 (11th Cir. 1985); *Wright v. City of Jacksonville*, 923 F.2d 1474, 1481 (11th Cir. 1991) (defining custom as a “longstanding and widespread practice” authorized by officials) and *Wright v. City of Jacksonville*, 643 F.3d 1306, 1310 (11th Cir. 2011) (noting that because government entities rarely have written or express policies that endorse constitutional violations, plaintiffs must show that defendants had a “custom or practice of permitting the violation” or that the “custom or practice was the moving force” behind the violation).

Here, Plaintiffs will be able to show deliberate indifference on the part of Defendants Thomas and Naglich.

1. Distributing razor blades to prisoners, without tracking or collecting them, creates a substantial risk of serious harm

The distribution of razor blades to prisoners with a documented history of mental illness and mental health crises creates a substantial risk of serious harm.

ADOC provides prisoners with double-edged razor blades that are sharp on both sides. It also provides single-blade disposable razors and access to twin-blade disposable razors. These razors are inherently dangerous. Razors are sharp enough to cut paper, packaging, hair, and food. Exhibit 10, Sanford Decl. ¶ 9; Exhibit 34, Dillard Decl. ¶ 13; Exhibit 33, Rogers Decl. ¶ 9; Exhibit 32, Hagood Decl. ¶ 11; Exhibit 29, Brooks Decl. ¶ 10. Even razors so-called safety razors can cause a great amount of harm. Prisoners frequently remove the blades from disposable razors and use them to inflict injuries. Plaintiffs Dunn, Carter, and Hardy have each used disposable razors to cut themselves. Exhibit 2, Dunn Decl. ¶ 13; Exhibit 4, Carter Decl. ¶ 11; Exhibit 5, Hardy Decl. ¶ 8. Plaintiff Dunn cut himself so deeply with one of these razors that he severed a tendon in his forearm. Exhibit 2, Dunn Decl. ¶ 15.

The dangerous nature of razor blades is heightened by the fact that ADOC provides prisoners with unlimited access to razors. At Staton and Fountain, prisoners can obtain razor blades multiple times a day. At most other facilities, prisoners are issued or allowed to get multiple razors at a time. At Ventress, a box of 20 to 30 razors is regularly left out in order for prisoners to take as many as they want. Exhibit 24, Henderson Decl. ¶ 5. At Easterling, prisoners have access to a desk drawer where they get as many razors as they want. At St. Clair, Kilby, Elmore, Fountain, and Ventress, prisoners can obtain numerous razors from the guard shack or officers' cubicle. Exhibit 3, Williams Decl.; Exhibit 13, Sears Decl.; Exhibit 20, Broyles Decl.; Exhibit 4, Carter Decl.; Exhibit 32, Hagood Decl.

ADOC's custom of distribution is particularly unsafe given that it distributes razor blades without any accounting or collection process. Runners and guards distribute razors but do not keep logs of how many razors are distributed. ¶ They do not require prisoners to return old razors before receiving new ones. Razors are not collected during searches or shake-downs. Exhibit 13, Sears Decl. ¶ 9. At Easterling, a guard found eight to ten razors in a prisoner's possession and did not collect them. ¶

As a result of there not being a collection process, razors can be found throughout ADOC's prisons. This creates a serious risk of harm for prisoners suffering from mental illness and mental health crises.¹⁰ Abandoned razors are commonly picked up and used by mentally ill prisoners. Exhibit 22, George Decl. ¶ 11. Prisoners find razors abandoned in cells, showers,

are given razors at the officers' cubicle. These razors are generally not collected. Exhibit 35, Terrell ¶ 5. Prisoners in the RTU can also purchase razors at the canteen. These razors are never collected. ¶ 6. The result is that prisoners who want to hurt themselves have easy access to razor blades. Exhibit 11, Businelle ¶ 11. On or about August 22, 2014, a prisoner in the RTU used the blade from a disposable razor to cut his arm. The injury left blood throughout the hallway and 10 stitches were needed to close his wo

2. Defendants are aware of the substantial risk of serious harm created by their practice of distributing razor blades to prisoners with psychiatric needs

Defendants have long known that their custom of providing razor blades to prisoners creates a substantial risk of serious harm. Defendants have knowledge of actual harm caused to prisoners and the risk of future harm is obvious.

To establish deliberate indifference, an official must have subjective knowledge that prisoners face a risk of harm. *Wright v. City of Ripon*, 748 F.3d 1090, 1099 (11th Cir. 2014); *Farmer v. Brennan*, 536 U.S. 730, 737-738 (2002). Subjective knowledge can be inferred where the risk of harm is obvious. *Wright v. City of Ripon*, 894 F.2d 1533, 1538 (11th Cir. 1990); *Anderson v. City of Newport*, 769 F.2d at 704; *Farmer v. Brennan*, 536 U.S. at 736.

Here, the risk of harm to Plaintiffs is obvious. Plaintiffs suffer from known mental health crises and have a documented history of self-harm. Plaintiffs and other prisoners have repeatedly cut themselves with razor blades in ADOC's custody. Plaintiff Hardy attempted to commit suicide eight times using razor blades. Exhibit 5, Hardy Decl. ¶ 16. Plaintiff Dunn cut his wrists five times over a period of seven months. Exhibit 2, Dunn Decl. ¶¶ 6, 8, 11. Plaintiff Pruitt cut himself four times over a period of six months. Exhibit 4, Pruitt Decl. Plaintiff Williams cut herself four times within one month, including twice while in suicide watch. Exhibit 3, Williams Decl. ¶¶ 9-10.

It is clear that Plaintiffs exhibit consistent patterns of cutting themselves with razor blades. If ADOC continues its unrestricted practice of distributing razors to prisoners, it is foreseeable that Plaintiffs and other prisoners with mental health crises will continue to engage in self-harm.

Defendants also have actual knowledge that ADOC's practices result in harm to prisoners, and in one instance, death. On January 21, 2011, an ADOC incident report

documented the death of a prisoner who committed suicide using a state-issued razor blade. The prisoner cried out for medical attention before cutting his wrists. The incident was investigated and reported to Defendant Thomas. Exhibit 36, LCF Incident Report; Exhibit 37, AR-300 at 5. Defendant Thomas, therefore, has actual knowledge that ADOC's distribution of razor blades creates a serious risk of harm for prisoners with mental health crises.

in early 2014 at St. Clair (Exhibit 2, Dunn Decl. ¶¶ 16, 22), there were no reviews resulting in any real changes.

also has a long history of self-harm, not only has access to razors in segregation, ADOC entrusts him with distributing them to other prisoners. Exhibit 5, Hardy Decl. ¶ 10. This gives him unlimited access to razors. The remaining Plaintiffs also continue to receive razor blades that are not tracked or collected. Prisoners in RTUs are still provided with unrestricted access to razor blades.

Nearly three months have passed since Defendants admitted that change was “warranted,” but no real changes have been implemented in male facilities. Defendants promised immediate action, but no meaningful action has been taken. Even if the proposed changes had been implemented, they would not be sufficient to satisfy Defendants obligation to protect prisoners from self-inflicted injuries. According to the expertise of Mr. Vail, “ADOC officials failed to develop and articulate a full solution to the problem of razors and self-harm in their prisons in their letter of June 6, 2014.” Exhibit 45, Vail Decl. ¶ 14.

Defendants have had ample time to implement safer processes for distributing and tracking razor blades. According to the expertise of Mr. Vail, ADOC’s current practice of distributing razor blades “could be corrected in a matter of weeks.” Exhibit 45, Vail Decl. ¶ 8. ADOC’s ability to make corrections quickly is apparent from its recent change in the distribution of razors at Tutwiler. In early August 2014, a female prisoner cut her throat in the RTU. Immediately, razor blades were collected in the RTU and are no longer being distributed to prisoners in that unit. Exhibit 44, Couch ¶ 9. The immediate response at Tutwiler is evidence that ADOC’s practices are problematic but can be corrected swiftly. It also shows that ADOC’s failure to implement swift changes at its male facilities is a matter of disregard.

Stand. Adult. Corr. Inst. 4-4261. Defendants provide razors to prisoners in segregation despite documented histories of self-harm.

4. The injuries suffered by Plaintiffs arise from Defendants' widespread and unrestricted custom of distributing razor blades to prisoners with psychiatric needs

Defendants' deliberate indifference to Plaintiffs' right to be protected from self-harm results from ADOC's custom of distributing razor blades to prisoners in an unrestricted manner. ADOC has a longstanding and widespread practice of distributing razors to prisoners with a history of self-harm.¹⁶ Razors are issued but not accounted for or collected at male facilities. This practice occurs system-wide. At Easterling, Holman, and Bullock, guards occasionally retrieve razors from prisoners in segregation after showers. But this is not the standard practice. Prisoners are regularly allowed to take razors back to their cells and, as is the case system-wide, these razors are never collected.

ADOC has a written policy allowing prisoners to possess six single-blade disposable razors and possibly a double-edged razor. ADOC's practice of not controlling, tracking, or collecting razors is unwritten but is the principal custom at all male facilities. This custom has been repeatedly ratified by Defendants. Each time that Defendants were made aware that prisoners committed suicide, attempted suicide, and harmed themselves with razors, nothing was done to enforce new or different policies. The result is that prisoners suffering from mental

ill9(m)-3.493(s)-1.7465(e7-789(t)-2.5364l-1.7465(e7-789(t)-2.536486(f)2.3678(9)3.15789(s)-(t)-2.53597(o)-0.9.

attempt suicide or die is real. Without this Court's intervention, the Plaintiffs will continue to suffer from a substantial risk of serious harm.

C. The Threatened Injury to Plaintiffs from the Widespread Availability of Razors Vastly Outweighs any Harm the Preliminary Injunction May Cause Defendants

The threat of further injury to Plaintiffs vastly outweighs any harm the preliminary injunction may cause Defendants. There is minimal a

no longer distributed in the RTU. Defendants' policies and customs at Tutwiler demonstrate that they do not view these policies and customs as detrimental to their interests.

In comparison, the injury to Plaintiffs from Defendants' custom and practice of making razor blades widely available is substantial. Plaintiffs repeatedly harm themselves, leaving permanent scars from razor blades that Defendants refuse to collect. Plaintiffs suffer the risk of hospitalization and death. The potential harm to Defendants from a preliminary injunction is

Exhibit 33, Rogers ¶ 8. This subjects guards and other prisoners to harm. Protecting these individuals from harm unquestionably serves the public interest.

For all of these reason, the balance of equities weigh heavily in favor of issuing a preliminary injunction.

E. The Parties Should be Afforded Limited Expedited Discovery Regarding the Customs and Harms Relating to Razor Blades

Plaintiffs have submitted declarations from prisoners, one expert declaration, and several other documents, in their possession, in support of this Motion. The issues raised in this Motion are urgent, but the Court would benefit from the presentation of all evidence relevant to this issue. Evidence might include, for example, policies, incident reports, and communications.

Plaintiffs therefore request that the Court order expedited discovery on the issues raised herein.

IV. CONCLUSION

Plaintiffs meet all four factors required for the issuance of a preliminary injunction. Therefore, Plaintiffs respectfully request that this Court:

- (1) Immediately grant the Plaintiffs limited, expedited discovery related to their preliminary injunction, including depositions of the Defendants and their employees, and access to records including training materials, policies, communications, incident reports and other records relating to razor blades and the harms and serious risk of harm to which prisoners suffering from mental illness and mental health crises are being subjected by Defendants' practices;
- (2) Schedule an evidentiary hearing on this Motion; and
- (3) Based on the evidence presented herewith and at the hearing, order such relief as necessary to protect the prisoners in the custody of ADOC from violations of their Constitutional

right to be free from ADOC's deliberately indifferent widespread and unrestricted distribution of razor blades.

Respectfully submitted,

TABLE OF EXHIBITS

<u>Exhibit No.</u>	<u>Exhibit Description</u>
1	ADOC Administrative Regulation 633

24	Declaration of Charlie Henderson
25	Declaration of Daniel Tooley
26	Declaration of Zerrick Naylor
27	Declaration of Jermaine Mitchell
28	Declaration of John Maner

