

A:1

COMPLAINT
(for filers who are prisoners without lawyers)

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

(Full name of plaintiff(s))

Dominique Heaggan-Brown

v.

Case Number:

(Full name of defendant(s))

(to be supplied by Clerk of Court)

Milwaukee County Sheriff's

Office and David A. Clarke Jr

Armor Correctional Health
Services Inc. and Karen Horton

A. PARTIES

1. Plaintiff is a citizen of Wisconsin, and is located at
(State)

P.O. Box 700 Waupun, WI 53963
(Address of prison or jail)

(If more than one plaintiff is filing, use another piece of paper.)

2. Defendant David A. Clarke Jr
(Name)

is (if a person or private corporation) a citizen of unknown
(State, if known)

Defendants List Continued for Milwaukee Sheriff

Richard Schmidt

Scott Soback

Kevin Johnson

Michael Stevens

David Seel

Steven Aulis

Daniel Carroll

James Ramsey - (44)

Nathan Benz

Cary Keen

Derrick Spidell

Jacqueline Vale

La'toya Armstrong

Rasheedah Sittiel

#1 John Doe #1

#2 John Doe

John Doe # 5

#3 John Doe

John Doe #6

#1 Jane Doe - Lieutenant

#2 Jane Doe

#3 Jane Doe

#4 Jane Doe

#6 Jane Doe

All listed defendants are citizens of Wisconsin
and work for the Milwaukee County Sheriff's
office at 149 N. 9th St. Milwaukee, WI 53233.

Defendant's List Continued Armor Medical Services

Joel Dewitt

John Doe #4

Tina Doe #5

All listed Defendants above worked for Armor Correctional Health Services, Inc. Armor is a for-profit correctional health care corporation, incorporated under the laws of the State of Florida, in which they conduct business in Wisconsin. The main office address is 4960 S.W. 72nd Avenue, Suite #400, Miami, Florida 33155, with the registered agent (CI Corporation System) located at 8020 Excelsior Dr, Ste 200, Madison, WI 53717. Armor provides medical and mental health services to inmates at the Milwaukee County Jail, so are listed as "person" acting under the color of law.

Defendant's Karen Horton and Joel Dewitt are director's over the health and Mental Health program under Armor Medical.

and (if a person) resides at unknown
(Address, if known)

and (if the defendant harmed you while doing the defendant's job)

worked for Milwaukee County Sheriff's, 949 N. 9th St Milwaukee WI 53233
(Employer's name and address, if known)

(If you need to list more defendants, use another piece of paper.)

B. STATEMENT OF CLAIM

On the space provided on the following pages, tell:

1. Who violated your rights;
2. What each defendant did;
3. When they did it;
4. Where it happened; and
5. Why they did it, if you know.

"Confidential In Mental Health"

1. Plaintiff Dominique Heaggan-Brown was a Pre-Trial Detainee at the Milwaukee County Jail starting on October 19th 2016, until approximately February 20th 2018.

2. Mr. Heaggan-Brown will be referred to as plaintiff throughout this entire complaint.

3. Plaintiff was placed on suicide watch by Armer Correctionals Psych Social Worker Tisha after reporting being treated for symptoms of anxiety and post traumatic stress disorder.

4. For the majority of the dates between October 19th 2016 until October 23rd 2017,

5. Mr. Heaggar-Brown was confined in the Mental Health Unit, under harsh and inhumane conditions.

5. Plaintiff Mr. Heaggar-Brown was exposed daily to inmates being loud and boisterous, engaging in a practice known as "flooding". The practice consisted

6. Inmates ... would intentionally overflow their toilet water with urine and feces, using it to flood the day room and plaintiff's cell.

7. The Bio Inmate cleaning team dumped the hazardous water in the sole shower the plaintiff was required to use daily.

8. There was always a strong odor of urine and feces present, due to the inmates smearing of feces inside of their cells.

9. Plaintiff was not given exercise recreation clothing (suicide gown), nor access

to order canteen, no television, and no access to adequate law materials that all other inmates were entitled to while in the custody of the jail.

10. On or about October 4th through October 14th, 2017, Inmate Dennis Evers, Abraham Harris, and Inmate Broederick continuously engaged in the smearing and flooding of urine and feces in their cells, the shower, and on the day room furniture, which was not properly cleaned, in which plaintiff was exposed to these hazards while being confined.

11. Officers Little, Warr, and other officers were notified about these conditions by plaintiff, and their direct supervisor's did nothing to change the conditions.

12. These incidents and lack of resources caused plaintiff to not get his one hour out of his cell at all some days and be forced to sit in the inhumane environment.

13. Psych workers logged the meetings on file regarding plaintiff's conditions and treatment.

14. Prison Social worker Tasha informed plaintiff after some time that it is the administration that is keeping you in this environment.
15. Plaintiff spoke frequently with Dr. Porter, who witnessed and logged the cruel and unusual treatment, and environment plaintiff was confined in. Symptoms included nausea, chest pains, sleep deprivation, increased heart rate, and more symptoms in which plaintiff's medication was injected to the maximum dosage and caused medical emergencies.
16. Dr. Porter also logged and addressed while speaking with Plaintiff when Lieutenant Michael Stevens left another Inmate's toilet water in Inmate Humphries' cell for 48 hours. Stevens stated "Fuck It" and went home due to the fact Humphries could not speak up for himself. This common practice contributes to the poor smells.
17. Lieutenant John Doe while working with Officer Sykes, threw Inmate Dennis Lewis' clean blanket's on the floor of his cell, in front of plaintiff in effort's to show authoritative practices.
18. Several officer's and staff including Officer D. Adam's and Dr. Deborah Mayo can attest to plaintiff's treatment while confined as well as other Inmates.

"Continuation of Cruel Punishment in Mental Health!"

19. On or about December 16th, 2016 plaintiff was charged with a new charge while still in custody in the Mental Health Unit.
20. Lieutenant Jane Doe#1 removed plaintiff's specific property including a radio, 2 packs of AA batteries, headphones and other items. Jane Doe#1 failed to return plaintiff's batteries that she removed and did not reimburse plaintiff. Jane Doe#1 stated "I don't know where they are!"
21. Jane Doe#1 further falsely stated "per policy, I have to search your room and change your mattress out after every court appearance. Jane Doe#1 replaced plaintiff's mattress with a deflated mattress.
22. Officer D. Adam's minutes later observed plaintiff's mattress and changed it stating "this is not right for you to sleep with."
23. Jane Doe#1 did this one time only and has never followed this practice or any other court proceedings. No other Lieutenants working at that time period is familiar with this policy.
24. These actions not only humiliated plaintiff but deprived him of property forever. This financial combined with other's led to emotional pain and suffering and injuries described in the case.

"Failure to Keep Plaintiff Safe"

25. On or about October 23rd, 2017 at 2:00pm, Mrs. Heaggan-Brown was housed in Unit 4A cell #1, with Inmate Gregory Sanders.

26. This was ordered by Lieutenant Michael Stevens.

27. On several occasions prior, Inmate Gregory Sanders has made threats that he will kill plaintiff, also reading plaintiff's identifying information to other inmates.

28. On or about March 3rd, 2017, Sanders did intentionally spit at plaintiff's face, but instead struck officer Payne in the face. The case # assigned was 2017CF001068, in which plaintiff was listed as a witness.

29. During the week of approximately October 23rd, 2017, while in the day room, Inmate Gregory Sanders made several statements to plaintiff intimidating him not to cooperate in the presence of Officer Murray.

30. Plaintiff and Sanders should have never been housed together solely with the

31. On or about the week of December 16th, 2017, Plaintiff Mr. Hoagman-Brown and Inmate Matthew Botcher were being transported from the Clinic to the 4A housing unit by officer Jane Doe#2. Jane Doe#2 was in charge of stopping movement in the jail which she failed to do.
32. Inmate Gregory Sanders was observed walking in a suicide gown unattended in the direction of plaintiff due to Jane Doe's#2 action's.
33. On or about February 14th, 2018 at approximately 6:35pm, Co. Sergeant Walker advised plaintiff that he could use the 4D home wear computer for a visit. While enroute to the station, Gregory Sanders was out in the hallway and chased down Plaintiff attempting to physically strike him, but did again spit at Plaintiff. Sanders stated "I'm going to kill you fag ass bitch, an vicelord".
34. Officer Jacqueline Valez failed to verbally or physically engage and diffuse the situation before it got out of control.
35. J. Valez. instead stood at the counter silently. Knowing Sanders as a vicious gang member.

36. Lieutenant Daniel Carroll later responded ' to speak with plaintiff stating "I'm sorry, it is no excuse for this. Lt Daniel Carroll also failed to inform plaintiff of any outcomes of the situation and instead insisted plaintiff 'to be more aware of his surroundings.
37. It would have been impossible for plaintiff to see past the tinted windows and officer's orders.
38. As a result of these transactions plaintiff was not confined in a safe and secure environment. Plaintiff suffered serious injuries and emotional distress documented in his medical and physical exams. The conclusion of report.
39. Officer Gregory Walker spoke with Officer Robinson who indicated she would make plaintiff and Sanders "Keep Separates". Robinson indicated that Plaintiff and Sander's should not have had contact under any circumstances. This occurred on or about February 14th at 6:30 p.m.
40. Lieutenant Kevin Johnson informed plaintiff that he was being housed with Sander's to deter his bad behavior. Johnson stated "he won't manipulate you or act out" showing utter disregard for plaintiff's safety which occurred prior to this incident.

"Unprofessional Conduct"

- 41) On or about November 20th, 2017, Plaintiff was confined in Unit 4A in the day room area at approximately 1:40pm.
- 42) Plaintiff was suddenly approached by Captain Scott Sobeck who stated multiple times "per my staff, I am told you are acting like a inmate".
- 43) Plaintiff explained he filed several grievances, and spoke up about the poor treatment he was receiving, which caused staff to bad-mouth him.
- 44) Captain Scott Sobeck then asked Mr. Haggan-Brown, "So I hear you had 4 attorney's come and see you, what was that about?"
- 45) These questions were posed after Plaintiff Brown filed a grievance indicating he would contact his attorney's and the media.
- 46) Scott Sobeck actions were humiliating, offensive, and done in the presence of other inmates, and not reasonably related to a law enforcement
- 47) 3 Inmates were present during this encounter who witnessed this transaction, as well as the

" 4A - Bio Hazard "

48. Plaintiff Dominique Heaggen-Brown was confined in Unit 4A, cell #1 on or about October 27th, 2017 at approximately 1:30pm.
49. In the afternoon, Officer in cell #2 intentionally clogged his toilet and flushed it until there was urine and feces flooded into plaintiff's cell toilet nearly flooding his cell.
50. Due to the Bio Hazard and extreme odor of urine and feces, Officer Chambliss ordered Mr. Heaggen-Brown to sit in the day room.
51. At approximately 2:00pm, Officer R. Alexander and #2 Jane Doe replaced the first shift officer's and were debriefed. Officer Jane Doe #2 called plaintiff out of the day room aggressively stating "you need to go inside of your cell."
52. After informing Jane Doe #2 that officer Chambliss ordered plaintiff to stay out while an active Bio hazard is present, Officer Jane Doe #2 stated in a continuous aggressive manner "They calling us, so you need to go in." Jane Doe #2 indicated per Captain John Doe #1 plaintiff must remain in his cell and he is aware of the problem.

52. The plumber came approximately 30 minutes after this incident occurred.

53. Plaintiff Mr. Heaggin Brown sat inside of his cell with a shirt wrapped around his face, and have witnessed and personally been involved with Bio hazards, in which this was never handled this way.

54. Officer Jane Doe#2 and Captain John Doe#1 or failed to follow policy showing deliberate indifference.

55. "Refusal of Medication and Medical Treatment"
On or about November 29th, 2017 at approximately 2:35am Mr. Heaggin-Brown was confined in Unit 4A cell #1.

56. Mr. Heaggin Brown notified Officer I Kimberly Hickerson that he needed immediate medical attention, due to chest pain, anxiety, sweating, and nausea, which was a direct result of not getting his mandated nighttime physical medications, and his ongoing suffering.

57. Officer Hickerson contacted Team Leader Nathan Benz and an unknown Nurse, in which Benz advised Hickerson that he and the nurse refuse to come render medical attention, and to leave Plaintiff with his proper medications.

59. Plaintiff then pressed his cell button and spoke with Officer Smith, who was working floor control informing her of his request.
60. Plaintiff then contacted Officer Hickerson again to see if she can contact a Lieutenant, in which she replied "I did."
61. Officer Hickerson then advised Mr. William Brown the unknown Nurse and Ben "Little" to the Unity Services all other inmates, and refused to even talk to plaintiff.
62. Officer Benz is a correctional officer, and not allowed to make medical decisions.
63. All medical emergencies are 1st priority, and Armor Medical Service staff member's failed to provide adequate medical services or even show up.
64. Based on the symptoms plaintiff suffered regarding mental health not treating plaintiff posed a substantial risk of harm due to plaintiff's history. Plaintiff also suffered sleep deprivation, rapid heart rate, chest pains, and an altered state of mind for an extended period of time.

"Improper Discipline"

65. On or about November 4th, 2017 at approximately 10:00 AM, Mr. Heaggar-Brown was confined in Unit 4A, Cell # 1.

66. As a result of Mr. Heaggar-Brown reporting to administration that he was not receiving cleaning supplies, Officer LaToya Armstrong became upset and debriefed other officers to "watch out, he will call his mother if he doesn't get his way".

67. Officer Rasheedah Sufi in a hostile manner confronted Mr. Heaggar-Brown in front of other inmates about her debrief, which is a violation of policy.

68. From the dates of November 4th, 2017 until approximately November 6th, 2017, Officer L. Armstrong engaged in a pattern of verbally assaulting Mr. Heaggar-Brown in a loud and boisterous manner intending to intimidate Mr. Heaggar-Brown.

69. These actions included but were not limited to using profanity and threatening language, opening Mr. Heaggar-Brown's cell door in the morning and aggressively yelling at plaintiffs. Armstrong took the grievances filed by Mr. Heaggar-Brown about her treatment from K9 officer John Doe and read the grievances in front of plaintiffs, cell door banging, interrogations and stating

70. "it didn't have to go this far." This is a violation of the grievance system, and the grievances were never turned in by Armstrong.
71. Armstrong made fun of Plaintiff jokingly asking "Are you suicidal" when plaintiff had a meeting with the psych social worker.
72. Officer R. Saffold also continued to verbally assault plaintiff in the same time period in front of the entire general population of females in 4A, causing inmates to ask plaintiff "what happened?"
73. Officer Saffold aggressively hit the day room window calling plaintiff to her desk while arguing with Officer Armstrong. Due to plaintiff fearing for his safety and being humiliated, plaintiff wrote a letter to Officer Saffold stating he does not have a problem and he was unhappy with her attitude.

- 74) Later, Lieutenant John Doe² escorted myself and other 3 inmates back to 4A.
- 75) I was told I am being put on discipline for writting a letter to Saffold, in which I explained was common practice.
- 76) I was given Red clothing that was not my size and my room was destroyed due to a shake down search, by John Doe^{#2}, John Doe^{#3}, and Jane Doe^{#3}.
- 77) The following items were on the floor: sealed and unsealed food, hygiene products, dishes, bible, paperwork, and other items.
- 78) Lieutenant Jane Doe^{#3} aggressively made statements to me including "you think you can pick which gym you want to go too huh?" "You have a lot of food in there huh?". These were repeated several times, unrelated to the letter issue.
- 79) Lt John Doe^{#3} slammed my door aggressively and stated "Your done for the day", after I asked for a shower after recreation, clothing that fits, and what are the rules to discipline.
- 80) I advised John Doe^{#2} that I need my legal work which is put into a bag. John Doe^{#2} stated I double checked it, it is in there, plus you have enough.
- 81) The Jail inmate workers were told to throw away garbage from the search, in which several of my items were thrown away that I purchased.

82) Plaintiff was not given his bible as well as legal work. John Doe #2 left mail and pictures in plaintiff's room instead, which is a violation for the plaintiff to be in possession of on discipline.

83) On or about November 6th, 2017, Officer Sloan went through plaintiff's property in which legal work and newspapers were destroyed.

84) Plaintiff's food was placed in one separate bag, except the sole and only unsealed bag of ham was placed in a bag mixed with plaintiff's legal and personal papers. Property was destroyed as a result, and also the food was rotten and not edible, in which Officer Sloan witnessed.

Discipline Hearing

85) On or about November 7th, 2017, John Doe #2 and Lt. Artis conducted a hearing.

86) John #2 advised me I can't write a letter to staff or inmates, and not to worry, I get everything back. Lt. John Doe #2 advised me other people were disciplined as well.

87) Plaintiff was not given an opportunity to explain himself, or see paper work. Plaintiff has written letters several times in the past to staff due to being high profile, and plaintiff was ignored upon asking for a rule book for over a year.

88) Plaintiff advised John Doe #2 that he was given permission from Lieutenant Kevin Johnson to use an appropriate gym

due to the poor conditions of the 4A gym.

89) I informed Lt John Doe² that I am unhappy with this process and the cruel shake down. I informed him property was destroyed and missing in which I tried to inform him on the occurrence date.

90) Lt John Doe² stated "You probably have not had a real shakedown".

91) I replied stating "I have been in custody 400 plus day's, and supervisors and officer's have done shake down's and this has never happened.

92) Lt John Doe² stated "when the discipline process is done, that is not the time to say anything".

Lt Art's agreed by shaking his head.

Lt John Doe² stated it is no big deal, I am cleared.

93) I advised Lt John Doe² I have asked for a rule book, and even after the hearing he falsely stated he would bring me one.

94) I spoke to Inmate's Bolcher, Torres and Gary what was condition of there room due to there rooms were searched. All inmates advised there hygiene products were placed in their sink, and food and other products were placed on there mattress on top of bed.

95) I later spoke to Lt Cunningham and asked her has she ever put food, dishes, and hygiene on the floor. Lt Cunningham stated

"I can't speak for those Lt's, but personally she would never do that."

96) I experienced legal access conflicts, health issues, and cruel punishment while on Recreation.

97) Plaintiff is seeking damages for the continuation of cruel treatment which caused and still affects plaintiff's mental health. These symptoms include sleep deprivation, night sweats, increased heart rate, agitation and increased anxiety, and emotional suffering.

98) Plaintiff would like to be reimbursed for destroyed property, the deprivation of his rights and suffering.

99) No paperwork is on file regarding this incident, recording Lt. Telan Dec 2 falsely and improperly, the plaintiff's.

100) 3 Inmates were witnesses, 120 workers joined the demonstration.

"Denial of Medical Services"

101. On or about November 17th, 2017 at approximately 2:00AM Officer Jane Doe #4 was notified by Mr. Herman-Brown that he needed immediate medical attention due to not sleeping for night physician medications.

102. These symptoms included nausea, tight chest pains, sleep deprivation & increased heart rate.

103. Officer Jane Doe #4 notified Nurse Samantha by phone, and informed Mr. Herman-Brown she would be up shortly.

104. After waiting for an extended period of time, Mr. Herman-Brown asked Officer Jane Doe #4 "what happened to medical?"

105. Officer Jane Doe #4 informed plaintiff that Nurse Samantha called by phone asking about plaintiff and later on (4) - Jane Doe #4 observations, plaintiff appeared to be asleep, so she canceled medical services.

106. Armor medical is responsible for denying medical attention to plaintiff. It was also County Sheriff's Officer Jane Doe #4 is responsible for neglect and making medical decisions.

"Armor Medical's Neglect"

107. Plaintiff Mr. Heaggen-Brown while confined in the Milwaukee County Jail did not receive his mandatory psych medications on the following dates: 10/24/17, 10/25/17, 11/10/17 (C.O. Manjarez witnessed), 11/11/17 (C.O. Weathers witnessed), 11/13/17 (Nurse Chizma denied medications), 11/17/17 (Officer Rivera advised no medications), 11/23/17 (Nurse Young denied medications), 11/28/17, 11/30/17, 12/1/17 (Nurse Cruz denied medications and stated "I will check pharmacy, and if I don't find them before midnight, I can't give them to you"). Plaintiff Hall witnessed this event, and stated she would log it. 12/2/17, 12/3/17 (per Nurse Supervisor Jane Doe "they are probably on back log, I will give you tylenol"). Officer Bray was a witness. 12/6/17 (Officer Rivera witnessed), 2/5/18.

108. This list of dates is an estimate and medical records should reflect possibly more dates.

109. Plaintiff suffered medical emergencies on several occasions as a result of the denial of mandatory medications and cruel treatment. Dates included but are not limited to 11/17/17, 11/23/17, 12/1/17, and 12/3/17. Nurses indicated that Plaintiff suffered nose bleeds, increased heart rate, sleep deprivation, nausea, sweating, etc. due to anxiety and stress.

110. Plaintiff spoke with physch staff and medical staff on several dates which were logged on his medical files. Dates included but were not limited too 11/13/17, 11/17/17, 11/21/17, 12/2/17, 12/3/17, 12/4/17, 12/9/17, 12/14/17, 12/17/17.
111. Plaintiff has health request forms on file that he has submitted, requesting help. Grievances were filed as well in these event's, which were not replied too.
112. Dr. Porter stated to plaintiff that there should be no reason at all that plaintiff should miss medications. The type of medications plaintiff takes are always in stock at all times and it is a serious health concern to suddenly miss a dosage, in which it poses a substantial risk of serious brain and side affects, that plaintiff experienced.
113. Nurse Gonzalez informed plaintiff that his specific medications are never out of stock and this should not happen at all.
114. On or about January 30th, Nurse John. Doe 4 intentionally gave plaintiff the wrong dosage of his night medications in which a grievance

was filed. Nurse John Doe⁴ also falsely administered Ibuprofen, in which plaintiff was later advised that was incorrect.

115. On or about 11/29/17- Nurse Jane Doe⁵ took medications from another inmate's cart and stated "you can take these, he usually don't take them". This was after Nurse Young advised plaintiff she had no medications for him.

116. Armor is responsible for ensuring every Inmate receives adequate medical services.

117. Several grievances and health request forms are documented of the continuation of these transactions and the neglect which was detrimental to plaintiff's mental and physical health/development.

118. Several statements from Armor Medical's Nursing staff are documented as well.

119. Several Inmate witnesses and others who witnessed these transactions which caused plaintiff severe anxiety, sleep deprivation, nose bleeds, extreme sweating, altered mental state, and a deprivation of his rights.

"No Recreation"

120. Plaintiff while confined in the Milwaukee County Jail was denied exercise recreation for approximately 80% of his stay from October of 2016 until February of 2017.
121. The other 20% of the time plaintiff was offered recreation, majority of the recreation was given in humiliating and or inhumane conditions.
122. Plaintiff filed several grievances, inmate requests, and phone complaints about being offered recreation, in which he was ignored and humiliated.
123. Captain William Dukert advised plaintiff that there is no reason you should not get exercise recreation in a gym, on or about April of 2017.
124. Lieutenant Michael Stearn contradicted this statement stating "technically being outside of your cell is recreation."
125. Lieutenant Jane Doe #1, Lieutenant Stevens, Officer James Ramsey - E4, Officer Graham, and administration were all

conditions in the 4A gym but ignored plaintiff's verbal and written grievances. They responded humiliateing plaintiff, and up to laughing at plaintiff on several occasions knowing the conditions were unbarebly vicious.

126. The conditions of the gym included but were not limited too, poorly sanitized, no materials or equipment for plaintiff to use, and the gym was the old gym that did not have a way to close the windows, expecially during the winter of 2017.

127. While temperatures were very cold and below zero, Matthew Stevens ordered plaintiff to use the gym and there is nothing he can do about it, as well as Jane Doe which was false.

128. Lieutenant Kevin Johnson indicated to plaintiff, the 4A gym is not appropriate for you to use, "you are authorized to use a normal gym, but not at one time did they communicate to each other to fix this policy.

129. There are several inmate witnesses and officer's documented that can attest to these conditions.
130. Plaintiff would be the only prisoner going to the gym and would only last for some of a time due to the freezing temperatures.
131. Officer Jane Doe 6 witnessed plaintiff go in the gym and make the plaintiff close the gym door so plaintiff would have to be locked in a gym with unbearable temperatures.
132. Closing the door was only a practice officer. Jane Doe 6 followed and no other inmates besides unit 4A, were treated this way.
133. These conditions were so bad plaintiff wrote the administration indicating that exercise affected plaintiff's mental and physical health. Also all other inmates on different units were not treated this way, and had access to a humane gym. The treatment shows deliberate indifference and agitated plaintiff's anxiety.

"Move to 4D-Cruel Treatment"

131. On or about January 28th, 2018, Plaintiff Mr. Heaggar-Brown was confined in the "hole" unit 4D, and moved from a regular housing unit 4A.

135. Upon arrival Mr. Heaggar-Brown was placed into a cell that was not properly clean. It contained a strong odor of urine and feces, hairs over the bed and sink area, food stains on the walls, vents, tables, and the toilet was not properly cleaned.

136. Officer B. Jackson advised plaintiff he could clean tomorrow due to shift change.

137. The day room was dirty in the same fashion.

138. This unit has a steel table and stools, no television, no garbage can, gym or adequate law books.

139. The plaintiff was exposed to loud and boisterous inmates from suicide and discipline watch, no linen on scheduled day's, and cold food trays that would sit until discipline and suicide watch inmates were fed.

140. On or about February 2nd, 2018, plaintiff asked a total of an estimated 40 times throughout the day for cleaning supplies to Lt JArtis, Lt John Doe, Lt Montano, Lt Cunningham, and Captain Dukert in which nothing changed.

141. On the same day plaintiff and 3 identified inmates observed a Inmate worker place their lunch trays on the floor of the hallway, which sat for an extended amount of time. The tray's used are not sealed completely which is very inhumane.

142. On February 3rd, 2018, plaintiff and 3 other inmates asked a total of 20 times on 1st shift for cleaning supplies.

143. Lt Kevin Johnson was informed about plaintiff's concerns about a television, chairs, cleaning tools, and normal privileges and he replied "due to the budget and the area you are housed in, that is why."

144. Plaintiff spoke with Officer Turner regarding cleaning supplies on February 5th, 2018 and other days regarding the cold temperatures and cleaning supplies in which he acknowledged

145. On February 14th, Officer Gregory Walker was advised about the conditions in which he advised plaintiff 1st shift is responsible for those concerns.
146. On or about February 15th, 2018 at approximately 8:00AM, Officer Overkind, B. Jackson, Tanya Hintz, and Officer Diago were asked 12 times for cleaning supplies and recreation. Tanya Hintz at the end of the shift stated "I'll pass it on to second shift." Plaintiff was denied by Officer Schwaandt on second shift stating "I was not told that."
147. On or about February 18th, 2018, Health and Wellness Captain John Doe5 indicated he has bigger problems to worry about than plaintiff's recreation and living conditions.
148. Captain John Doe5 later stated "exercise outside of your cell." Officer Tanya Hintz then advised plaintiff that working out in the day room is a violation.
149. Captain William Dukkert informed plaintiff that there is no reason he shouldn't be able to get recreation in a gym-

150. On or about February 14th, 2018, plaintiff spoke with Officer Gregory Walker how the camera's will show how officer's fail to even check on the welfare of plaintiff's unit including today, not one officer has checked on plaintiff and other Inmates in over an hour.
151. Officer Walker replied "technically by the state's standard, we only have to check like once an hour."
152. Plaintiff later spoke with Officer Gonzales who stated the Milwaukee County policy is once every half hour.
153. On February 17th, 2018, Tanya Hintz stated "officer's assigned here are being lazy and not checking or getting you cleaning supplies." "They don't even get up to check on the suicide watches."
154. Officer D. Spidell watched plaintiff knock on the officer's window three times to make a request in which he made eye contact and continued to type on the computer, ignoring plaintiff.

155. While enroute back to 4D, D. Spidell walked a disoriented inmate passed plaintiff who was locked out of his unit. No movement was stopped, which is policy while moving plaintiffs.
156. On or about February 18th, 2018 at app 8:35AM. Inmate Damarcus W. Wade was secretly spying on plaintiff while he was in the shower exposed. A detective took plaintiff's report for possible criminal charges. No officers were watching the Unit.
157. On or about February 19th, 2018 at 4:00pm, plaintiff reported to Officer McAtecki a transgender Inmate Conner, who was classified as a female, sexually harassed plaintiff while she was in her recreation. The inmate was not moved and should not have been housed with plaintiff.
158. On or about February 18th, plaintiff observed inmate workers sit plaintiffs food trays on the floor which sat for an extended amount of time. Officer D. Walton knew the trays were not sealed and for the hazards present on the floor and stated nothing is being done with the trays, which were not sealed or even in a crate.

159. Officer M. Dantzler and C. Keen while speaking with plaintiff and 3 other Inmates about the condition's stated "unfortunately, the administration does not care until an Inmate dies." This was in reference to the Terrill Thomas investigation.

160. On or about February 1st, 2018, former classification officer John Doe #6 did a check on the 4D unit. After plaintiff and 3 other Inmates explained the condition's John Doe #6 shook his head in confusion stating "why isn't at least a T.V. there"

161. Officer John Doe #6 came frequently to check on the unit and was advised of ~~all of~~ the concerns in which he documented. Nothing changed and no problem's were fixed.

162. On or about February 14th, 2018 at TAN, while getting a haircut, Inmate Ortiz walked into the room having a verbal exchange with plaintiff. The Jail failed to stop movement and keep a officer standing by door for safety. Ortiz has threatened plaintiff's safety on numerous occasions. Failing to stop movement is common.

163) On or about January 31st, 2018, Officer C. Keen was transporting Inmate Thomas Jones from discipline housing to another unit. The unit door that plaintiff was housed in was not secured and wide open.

164) While walking past, Inmate Jones stated "I'm going to kill you."

165) Inmate Jones quickly moved out of plaintiff's sight and fearing for his safety stood up in front of the door and observed Inmate Jones blading his body while standing in the hallway.

166) Officer Keen was not visible, and plaintiff realized he was grabbing linen inside of the narrow hallway.

167) Plaintiff verbalized loudly to Inmate Jones to "get back", and directed the desk officer to secure the security door which is a mandated rule.

168) Plaintiff filed several grievances including but not limited to the following topics:

169) Mold and stains on the walls and ceiling

170) Normal chairs to sit in and a television - we are not discipline inmates

171) Cleaning supplies daily and chemical agent - to clean the sub. pod personally

172) No gym in 4D in which plaintiff lost his right to exercise daily

173. Plaintiff's safety and being housed with discipline inmates

174. Meals being placed on the floor

175. Being ignored by staff members and staff failing to hit the security box while doing cell checks.

176. Cold Temperatures in which during the nearly 2 months in 4D, Plaintiff and Inmate's can be seen wrapping up with blanket's while in the Day room

177. Fresh clothing, and being treated as discipline inmates.

178. These incidents aggravated plaintiff's pre-existing mental health conditions.

179. Plaintiff's mental state or mind was altered, increased anxiety and sleep deprivation increased daily from the series of actions and inhumane treatment to the plaintiff received while confined with the Milwaukee County Sheriff's. This was and is the normal behavior of officer's.

"Grievance Procedure's"

180. On or about February 13th 2018, I spoke with Captain Wachowiak regarding the poor conditions in 4D and how no one has responded to my Inmate Grievances.

181. Captain Wachowiak appointed Officer Brimley-Rose to be in charge of plaintiff's grievances personally as of the same date, due to a lack of responses.

182. Officer Brimley-Rose explained to plaintiff that a new grievance system is in place. Brimley-Rose explained that all grievances that plaintiff have filed in the past could be anywhere and were not properly by the staff members.

183. Brimley-Rose explained it is nearly impossible and the Jail will not pay her to try and see if plaintiff's grievances are in the files, and due to the improper filing and old way of filing, they could be anywhere.

184. Plaintiff explained he has filed a minimum of 80 to 100 grievances and/or follow-ups since he has been confined, and majority of his complaints are not replied to and/or do not resolve the problems.

185. Most officers, including Officer B. Drago, has told plaintiff and other inmates that they throw away grievances especially if they are named.

186. Officer's engage in this practice and also engage in not signing or putting their initials on it acknowledging receipt and say "we just turn them in." Plaintiff has documented on all follow-up grievances the name of the officer he turned them into.

187. Officer Mickelcki recieved 20 grievances from plaintiff and left them on the desk. Officer Tanya Hintz came the following day and stated "I'll turn them in, he didn't initial or turn them in for you!"

188. Plaintiff has filed grievances for all listed incidents in this complaint, and has not recieved any replies for most of them, or if it is a reply it just says "forwarded to an officer". Brimely-Rose responded to several follow-up grievances with the same reply, and nothing is resolved.

189. There are a total of 130 grievance transactions that plaintiff has personally and the Jail should produce their copies if necessary.

190. It is important to note that the Milwaukee County Sheriff's Jail has a rule book and expectations that was not given to plaintiff until nearly a year being in custody.

191. Plaintiff was a "high profile Inmate" in which safety was supposed to be priority. Plaintiff was allowed to write notes to administrator's and staff for confidential reason's.

192. All inmates are entitled to a safe and secure facility, decent living conditions, Exercise outside of cells, right to adequate medical care, be treated with respect, impartiality, fairness, Nutricious meals, clean clothing, daily exercise, protection from abuse, corporal punishment, personal injury, disease, and damage or theft to your property. These very rules were violated on several occasions.

193. Plaintiff is also seeking a new or amended grievance system to be enforced at the Jail, so in the future Inmates can be afforded due process, and a ethical complaint system. Armor Medical is included in this section because they fail to reply to grievance as well.

194. A 'direct result' and combination of actions and inactions of said defendant's did and still cause plaintiff specific serious physical and emotional pain and suffering. Plaintiff is seeking compensation to cover medical care, the loss of his constitutional rights, pain and suffering at the time and in the future.
195. The following evidence can and will be provided upon request:
Witness statements, staff statements, monitored jail phone calls, camera records, health records, grievance copies, inmate request copies, psych doctor statements, Jail logs/Notes, and all relevant documentation and information regarding this case.
196. To specify, plaintiff has and still suffers from severe anxiety, depression, & post traumatic stress disorder. These symptoms are all logged in plaintiff's medical history with the medical records, logged on grievances and actual statements provided in this complaint.

#41

Count 1

Violation of Eighth Amendment - Cruel & Unusual Punishment

Plaintiff hereby realleges and reasserts above paragraphs as if fully set forth herein. Pursuant to the Eighth Amendment of the United States Constitution, Plaintiff was entitled to be free from cruel and unusual punishment.

Count 2

Violation of Fourteenth Amendment

Plaintiff hereby realleges and reasserts above paragraphs as if fully set forth herein. Pursuant to the Fourteenth Amendment of the United States Constitution, Plaintiff was entitled to be free from the deprivation of liberty and property without due process of law; freedom from summary punishment; and freedom from county activity which shocks the conscience of a civilized individual.

C. JURISDICTION



I am suing for a violation of federal law under 28 U.S.C. § 1331.

OR



I am suing under state law. The state citizenship of the plaintiff(s) is (are) different from the state citizenship of every defendant, and the amount of money at stake in this case (not counting interest and costs) is \$_____.

D. RELIEF WANTED

Describe what you want the Court to do if you win your lawsuit. Examples may include an award of money or an order telling defendants to do something or to stop doing something.

- 1) Nominal and compensatory damages to be determined at trial but not less than 75,000.
- 2) Punitive damages in the amount to be determined at trial
- 3) Reasonable costs and attorney fees
- 4) A jury to try this case
- 5) Any other relief court deems just and proper.
- 6) Injunctive relief including changing the Jail's grievance policy

#95
E. JURY DEMAND

I want a jury to hear my case.

☒ - YES

☐ - NO

I declare under penalty of perjury that the foregoing is true and correct.

Complaint signed this 6th day of July 2018.

Respectfully Submitted,

Diamonda Hoyer-Bell
Signature of Plaintiff

665402
Plaintiff's Prisoner ID Number

Dodge Correctional Institution
P.O. Box 700 Waupun, WI 53963
(Mailing Address of Plaintiff)

(If more than one plaintiff, use another piece of paper.)

REQUEST TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING THE FULL FILING FEE

☒ I DO request that I be allowed to file this complaint without paying the filing fee. I have completed a Request to Proceed in District Court without Prepaying the Full Filing Fee form and have attached it to the complaint.

☐ I DO NOT request that I be allowed to file this complaint without prepaying the filing fee under 28 U.S.C. § 1915, and I have included the full filing fee with this complaint.