

**CONDITIONS OF INCARCERATION for WALT ANDERSON
IN WASHINGTON DC CORRECTIONAL FACILTIES**

February 9th, 2007

PREPARED FOR FEDERAL PUBLIC DEFENDERS OFFICE

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INTRODUCTION

Walter Anderson was indicted for charges related to tax fraud and taken into custody on February 26th, 2005 upon his return from an international trip.

The first 3 days prior to his arraignment he was held incommunicado in the DC Department of Corrections "Central Cell Block" in downtown Washington DC. He was held without access to food, water or a shower.

After his arraignment rather than being released, prior to his trial, per a prior agreement negotiated by his legal counsel with the prosecutors, Mr. Anderson was held and sent into the custody of the Washington DC Corrections Department. This department has had serious and well publicized problems for over 25 years and has never been able to meet minimal standards or comply with numerous court order to correct multiple deficiencies.

The Washington DC Corrections facilities where Mr. Anderson has been held for almost 2 years are not designed for long term incarceration. Long term inmates are normally sent to other appropriate facilities. At the facilities where Mr. Anderson was held, all inmates, even those who are awaiting trial and have not been found guilty are treated the same.

Mr. Anderson has been moved around many times. He was mostly at the facilities noted below on the following dates.

- 2/26/2005 to 10/17/2005 DC Correctional Treatment Facility (CTF) – General Population
- 10/18/2005 to 11/25/2005 DC Correctional Treatment Facility (CTF) – Solitary Confinement
- 11/25/2005 to 11/29//2005 DC Central Detention Facility (CDF) – General Population
- 11/30/2005 to 4/26/2006 DC Central Detention Facility (CDF) – Solitary Confinement
- 4/27/2006 to date of this report DC Central Detention Facility (CDF) – General Population

This document describes many of the conditions encountered by Mr. Anderson between February 29th, 2005 and February 9th, 2007 while he was being held by the DC Department of Correction of behalf of the United States Federal Government. This document is not a detailed diary of all the condition and event encountered by Mr. Anderson and only attempts to cover significant conditions.

LAW LIBRARY / COMPUTER ACCESS

LAW LIBRARY ACCESS

State and Federal laws and numerous court decisions have granted inmates the right to have access to an up to date law library while they are incarcerated.

CTF LAW LIBRARY / COMPUTER ACCESS

The CTF Law Library consists of printed volumes of legal reference materials that might be found in a small law office. Many of the volumes and material are not up to date and no online databases are available to the inmates. The law librarian did not have any significant expertise in legal research or management of a law library.

The normal CTF law library schedule provides for 1.5 hours of access to the law library each week for inmates. This schedule was often not adhered to and many weeks the law Library hours were simply ignored or forgotten by the CTF staff. No explanation was ever provided and grievances filed about lost library hours were answered with claims that the library hours had actually been honored.

After a number of months and multiple requests, Walt Anderson was finally given access to the "extended" Law Library hours along with a some of other inmates. The extended hours were supposed to allow an additional 2 hours per week of time in the law library. The "extended" hours wee often curtailed and sometime not observed at all. More than 1/2 the time the Mr. Anderson was not able to access the library at all during the scheduled "extended" times. (SEE EXHIBIT 3)

The CTF Law Library had 2 very old computers. Only one of these computers was equipped to read CD disks. Neither of the computers could read "PDF" type files which are commonly used for legal documents and neither of these computers could read many up to date "WORD" and "SPREADSHEET" programs. The computers had no connection to networks and no printer. Due to these limitations, this Law Library computer resource was almost completely useless. Even then the computers were not readily available since up to 12 inmates competed to access them during the very limited hours in the law library.

CDF LAW LIBRARY GENERAL CONDITIONS

CDF law library used to consist of printed volumes of legal research materials. Many of these materials were 7 to 9 years out of date. These volume were recently removed and the CDF Law Library was "updated" to a system which is computer access only. A single online database is available. This particular online resource is free of charge to users and is the only online resource that has been made available to the inmates in the CDF. A significant amount of data is not available with this single online database available and the CDF administration has refused to update or correct this deficiency. This "update" has actually made the CDF Law Library less useful to inmate then the prior our of date materials.

CDF SOLITARY CONFINEMENT LIBRARY ACCESS

Mr. Anderson was not allowed to access to the law library was allowed during the time that he was held in Solitary Confinement at the CDF. Mr. Anderson made numerous attempts to request information from the law Library, per the procedures set up by the DC Department of Corrections, but never received any response to his many requests.

Mr. Anderson was not being held in solitary confinement for 6 months due to any pending disciplinary charges or due to any violent incident. During the time Mr. Anderson was denied his rights that all inmates have to access a law library, he was at times told that he was being held in solitary confinement "for his protection".

CDF LIBRARY/ COMPUTER ACCESS

Beginning in April 27, 2006 when Mr. Anderson was assigned to the general population of the Central Detention Facility (CDF) facility he attempted to access the law library on a regular basis. CDF policies allow only 1 hour of access per week to inmates. Most weeks, despite his diligent efforts, Mr. Anderson was not able to access the library. The few weeks that he was able to obtain access, it was not for the full a hour due to delays created by the CDF personnel. Even when inmates were late going to their scheduled Law Library hour due to CDF employees failures, they were still expected to leave the library at exactly the correct time. A single hour per week in the CDF Law Library, even if provided in full, is not enough time to do any useful work or accomplish any serious tasks in a Law Library.

On June 16th, 2006 Mr. Anderson's legal counsel obtained a Court Order (EXHIBIT 1) ordering that Mr. Anderson would receive 15 hours of Law Library access per week and that he would have the right to receive and hold in his possession files, documents and computer disks from his legal counsel relating to his case. This court order has been largely ignored, when it was not being actively violated or disparaged by CDF employees and senior staff and officers.

Some weeks after the court order was issued, Mr. Anderson was allowed some additional hours in the Law Library. Since the time the Court Order was issued he has never received anywhere close to 15 hours in any one weak. Since the court order was issued his access to the Law Library has been denied numerous times due to neglect, incompetence and other CDF staff problems. SEE CHART BELOW

The Law Library maintained a sign in sheet for Mr. Anderson which records the times that he has had access to the CDF Law Library (EXHIBIT 2). In spite of extensive efforts by Mr. Anderson and his legal counsel, he has not been able to get additional hours time in the library which he needs to even be able to partially assist his legal counsel. Mr. Anderson's has attempted to comply with the requests of his legal counsel which required him to access and review extensive documents related to his case and prepare detailed written information and summaries but he has not been able to comply with more than a small portion of their requests. Mr. Anderson was not able to effectively access most of the documents related to his case and he was never able

CONDITIONS OF INCARCERATION FOR WALT ANDERSON
IN THE WASHINGTON DC CORECTIONAL FACILITIES

The following is a summary by week of the Hour Walter Anderson had in the Law since June 16, 2006 when Court Order was issued:

WEEK	DATE	HOUR:MIN
WEEK 1	- June 18, 2006	0:00
WEEK 2	- June 25, 2006	2:25
WEEK 3	- July 2, 2006	2:53
WEEK 4	- July 9, 2006	0:30
WEEK 5	- July 16, 2006	0:00
WEEK 6	- July 23, 2006	0:00
WEEK 7	- July 30, 2006	0:00
WEEK 8	- August 6, 2006	0:00
WEEK 9	- August 13, 2006	0:00
WEEK 10	- August 20, 2006	5:44
WEEK 11	- August 27, 2006	6:41
WEEK 12	- September 3, 2006	3:35
WEEK 13	- September 10, 2006	0:00
WEEK 14	- September 17, 2006	0:00
WEEK 15	- September 24, 2006	0:00
WEEK 16	- October 1, 2006	0:00
WEEK 17	- October 8, 2006	0:00
WEEK 18	- October 15, 2006	0:00
WEEK 19	- October 22, 2006	5:06
WEEK 20	- October 29, 2006	3:31
WEEK 21	- November 5, 2006	4:55
WEEK 22	- November 12, 2006	6:07
WEEK 23	- November 19, 2006	0:00
WEEK 24	- November 26, 2006	7:26
WEEK 25	- December 3, 2006	9:08
WEEK 26	- December 10, 2006	7:20
WEEK 27	- December 17, 2006	0:00
WEEK 28	- December 24, 2006	4:15
WEEK 29	- December 31, 2006	6:30
WEEK 30	- January 7, 2007	8:52
WEEK 31	- January 14, 2007	7:09
WEEK 32	- January 21, 2007	6:19
WEEK 33	- January 28, 2007	8:02
WEEK 34	- February 4, 2007	8:11
TOTAL HOURS		114:39
TOTAL MANDATED HOURS		510:00
MISSING LIBRARY HOURS		395:21
AVERAGE LIBRARY HOURS PER WEEK		3:22
AVERAGE MISSING LIBRARY HOURS PER WEEK		11:38

to affectively communicate a large amount of significant and material information to his legal counsel.

The computer equipment in the CDF Law Library until just the last few months prior to this report consisted of four very old computers with varying software loads. Only two of these computers were connected to a working printer. More than half of the time these two printers did not have printing toner cartridges and so were completely useless. Only one of these four computers would actually open and read "PDF" type files and this particular computer was not connected to a printer. The law librarian would not allow inmates to change the computer connections to create a single functional system.

A few months ago, the law library was "Updated" by removing most of the printed volumes which were around 9 years old and out of date. The printed library was replaced with an online system. The computers were improved with updated software. The new software was Microsoft Windows 2000 NT and Microsoft Office 2000. Now the software in the system is only 6 years out of date instead of 10 years.

All legal research in the Law Library now must be done online. The online legal research system consists of a single free internet resource and no access to paid or subscription services such as lexis / nexis. No access is provided to other parts of the internet. This online service is not complete or adequate. It does not cover all state laws and is missing other critical and necessary information. No lawyer practicing criminal law could ever depend on this single free internet site to do all their legal research and it is not reasonable to assume that this is an adequate substitute for the constitutionally mandated access to an up to date "law library" to which inmates are entitled.

The CDF "updated" Law Library now has a single printer. This printer is often "out of order" and has not been accessible for weeks at time. In month of January 2007, this printer was "out of order" for the entire month and has now been replaced by a printer too small to handle the output from multiple users. This technical failing makes access to computers relatively valueless and makes it almost impossible to accomplish any useful work in the CDF Law Library.

The CDF Law Library also often runs out of basic supplies. Paper for the printer is in short supply and staples to collate filings are not available.

Officers and staff at the CDF when asked by Mr. Anderson to comply with the Court Order related to his library hours have made comment such as: "We don't care about any Court Order" "F*** your Court Order" "If you wanted to go to the library whenever you wanted you should not have gotten yourself in jail" and many other even less savory comments. The nicest response is when they just laugh.

The previous chart showing the actual hours Mr. Anderson attended the CDF Law Library, makes clear that level of respect that CDF has had for the Court Order related to Walter Anderson's Law Library hours.

Mr. Anderson's case is unusually complicated and the documents and computer files related to the case cover over 16 years of his business and not-for-profit activities. The lack of regular access to computer facilities and the inability to do research online has made it impossible for Mr. Anderson to effectively assist his legal counsel to understand the history of his activities and prepare a defense

LEGAL VISITS

DC DEPARTEMTN OF CORRECTION LEGAL VISITS

The regulations and procedures of the DC department of Corrections require that inmates held by them have access to legal counsel at all times. These regulations apply to both the CTF and CDF facilities. The DC Department of Corrections has a history of not complying with these requirements and has been subject to numerous court orders and legal challenges in relation to their compliance with these regulations.

CTF LEGAL VISITS

Routine legal visits at CTF prior to October 17th, 2005, were not handled well by CTF staff and officers. It often took over 1+ hours for Walter Anderson to be escorted on the 3 minute walk from his unit to the visitor hall for legal visits. Lawyers were also often delayed going through security to enter the facility. These combined delays made legal counsel reluctant to visit routinely since a single short visit could take up ½ the day. These delays occurred on almost every visit event when the facility and staff were not busy.

CTF senior officers and staff promised Mr. Anderson's legal counsel that they would work with them to accommodate visits involving multiple legal counsel but when they were contacted and actually asked to do something they never responded at all or failed to keep the agreements they had made.

CTF SOLITARY CONFINEMENT LEGAL VISITS

Mr. Anderson was placed in "disciplinary segregation" / "solitary confinement" for 14 days due to the staff finding a cell phone in his room. (see CELL PHONE INCIDENT AT CTF section of this document) After that time CTF never allowed him have any face to face meetings with his lawyers at the CTF. When Mr. Anderson's lawyers tried to visit him, CTF either completely denied the visit or in some cases the CTF staff brought him to a visitors area with a thick glass window and without any means to speak with or hear his lawyers through this barrier. Their was also no means to exchange documents between Mr. Anderson and his lawyers. The electronic intercom in this sealed visitors area was not functioning at all. The CTF staff jokingly suggested that that Mr. Anderson and his lawyers should shout loudly and they might be able to hear each other.

The intentional actions of CTF senior officials to deny Mr. Anderson access to his lawyers during this time was clearly a violation of his right to have access to legal counsel. Mr. Anderson's legal counsel did not believe that they could quickly resolve this clear violation of his rights orchestrated by the Warden and other senior officials at the CTF facility. This unusual denial of access to legal counsel came at a critical time in Mr. Anderson's trial schedule and made it completely impossible for Mr. Anderson to assist his legal counsel in any way during this time.

CTF officials were never able to justify in any way how Mr. Anderson having access to his legal counsel inside the highly secure and controlled CTF visitor area would be any

threat to their security. The CTF senior personnel refused to respond to requests from Mr. Anderson's legal counsel on this issue and refused to provide any written response relating to the serious and unprecedented violation of Mr. Anderson's right to have access to legal counsel. It is likely that the CTF officials knew from their prior experience that if they just ignored their obligations under the law that it would put a significant burden of the violated party to resolve the matter and could take months or even years to resolve. By the time Mr. Anderson legal counsel could obtain a remedy through the courts, he would have lost additional time behind bars and under tortuous circumstance and under the complete control of the very official who had denied him this basic right.

This restriction on Mr. Anderson in relation to access to legal counsel continued even after the 14 day "disciplinary" period related to the cell phone issue was ended. CTF Warden Fred Figueroa and other senior CTF officials indicated to Mr. Anderson that they had been in contact with the United State Federal prosecutors that were pursuing the criminal action against Mr. Anderson. CTF officials stated that they had been provided with "information" which indicated that Mr. Anderson was a serious "security risk". It should be noted that this "information" containing very serious allegations and claims about Mr. Anderson, has not been documented in the DC Department of Corrections files which were subpoenaed by Mr. Anderson's legal counsel in preparation for his sentencing hearing. CTF has not provided any documentation or proof of these wild and irresponsible allegations against Mr. Anderson. They have not been able to justify their decision to deny Mr. Anderson access to his legal counsel. Mr. Anderson's security classification at this time is MINIMUM and he received the lowest possible security classification score on a recent classification conducted by the Case manager of his housing unit

Internal CTF memos signed by senior CTF officials were posted on the door outside of Mr. Anderson solitary confinement room. These posted memos, which in violation to CTF policy and procedures and restricted Mr. Anderson's telephone access and personal visits after long the "disciplinary" period was over. (SEE EXHIBIT 4)

CTF officials including the warden falsified documents related to an internal hearing which they claimed was held on the 11th of November. Mr. Anderson intended at this hearing to petition to be returned to CTF the general population due to the fact that his "disciplinary" period had ended the week before. No November 11th, 2005 hearing was ever held, but false documents were prepared and signed by CTF Warden Fred Figueroa and other CTF officials. Mr. Anderson was pressured by Warden Fred Figueroa and the other CTF officials to sign the November 11th false paperwork at a hearing held on the 18th of November. CTF ignored multiple petitions by Mr. Anderson to be treated the same way as other inmates who had violated the same internal regulations. Mr. Anderson was treated much more harshly than other inmates in the same exact circumstances. Mr. Anderson was kept on "solitary confinement" long after the 14 day "disciplinary" period was over. These discriminatory actions by CTF Warden Fred Figueroa and other CTF officials, were contrary to the DC department of Corrections

procedures and CTF internal procedures and regulations which state that no one can change a decision of the disciplinary hearing by increasing the punishment.

CTF and the DC Department of Corrections arbitrarily ignored their own regulations and procedures after communicating with the prosecutors in Mr. Anderson's case. CTF Warden Fred Figueroa freely admitted to Mr. Anderson on at a November 18th, 2005 that he had been in communication with the prosecutors. The CTF facility is managed by a private corporation, Corrections Corporation of America, under contract to the DC Department of Corrections. Corrections Corporation of America receives substantial revenues from their relationship with the Federal law enforcement authorities in Washington DC and in other part of the United States. The CTF facility has an entire floor in building "C" which is dedicated to inmates that require special handling due the fact that they are informers working with the government. Many of the inmates held in this special area of the CTF facility are United States Federal Prisoners and all are under the jurisdiction of the United States Attorneys. This close relationship between the Correctional Corporation of America officials which operate the CTF facility and the United States Federal Prosecutors may to have taken precedence over the constitutional rights of Mr. Anderson and the regulations and procedures mandated by the DC Department of Corrections.

Mr. Anderson's legal counsel determined that they did not have the time to pursue a legal solution to the violation of Mr. Anderson rights by the CTF officials which were apparently initiated by and encouraged by the Federal Prosecutors. Mr. Anderson's counsel requested that he be moved to Washington DC Corrections Department CDF facility so that he could once again have contact with his legal counsel.

CDF SOLITARY CONFINEMENT LEGAL VISITS

On November 25th, Mr. Anderson was removed from the CTF facility at the request of his legal counsel and transferred to the CDF. After arriving at the CDF, he was routinely "classified" by a case officer for status in the general population and then placed into the general population. After five days in the general population, Mr. Anderson, without any notice was moved to the most secure solitary confinement block in the CDF facility (NORTH 1). He was told that this change was ordered by the "warden's office". (see EXHIBIT 17)

Inmates which are held in CDF solitary confinement are allowed face to face legal visits. During these visits. The downside is that during these legal visits Mr. Anderson was bound in highly restrictive leg irons, hand cuffs and chains. He had to be escorted to each legal visit which created delays for his legal counsel. These physical restrictions made it impossible for Mr. Anderson effectively review the numerous legal document and files related to his case with his legal counsel. It is also not possible to take notes while in handcuffs.

The draconian requirement that Mr. Anderson remain chained hand and foot during the meetings with his lawyers legal also caused Mr. Anderson to suffer back and leg cramps and severe discomfort within a few minutes after being seated in the visitors

with his lawyers. This tortuously painful situation made it impossible for him to concentrate on his case and provide critical information to his legal counsel during these visits.

The procedures used on Mr. Anderson in the NORTH 1 “solitary confinement” unit were exactly the same as procedures applied to the most dangerous and violent criminals within the CDF facility.

LEGAL CALLS

CTF LEGAL CALLS

CTF procedures designated that each inmate was allowed to make one legal call of 10 minutes duration per week upon request. Mr. Anderson made extensive efforts from the date he entered CTF until October 18th, 2005 to receive these mandated legal calls but was only able to obtain one single legal call in that entire 7 month period.

The amount of effort to obtain that call was extensive. His requests for legal call were ignored. At other times the Case Manager assigned to his unit made specific agreements to provide a legal call at a specific future date and time and then failed to show up to provide these calls as agreed. No amount of effort on the part of Mr. Anderson seemed to resolve this situation.

Don Paul, a senior official at CTF, testified under oath as a witness for the prosecution, at the May, 2005 hearing related to Mr. Anderson's continued incarceration as a possible "flight risk". Mr. Paul promised in his testimony that he, personally would be available to provide assistance for Mr. Anderson to receive legal calls each week or as needed. Mr. Paul also made other completely false claims about the conditions and activities at the CTF facilities. After that hearing, Mr. Anderson's Legal counsel at Chadborne Parke attempted to contact Mr. Paul more than 28 times (phone, voice mail and fax) and received no response to any of these calls whatsoever. Despite his testimony under oath and his promises to the Court and Mr. Anderson's lawyers, Mr. Paul made no effort to honor his promises which he had made under oath at the behest of the Federal Prosecutors pursuing the case against Mr. Anderson

Mr. Anderson also made extensive efforts at the CTF facility to have Mr. Paul comply with his sworn promises and claims. Mr. Anderson sent messages to Mr. Paul through the officers in his unit, by internal CTF mail and even by sending letters through the mail. Mr. Anderson also received no response whatsoever from Mr. Paul. On two occasions Mr. Anderson ran into Mr. Paul by accident in the hallways of the CTF facility and obtained a specific promise from Mr. Paul to meet with him at a later date and time. Mr. Paul never showed up for these meetings and never contacted Mr. Anderson to make alternate arrangements. It became clear that Mr. Paul never had any intention to do anything in relation to Mr. Anderson than to testify to the court as he was asked to do by the Federal Prosecutors pursuing Mr. Anderson. Mr. Anderson's conditions of incarceration and access to legal calls was not changed in any way by Mr. Paul.

Mr. Anderson finally wrote a letter to Mr. Paul which he arranged to have delivered by FEDEX to the CTF offices. This letter accused Mr. Paul of perjury in his testimony at the May, 2005 hearing. Mr. Paul did not respond to this letter. (See EXHIBIT 5 for some of the Anderson correspondence with Mr. Paul)

Ultimately Mr. Anderson only received 1 additional legal call during the entire time he was at CTF. This call was provided by one of the case managers. This failure to

provide the mandated legal calls made it impossible for Mr. Anderson to have regular and confidential contact with his legal counsel.

CDF SOLITARY LEGAL CALLS

The CDF facility also had a policy allowing all inmates access to a legal call of 10 minutes each week. Legal calls are supposed to be provided by the case managers in each unit upon request. During the 181 days that Mr. Anderson was held in solitary confinement he received only a few legal calls. The case manager in his unit was often absent for months at a time. The legal calls he did receive were not at the time he requested when his legal counsel would be available in their office to receive his calls. These calls were conducted in a office in the very secure NORTH 1 Unit at CDF, but in spite of that, Mr. Anderson was chained hand and foot to while using the phone. Mr. Anderson could not hold the phone and at the same time access his files and take notes while bound in chains hand and foot

CDF LEGAL CALLS

Since Mr. Anderson was moved to the SE-2 Unit at the CDF he has only been able to make four legal calls. Mr. Anderson made a request for a legal call each week, usually without results. On two of these four legal calls the case manager cut the call short in less than five minutes so he could leave the office early. This case manager claimed that inmates were only allowed a 3 minute legal call each week.

Even if Mr. Anderson had received a 10 minute legal call each week and was able to speak with his lawyers on each call, this could not possibly provide adequate phone contact with his lawyers to prepare help them prepare for his case. Mr. Anderson's case involved so many details, documents and computer files that he really needed much more time to be in contact with his lawyers.

Mr. Anderson made numerous requests for legal calls and has made a number of Grievance Reports related the failure of the CDF to provide legal calls. These complaints have been completely ignored. None of the grievances that he filed related to the legal call issue have ever been answered as of the date of this report.

PERSONAL PHONE CALLS

CTF PERSONAL PHONE CALLS

The unit at CTF where Mr. Anderson was assigned had only three phones. Two of these phones functioned well enough to be able to carry on a conversation. These “working” phones were in demand by other inmates and were often not available for use by Mr. Anderson. The phones were located in the main room near the television and the main entrance to the unit.

The television located near the telephones was always at full volume and most of the inmates congregated in this area. There were no chairs near the phones so they had to be used standing up. Since these phone were in a public area it was not possible to have any kind of private or confidential conversation over these phones.

These conditions in relation to calls made over the personal telephones at the CTF made it impossible for Mr. Anderson to effectively work with his legal counsel on a complicated and detailed case over these phones.

CTF SOLITARY CONFINEMENT PERSONAL PHONE CALLS

On October 18th, Mr. Anderson was moved to “Solitary Confinement” due to the cell phone disciplinary issue. Even after a 14 day disciplinary period, Mr. Anderson was restricted from access to the phone. Mr. Anderson was not treated the same way as other inmates. CTF senior officials issued memos which were posted on the door to his cell in the solitary confinement unit. These memos were contrary to the policies and procedures of the CTF and the DC Department of Corrections. (SEE EXHIBIT 4)

CDF SOLITARY CONFINEMENT PERSONAL PHONE CALLS

Mr. Anderson was not allowed access to the phone at all during his first week in CDF solitary confinement even though the officers claimed that he was not being held for “disciplinary reasons”. After the first week in the CDF solitary confinement unit, he was at times allowed to use the phone for a few minutes 2 or 3 times per week. Due to the short time he often had access to the phone, Mr. Anderson also had to choose between using the time to have contact with his friends and family or to pursue the issues in his legal case Mr. Anderson was forced to choose between having exercise/recreation in a larger indoor area in the unit or to have the use of the phone. CDF procedures and regulations allow inmates to have both phone access to and a reasonable time for recreation while held in solitary confinement. These regulations and procedures were ignored the entire time Mr. Anderson was confined to this unit.

The Phone equipment available for the few minutes was often defective and not usable at all.

CDF PERSONAL PHONE CALLS

Each unit at CDF has a number of phones which are available for inmate personal calls. Inmates are allowed out of their cell for around 4 hours each days to take showers, watch TV or use the phone. Mr. Anderson's unit has 12 phones for 160 inmates. Most of the phones have major technical defects which make them either completely inoperable or provides a very poor quality call (low volume, crosstalk, distortion and static).

The personal phone system allows collect calls and prepaid calls to a limited list of 10 numbers. The cost of calls is far in excess of the actual cost to provide service. For example; The cost of calls charged by the phone system provider to calls terminating within the DC area is \$1.23 for 15 minutes. This is around 15 cent per minute. The retail cost of terminating calls in the DC area is less than 1 cents per minute. This means that on local Prepaid calls inmates are being overcharged over \$1.00 per call; Calls on the inmate phone system to areas outside the Washington DC area are charged to inmates at over 62 cents per minute. The normal commercial cost of terminating calls to the rest areas outside of the Washington DC area is around 2.5 cents per minute. On those calls the inmates are being overcharged over \$9.00 per call. These call charges add up quickly.

Calls to many phone numbers such as cell phones can not be connected with this system.

The CDF personal phones are located in the central area of the unit. They are in the most crowded and noisy areas in the unit and no effort has been made to provide any sound dampening material in the unit or near the phones. Phones are placed close together so there is no any privacy on the calls.

A billing issue exists between the contract provider of personal phone service at the CDF and the Federal Public Defenders Office. Mr. Anderson has not able to make collect calls to the Federal Public defenders Office the entire time he has been held at the CDF. Mr. Anderson was only able to contact his lawyers with the assistance of friends or family who would connect a "conference" call to the lawyers after accepting a collect call form him. This made it impossible for Mr. Anderson to have regular contact with his legal counsel and impossible to be assured of a completely private and privileged communication with his lawyer.

The Federal Public defenders Office lawyers representing Mr. Anderson did not want to have any detailed conversations over the personal phones and instructed Mr. Anderson accordingly. They are not certain that these calls will be treated as privileged and confidential.

It has not been possible for Mr. Anderson to use the personal phone service provided at the CDF to effectively maintain the level of contact with his lawyers that is necessary to effectively work with them on his case.

LEGAL DOCUMENTS

CONIDITONS RELATED TO LEGAL DOCUMENT

The evidence in the criminal tax case which has been brought against Mr. Anderson includes hundreds of thousands of documents and over ten thousand computer files. It has not been possible for Mr. Anderson to effectively access this large amount of material while incarcerated.

The CTF and CDF staff have not been at all cooperative in to protecting even the limited amount legal documents that Mr. Anderson's lawyers were able to deliver to him. Mr. Anderson did not have easy access to legal documents through his lawyers and by mail since legal mail was often lost, delayed or returned.

An entire box containing thousands of privileged and confidential materials was lost when Mr. Anderson was transferred form CTF to CDF on November 25th, 2005. This material was never recovered. This lost box contained some original documents and documents which were prepared by Mr. Anderson. He attempted to recreate these lost documents while held in solitary confinement and without any access to the Law library and a computer. It was not possible for him to do this.

IMPROPER SEIZURES OF LEGAL DOCUMENTS

A Court Order was issued on June 16, 2006 which specifically allowed Mr. Anderson to receive legal documents and computer disks from his legal counsel and to hold these documents in his cell. The staff at CDF has intentionally ignored this Court Order and seized documents that legal counsel has delivered to Mr. Anderson. This has occurred four times. In some cases it seemed that document were seized out of spite and specifically due to the existence of the Court Order. CDF officials returned the document to Mr. Anderson in the 1st 3 incidents after a few weeks after the intervention of his legal counsel. Mr. Anderson is still awaiting the return of the documents recently seized as described below.

On January 17th, 2007, Mr. Anderson was visited by his legal counsel and given some documents. Many of these documents were time sensitive and urgent and required his immediate review. As soon as his legal counsel left and Mr. Anderson attempted to return to his housing unit and the officer stationed at the 3rd floor Visitors Hall seized most of the documents that were delivered to him by his legal counsel. Mr. Anderson has made appropriate efforts to obtain the return of the documents taken. These documents are of course subject to the clear Court Order issued on June 16th, 2006. It is clear from correspondence received from CDF official on this matter that the CDF employees have actually gone through these document in detail and have not only searched them for "contraband" but have carefully read through most of the documents. CDF officials could not possibly have any detailed understanding of the issues in the criminal case against Mr. Anderson, but they are now questioning the specific contents of the materials that they improperly took. Mr. Anderson and his legal counsel had the expectation that his constitutional rights to private legal communications would be

protected when these document were handed to him. It is now clear that as long as Mr. Anderson is held by the DC Department of Corrections that he can no longer have any expectation that he will be able to have the ability to received and hold privileged legal documents. He also can now have no confidence that he can have confidential communications with his lawyers now that his right have been so casually violated repeatedly. Mr. Anderson wrote to CDF Warden William Smith as part of his efforts to have these documents returned (EXHIBIT 4). As of February 9, 2007, the documents have not been returned.

CTF officers and officials have also seized documents form Mr. Anderson. As of this date Mr. Anderson has made a number of written request for the return of these documents. (see EXHIBIT 16) Mr. Anderson has not received any response form CTF to his numerous requests for the return of these materials.

Corrections Officers including senior officers have been extremely abusive and threatening as part of these illegal seizures of documents. Officers have also tried to seize the computer disks also allowed by the Court Order on numerous occasions in spite of the clear and concise language in the Court Order. The attitude of the employees of the CDF is that they can do anything that they want and that there will be no consequences even to violating a specific Court Order.

LEGAL ACCESS CONCLUSION

The case against Mr. Anderson is complicated and involves hundreds of thousands of document and thousands of computer files. In order for him to have effectively worked with his legal counsel to defend himself against the charge brought against him he needed to have access to these files and document. The CTF and CDF facilities and the DC Department of Corrections have made extensive efforts to deprive Mr. Anderson of the ability to access the documents that he needed to defend himself against the charges being brought against him. Mr. Anderson and his legal counsel have made a good faith effort to try to defend Mr. Anderson while he has been held in conditions which just are not conducive allow him to work effectively with his legal counselor to prepare a defense. Mr. Anderson was not physically able to obtain access to document and record which were essential to his defense.

LEGAL MAIL

LEGAL MAIL ACCESS AT CTF

Inmates held in correction institutions are routinely allowed to receive confidential and privileged material from their lawyers. The DC Department of Corrections has rules and regulations which effect both CTF and CDF and require all legal mail to be delivered in a timely manner and to be opened in the presence of the inmate rather than searched in private to protect the inmates legal rights.

CTF LEGAL MAIL

Prior to October 18th, 2005 CTF delivered most of Mr. Anderson's legal mail using the correct procedures. Mail however was often delayed and was not delivered per the CTF regulations which require delivery of legal mail 24 hours after receipt.

After October 18th, 2005 when Mr. Anderson was placed in solitary confinement CTF began to block almost all of his mail, including legal mail. CTF officials held onto or returned legal mail sent Mr. Anderson during the time he was in solitary confinement. In some cases this time sensitive legal material was held intentionally by CTF for over one month.

Separate from this issue of not being able to receive any documents related to his criminal case by mail, this mail blockade was highly prejudicial to Mr. Anderson's interests in relation to a number of civil legal matters. Mr. Anderson missed a number of deadlines in a civil case to which he was a party due to this delay in receiving legal mail and this adversely effected his interests. Holding mail, particularly legal mail was contrary to the CTF internal procedures and policies and a further violation of Mr. Anderson constitutional right to legal have access to his legal counsel.

CTF went to the extreme effort to cut-off Mr. Anderson ability to order stamps, legal pads and pens from the commissary during the time he was held in solitary confinement. Other inmates were not subject to this same treatment. CTF took the unusual step of having Mr. Anderson's mail screened by separately from the mail of other inmates. CTF blocked his friends and family from sending him stamps which is a common and allowed practice at both CTF and CDF.

CTF senior officials claimed that a small amount of stamps sent to Mr. Anderson were "contraband". These "contraband" stamps were cited by the Warden Fred Figueroa as a reason to continue holding Mr. Anderson in Solitary Confinement beyond the 14 days designated by the disciplinary panel in relation to the cell phone incident. On another occasion CTF opened Mr. Anderson outgoing sealed 1st class mail and claimed that the numbers contained in the correspondence were an attempt by Mr. Anderson to communicate via a "secret code". CTF outgoing mail is normally not searched no notice was given to Mr. Anderson in relation to this change of policy which was a violation of his right to privacy.

CTF never actually brought any charges against Mr. Anderson in relation to his friends and family sending small amounts of stamps or the “secret code” claims because they knew that no violation of the rules had actually occurred.

These extreme efforts on the part of CTF officials to cut-off Mr. Anderson’s legitimate communications with not only his legal counsel but also his family, friends and business associates in the outside world was another barrier which was erected intentionally to make it more difficult for him to effectively assist his legal counsel to prepare for the case against him. These malicious and possibly illegal actions by the CTF officials created unpredictable and highly stressful conditions which made it difficult for Mr. Anderson to be able to take steps to protect his own legal interest. After suffering from these unusual action by the CFT officials Mr. Anderson could no longer believe that the institutions holding him prior to his trial and at the request of the United States Federal Prosecutors were actually bound by any rules and regulations. I Mr. Anderson had good reasons to in fact fear for his safety.

CDF also routinely returned time sensitive legal mail and other mail as “NOT AT THIS ADDRESS”. These improper returns of legal correspondence create delays and confusion which makes it impossible to plan any collaboration between Mr. Anderson and his legal counsels which involve mailing documents. (SEE EXHIBIT 6)

CDF LEGAL

Legal mail sent to Mr. Anderson and other inmates at CDF is routinely delayed 2 to 4 weeks after it is delivered by the post office to the CDF facility. This excessive delay creates serious problems in responding to time sensitive legal matters. A percentage legal mail sent to inmates at the CDF is lost or is returned to sender in error. This appears to be a general problem and while not to be specifically directed at Mr. Anderson, it had a significant effect on him since his case was so document intensive.

The CDF mail room has repeated opened and searched privileged and confidential legal mail addressed to Mr. Anderson. Legal mail is required to be delivered to inmate and opened by an officer in front of the inmate. This is a serious violation of the DC Department of Correction policies. Mr. Anderson has submitted a number of Grievances on this issue and they have been completely ignored.

The routine delays in the Legal Mail, unpredictable search of legal mail and returns of legal mail made it impossible for Mr. Anderson to utilize legal mail to effectively communicate with and receive documents from his legal advisors.

PERSONAL MAIL / READING MATERIAL

CTF PERSONAL MAIL /READING MATERIALS

CTF mail room personnel returned over 46 packages containing books purchased by Mr. Anderson's friends and family from approved vendors. These books were sent in a way which complied with all the requirements of the DC department of Corrections and CTF procedures. CTF was never able to explain why these books were returned. Mr. Anderson filed a number of Grievances with CTF in relation to the returned books. In most cases CTF simply denied that any books were ever returned even when Mr. Anderson provided copies of the document proving these returns. CTF routinely just made up some completely ridiculous story to respond to the grievances filed by Mr. Anderson. Mr. Anderson contacted the CTF mail room to try to resolve this matter. Mr. Anderson's friends and family also made a number of calls to CTF senior personnel on this issue. CTF ignored the grievances filed, ignored the contacts from Mr. Anderson and his friends and family and continued to return properly ordered reading material addressed to Mr. Anderson. EXHIBIT 7 shows six packages of reading materials returned to amazon.com in just a single 2 week period in December 2006

CDF PERSONAL MAIL / READING MATERIALS

CDF delivers most incoming personal mail 2 to 4 weeks after it is received at the facility. Outgoing mail is often delayed 1 to 2 weeks for no apparent reason. These unusual delays created significant hardship for Mr. Anderson and made it difficult for him to maintain contact with his friends and family. As part of their security procedures, CDF opens incoming mail to examine it for contraband. This security requirement should not take weeks and there is no explanation why CDF personnel are processing mail that arrived weeks in the past. The security procedures only take a few seconds for each envelope. Mr. Anderson has filed a number of grievances in relation to the excess delays in mail services. No changes have been apparent and the actual grievances remain unanswered.

CDF delivers most of the books sent to Mr. Anderson, but the delays are routinely 3 to 6 weeks after the packages are delivered by the post office to the CDF facility. Since Mr. Anderson is forced to spend over 20 hours per day in his small cell, reading is one of the only activities available to him. Delays in receiving reading materials has created a very significant hardship for him and this has had a significant effect on his mental well being.

Most correctional facilities are able to deliver mail no longer than 24 to 48 hours after it is received. The lack of personal reading materials at the CDF (which has no reading library for inmates) has had a serious effect on Mr. Anderson's mental health.

GREIVANCE PROCEDURES

CTF GREIVANCE PROCEDURES

CTF personnel responded to grievance rapidly. The contents of the response however was never responsive to the complaint. CTF either claimed the issue related to the grievance was wrong, did not exist or outright lied about what had happened. Even when documentary evidence was attached to the grievance the CTF response was to ignore the evidence and insist on their imaginary explanation.

It was obvious that CTF compliance with the DC Department of Corrections Procedures required then to “answer” grievances. It was equally obvious that their was no requirement to actually resolve them

CDF GRIEVANCE PROCEDURES

CDF has a formal grievance procedure which is been instituted to allow inmates to communicate any unresolved problems to the CDF officials. In order to make a “grievance” Inmate must fill out a multipart form “IGP FORM 1 (revised 10/92) (see EXHIBIT 8). The complete form is then placed in a secured receptacle in each unit. The Grievance procedures of the DC Department of Corrections requires a receipt to be returned to the inmate making the Grievance immediately after the receipt of the Grievance form. The procedure also requires a timely response to all grievances by the facility where the grievance was filed

Mr. Anderson has filed a number grievances at CDF and as of this date has never received a received any response whatsoever. Grievances filed over 15 months ago still have not been answered. A copy of most of the grievances filed by Mr. Anderson between April 26th and the present is shown in EXHIBIT 9.

Mr. Anderson has tried to resolve the lack of response to his Grievance filings (see EXHIBIT 10) by corresponding with the appropriate CDF officers. This correspondence has also resulted in no response whatsoever.

CONDITIONS OF INCARCERATION FOR WALT ANDERSON
 IN THE WASHINGTON DC CORECTIONAL FACILITIES

Below is a summary of the Grievance issues filed by Walter Anderson between April 26, 2006 and February 9, 2007:
SUMMARY OF GRIEVANCES FILED BY WALT ANDERSON IN CDF GENERAL POPULATION

CATEGORY	DESCRIPTION	# FILED
ENVIRONMENTAL	Toxic Chemical / Interior Air Qulaity	6
FOOD SERVICE	Medical Diet - Failure to Provide	6
	Spoiled Food / Past Sell Date milk-juice	4
GRIEVANCE PROCEDURE	Failure to Respond to Grievances	4
HARRASMENT	General Issues	1
	Harassment by Officer V. Robinson	5
LAUNDRY SERVICE	Lack of Personal Laundry Access	3
LAW LIBRARY	Access to Law Library	12
	Equipment / Supplies	6
MAIL SERVICE	Personal Mail	5
	Legal Mail	3
MEDICAL CARE	General Issues	4
	Denial of Medical Care for Respiratory Infection	8
	Denial of Medical Care for Eye Infection	6
OTHER ISSUES	(see notes below)	10
PERSONAL CARE	Lack of Access to Barber	4
RECREATION	Lack of Access to Outside Recreation	1
SLEEP DEPRIVATION	Sleep Deprivation Conditions	4
SOCIAL VISIT	Failure to Follow policy & Procedures	2
SUPPLIES	Lack of Access to Shoes	3
	Lack of Access to Toilet Paper	2
	Lack of Access to Toothbrush	2
TELEPHONE ACCESS	Personal Phone Calls	4
	Legal Calls	5

NOTES: Includes Lack of Access to Pillow,
 Failure to Provide Inmate Handbook,
 Excessive Lockdown, Destruction of legal Files, Failure to Provide Access to Supervisory

Personnel, Failure to Credit Commissary Funds, Failure to Provide Access to Notary Public,

CDF GRIEVANCE PROCEDURES DURING SOLITARY CONFINEMENT

During the time that Mr. Anderson was held in solitary confinement at CDF (November 29th, 2005 to April 26, 2006) the CDF staff in the NORTH-1 solitary confinement unit refused to provide the correct multipart grievance forms to inmates. Instead they provided inmate only a single copy of the IGP FORM 1. These forms were widely available in other units of the CDF. Mr. Anderson was not able to obtain a carbon copy of the grievances which he filed during that time. As with other grievances filed at the CDF, no response whatsoever was ever provided to these grievances. The Grievance filed by Mr. Anderson during this period related to: Abusive Treatment, Denial of Medical Care, Illegal Seizure of Legal Documents, Loss of legal Documents, Abusive Treatment, Denial of Access to Recreation, Denial of Access to Phones, Improper Medically Mandated Diet and a number of other matters.

GRIEVANCE CONCLUSION

The CTF and CDF grievance procedures are not working at all. At CTF Mr. Anderson did not receive any resolution to his grievances. At the CDF Mr. Anderson has received no response whatsoever in relation to a numerous serious and issues. His correspondence with officers who are administering the grievance procedures has also been ignored. This leaves him with no effective way to resolve many of the serious issues at the CTF and CDF. These continuing unresolved issues include threats to Mr. Anderson's his mental and physical health and issues relating to harassment and threats against him by officers.

The grievance procedure is completely broken and does not seem to serve any function whatsoever other than to waste inmates time and delay the ultimate resolution of issues. Grievances are time sensitive and need immediate action to resolve. The DC Department of Corrections has created a corrupt environment in which inmates have no way to resolve issue within the institutions which they are forcibly held.

CELL PHONE INCIDENT AT CTF

By early August of 2005, Mr. Anderson had been unable to obtain access to legal calls and had no other way to effectively have private and confidential calls with his legal advisors.

The CTF facility where Mr. Anderson was housed had many existing cell phones in each unit. An inmate approached Mr. Anderson and offered his shared use of a cell phone that was already physically in the unit where Mr. Anderson was held in return for Mr. Anderson's assistance in paying the monthly fees to operate this phone. This actual cell phone had been in the CTF for a long period of time. Mr. Anderson did not have any personal knowledge of how that particular phone actually was brought into the facility. He was told that it had been brought in by one of the officers more than 1 year prior. Mr. Anderson was aware that CTF had substantial contraband in each unit which included cigarettes, cell phones and at times illegal drugs. Mr. Anderson's only contact with contraband was this particular phone which he shared with other inmates. Mr. Anderson was told by other inmates that CTF officers including senior officers were paid to bring contraband into the facility. Mr. Anderson did not have any prior contacts or connections with the CTF personnel or any experience with the DC criminal justice system to be able to verify these claims.

The prosecutors in Mr. Anderson's case have made a number of claims related to this cell phone incident which have not proven to be true. Mr. Anderson simply tried to "self help" in relation to his telephone needs at CTF. Many inmates at CTF have been charged with cell phone "contraband" violations in the past. This is not an unusual problem at the CTF. Mr. Anderson was treated much more harshly for this violation than other inmates charged with the same exact offense.

Mr. Anderson was able to use this phone to maintain contact with his criminal legal counsel and also maintain contact with friends and associates at a much lower cost and higher quality than the phone service provided by the CTF. Mr. Anderson was desperately attempting to assist his legal counsel and at the same time maintain contact with the outside world.

Mr. Anderson had no access to privileged legal calls at the CTF facility despite the false claims and broken promises of the CTF official Don Paul made at the behest of the Federal Prosecutors pursuing the case against Mr. Anderson. Mr. Paul testified under oath at a May 2005 hearing as a prosecution witness.

On October 18th, 2005, CTF senior security officers came into the unit D1A where Mr. Anderson was housed and went directly to his cell and found a cell phone and charger located there. These officials did not attempt to search any other part of Mr. Anderson's housing unit for any of the other contraband which might be located there which included other cell phones and cigarettes.

SOLITARY CONFINEMENT CONDITIONS

CTF SOLITARY CONFINEMENT CONDITIONS

The CTF SMU / Solitary Confinement unit contains 32 small cells in the basement of the CTF building A.

Mr. Anderson was placed into solitary confinement unit SMU-B at the CTF facility after he was charged with a "contraband" violation relating to a cell phone found his unit (CELL PHONE INCIDENT AT CTF above). Mr. Anderson was given 14 days of "Disciplinary Segregation" in the SMU-B unit at the CTF in relation to this incident. This 14 days was the only penalty mandated for Mr. Anderson in relation to this violation of CTF rules. Once the 14 days of was completed Mr. Anderson expected to be returned to the General Population of the CTF. This is how other inmates held in the SMU-B were normally treated for the violation of contraband rules relating to cell phones. Even Inmates placed on "Disciplinary Segregation" for violent acts and much more serious violations were routinely returned to the general population once their "disciplinary" time was completed.

Mr. Anderson was held in SMU / solitary confinement unit long beyond the time allowed by the DC Department of Corrections Regulations and Procedures and in violation of the written disciplinary policy of the CTF. Mr. Anderson was entitled to weekly hearings to review his continuing housing in the SMU/Solitary Confinement Unit. CTF Warden Fred Figueroa and other officials at the CTF falsified hearing reports on the 11th of November, 2005 when no hearing actually occurred and when many of these official were not even present at the facility.

CTF officials imposed exceptionally harsh conditions on Mr. Anderson that were not imposed on other inmates which were in similar circumstances. These conditions were not security related since other much more dangerous inmates with a long and violent history and prior records of escape attempts were not treated as harshly. This harsh treatment included lack of access to face to face meetings with his lawyers, lack of access to personal social visits, lack of access to personal phone calls, lack of access to law library and lack of access to commissary to order stamps, envelopes writing materials.

Mr. Anderson was placed in a cell on the ground floor of the unit. He remained in this cell until November 25th, 2005. Many of his personal possession were taken from him prior to his being placed into cell including most of his toiletries and clothing. The "bed" for his cell consisted of a poured concrete platform connected to the outside wall of the facility. A thin mattress was placed on this platform. The outside wall was cinder block without any insulation. The heating system in the cell was not functioning so during this very cold November the inside area of his cell was often below freezing.

The lowest temperature recorded for the Washington DC area during the time Mr. Anderson was held in the CTF SMU / solitary confinement unit was 22 degrees (-5 C) (temperature records are the National Weather Bureau as reported on the

wundeground.com website) The temperature in the bed was especially cold since the thin mattress rested directly on concrete connected to the outside wall and the ground. Mr. Anderson had a single thin blanket and no winter clothes. Due to plumbing problems in his unit, the floor of his cell was often covered in a thin layer of water. These life threatening and tortuous conditions were well known to CTF officers and officials.

Mr. Anderson requested heat, extra blankets or a jacket but these were not provided. The temperature was so cold in his cell that even during the day that Mr. Anderson could not write notes or read his legal materials. On the nights that temperature outside went below freezing the temperature in his Mr. Anderson's sleeping area was also well below freezing. (EXHIBIT 14 is copy of grievance filed in relation to the conditions in CTF solitary confinement)

When Mr. Anderson met with officials at a hearing on November 18th, 2005 which included the Warden of CTF Fred Figueroa, he described these tortuous conditions and requested help. These officials laughed at his requests. No action was taken to resolve the freezing temperatures and other environmental conditions that Mr. Anderson was exposed to.

No effort whatsoever was by the CTF and DC Department of Corrections to provide a safe and healthy environment in the SMU / solitary confinement area in other respects unrelated to temperature. CTF officials instead carried out a psychological torture against Mr. Anderson by accusing him of additional violations of CTF rules which were a complete fantasy. Friends and family of Mr. Anderson had previously routinely sent him stamps in the personal mail he received at the CTF. They continued to send stamps once he was transferred to the SMU / solitary confinement. CTF officials including the Warden Fred Figueroa claimed that the small amount of stamps sent to Mr. Anderson were illegal "contraband". They claimed he might be charged with criminal charges in addition in relation to this "contraband". Don Paul a security officer at the CTF began the unusual step of searching Mr. Anderson outgoing first class mail without notice to Mr. Anderson that this mail could not longer be expected to be private. This was done without any Court Authorization. All outgoing inmate mail is sealed 1st class mail and inmates at CTF are advised that outgoing mail is private. CTF officials claimed that some numbers which were included in one of Mr. Anderson's outgoing letters were part of a "secret code" and that this attempt by Mr. Anderson of secret communications was a further violation of the CTF rules. These ridiculous assertions of course never resulted in any actual charges being filed against Mr. Anderson.

Security Officer Ashmead harangued Mr. Anderson, day and night, to provide information about how the cell phone found in his unit came into the CTF. Mr. Anderson had already told Officer Ashmead in writing that the phone was already in the unit when he began using it and that he had nothing to do with bringing it into the unit. This was very ironic since Mr. Anderson had heard from other inmates that Officer Ashmead was one of the primary officers involved in bringing in cigarettes into the CTF. Cigarettes are considered "contraband" at the CTF. CTF has significant contraband issues including

cigarettes, cell phones and illegal drugs and each unit has a number of contraband phone at any moment in time. Mr. Anderson did not have any contact with any contraband other than the cell phone which he shared with other inmates and which was found in the cell that he shared with another inmate.

The CTF personnel blocked Mr. Anderson from ordering items from the commissary such as stamps, envelopes or writing materials during the time he was in the SMU/Solitary Confinement Unit to isolate him from communication with his family, friends and legal advisors.

The conditions imposed on Mr. Anderson in solitary confinement were draconian and tortuous. The actions of the CTF official and staff in relation to Mr. Anderson's minor violation of the CTF regulations was completely out of proportion to the offense. Mr. Anderson was treated differently and more harshly than other inmates who had committed the same offense. The treatment Mr. Anderson received while held in SMU / solitary confinement unit at the CTF facility had a serious effect on Mr. Anderson's mental and physical well being.

CDF SOLITARY CONFINEMENT CONDITIONS

On November 25th, 2006, Mr. Anderson was moved to the Central Detention Facility (CDF) from Correctional Treatment facility (CTF) at the request of his legal counsel. This was due to the refusal of the CTF facility to allow him to have access to his legal counsel and due to the draconian and illegal restrictions placed on Mr. Anderson at CTF.

When Mr. Anderson arrived at the CDF he was routinely screened and classified by a CDF Case Manager and was approved to go into the general population of CDF. Mr. Anderson remained in the General Population of CDF until the evening of November 29th, 2006 when he was moved to the NORTH-1 Solitary Confinement Unit of the CDF. This Unit, NORTH -1 is the same unit as the most violent and high security inmates were kept at the CDF. Mr. Anderson was told that this move was for "his protection" and that the move was ordered from the "Wardens Office". (see EXHIBIT 17)

As part of this move to CDF Solitary Confinement, all of Mr. Anderson's toiletries were taken from him. He was left with a single set of clothes. His towel, washcloth, soap, toothbrush, toothpaste and toilet paper were taken. He was not given any soap, toilet paper, toothbrush or toothpaste for 3 days. He had no access to a shower for over 5 days.

During the 1st week in CDF Solitary Confinement, Mr. Anderson was not allowed access to a phone to contact his family or lawyers and inform them of his change in status.

CDF solitary confinement inmates are supposed to be allowed access to recreation outside their cells 3 times per week. Inmates in the CDF solitary confinement unit also were supposed to be allowed telephone access 3 times per week. Inmates were forced to choose between having access to the phone or having recreation. In most

other United States Based institutions inmates even at the highest security levels are allowed a minimum of 1 hour per day of recreation.

Inmates were only allowed access to showers 2 or 3 times per week for around 10 to 15 minutes each time. This was the only time Mr. Anderson was routinely allowed out of his small cell.

Even though Mr. Anderson was not being held in solitary confinement due to any violent incident or action on his part, he was treated the same as the most violent and dangerous offenders. Each time he was out of his cell, even to go 20 feet down the hall to shower, he was chained (both hands and feet). Officers in the solitary confinement unit often did not take these same security measures with other inmates who were incarcerated for more serious offenses.

Mr. Anderson was also chained (hands and feet) to go to legal and personal visits. Even though personal visits were through a glass panel and he had no contact with his visitors, Mr. Anderson remained chained. Each time he was returned from a legal visit he was strip searched.

The explanation of why Mr. Anderson was being held in solitary confinement changed each time the CDF officials were asked. Shortly after arriving at the Solitary Confinement Unit, Mr. Anderson attended a classification hearing to ask for a change of status back to the General Population of CDF the hearing board consisting of 3 people approved his request to go back to the general population, but he was later told that the Warden of CDF facility refused to sign off this recommendation. Numerous personnel at he CDF indicated to Mr. Anderson and his legal counsel that they knew of no valid reason for Mr. Anderson remaining in solitary confinement.

When he arrived at the CDF from the CTF a Case Manager evaluated his previous disciplinary history at CTF which include only the single cell phone incident and determined that Mr. Anderson should be in the General Population and then as noted above a independent Hearing Board also made the same determination. There was no legitimate basis for CDF to treat Mr. Anderson in such a tortuous and draconian fashion. It is likely that this was caused by influence of the prosecutors pursuing the tax case against Mr. Anderson on the senior officers of CDF.

Mr. Anderson's legal counsel requested and obtained the files from CTF and CDF related to Mr. Anderson. Records must to exist to document the orders to move Mr. Anderson out of the general population and into solitary confinement, but these records have not been provided as required by the DC Department of Correction Regulations. The files delivered by the DC Department of Corrections are incomplete and do not contain many records which must have existed.

HOUSING UNIT CONDITIONS AT CDF

Mr. Anderson has spent almost 1 year in SE-2 unit at the CDF. The CDF facility was designed for short term incarceration and not for long term housing of inmates.

GENERAL CDF HOUSING CONDITIONS

The CDF facility houses over 2,000 inmates at any time. The SE-2 Unit consists of 80 small cells surrounding a central area. These cells were originally designed for 1 person only, but due to overcrowding of the CDF facility they have added an additional metal bunk above the lower bed to house a 2nd person in each cell. No other upgrades to the cells or unit have been made to accommodate the additional inmates.

Since the common area of the unit is not large enough to safely and comfortably accommodate 160 inmates, the CDF has created a split schedule so that each inmate is able to be out of his cell less than 4 hours per day. One day an inmate is out in the morning and the next day in the evening. Each day inmates will spend at least 20 hours in their small shared cells.

Each cell has a 2 level bed, metal storage area, (designed for 1 person but now serving 2) a toilet and sink. The total floor are is around 67.5 square feet, but due to the placement of bed, storage area and toilet the usable area is much less.

The Unit is made of concrete blocks and metal. A few metal tables with metal benches are attached to the floor in the common area. A separate 22 foot x 22 foot (6.5m x 6.5 m) "recreation area" has a basket ball hoop. Only a few people can use this small area one time.

2 small television sets are secured to the walls on opposite sides of the common area. No sound proofing or sound dampening material are used in the unit so it is not actually possible to hear anything on the televisions. The noise level is very high and any conversation must be carried out by yelling. Every sound echoes against the cement and metal walls

At very rare intervals "outside recreation" will be provided. Mr. Anderson has been allowed "outside recreation" which consist of a visit out into a cement yard between CDF buildings on only 2 occasions since his arrival at the CDF. His total time outside for both times was a total of 1 hour and 10 minutes. No jackets or warm clothes are provide for inmates in the winter time for this outside recreation.

Personal calls are made through phones attached which are attached to the walls in the common area. The phones are dirty and work badly. Even when the phones function it is difficult to carry on a conversation with the yelling and noise in the background.

The common area and cells are an ergonomic nightmare. No chairs are available. No properly positioned writing surfaces exist. Access to top bunk in cells involves climbing

on the storage area. The aging structure has crumbling concrete and rusting metal. Some corners of the unit have dust and dirt which years old

The metal beds in the cells are around 30 inches wide, but for some reason the thin, well used, plastic covered mattresses provided to inmates are only 25 inches wide. The mattresses are less than ½ inch thick when compressed. Inmates are given one set of well used sheets which are often ripped or torn. One thin blanket is provided. The blanket is also well used and has not been cleaned prior to when it was issued.

No pillows are provided or allowed at the CDF. This is not due to any security issue as correctional institutions routinely provide pillows. This lack of a pillows caused serious back and muscle cramps to Mr. Anderson and made it difficult to breath while sleeping due to a sinus condition which he has. It is not clear if this lack of access to a pillow is a planned cruelty or simply a negligence but it is not excusable to treat human being like animals.

The unit had 8 single showers for the 160 inmates. At any time some of these shower units are not working. Sometimes there is only cold water available for days at a time.

Any incident anywhere in the CDF facility will usually result in a “lockdown” which requires all inmates to return to their cells. Inmates have been locked down for over 2 ½ weeks 24 hours per day without access to showers due an incident at CDF summer of 2006. The lack of exercise and confinement has had a serous effect on Mr. Anderson’s physical and mental health.

The conditions at the CDF are much more severe than most facilities of this kind in the United Sates and the rest of the world. CDF is a very old facility and the DC Department of Corrections has never taken steps to resolve long standing problems

MEAL SERVICES

Meals are served in the CDF housing units. Mr. Anderson was prescribed a “Cardiac Diet” by the CDF medical department. The diet trays prescribed are often not delivered or late. Sometime the kitchen forgets to provide the special diet for weeks at a time so Mr. Anderson must eat the regular diet or not eat.

The nutritional standards are strange. Carrots will be served for lunch and dinner 9 times in a row and then one green vegetable will be served. The “cardiac diet” prescribed for Mr. Anderson is supposed to be a low fat, low salt, high protein diet. Each tray comes with 3 slices of bread and many meals come with mounds of potatoes and other foods that are not consistent with this type of diet.

The plastic trays which are used for the meals are often not cleaned properly and contain residue from prior meals and other contamination.

Milk and juice is often provide past the printed sell by dates on the cartons and the apples and oranges provided as “fresh fruit” are often already to rotten to eat by the time that they are delivered to inmates.

AIR QUALITY IN HOUSING UNITS

Inmates often spend 24 hours per days and 7 days per week without leaving out of the small housing unit area.

The air quality in the units is very poor.

HVAC and ventilation systems do not seem to be functioning well. Some areas have no air circulating at all.

The CDF institution uses caustic cleaning chemicals in the housing units which require ventilation to be used safely. Safe ventilation requirements are ignored by CDF personnel.

The CDF often uses petroleum based oil paints to paint inside the housing units while it is fully occupied with inmates. On many occasions the fumes form these paints have been strong enough to induce headaches and nausea in inmates. Mr. Anderson has suffered from severe headaches due to improperly ventilated painting activity in the unit on a number of occasions.

The CDF facility has specially designed ventilation systems which are designed to rapidly clear air from various units in the event of the use of teargas/pepper spray/mace. These ventilation systems could be employed while painting to minimize the toxic effects on inmates or paints that do not release highly toxic fumes could be used.

It is possible that special ventilation systems are not operational since gas was used on a inmate in the same tier that Mr. Anderson was housed in CDF solitary confinement and the area and the gas was not ventilated in any way. This was extremely painful for all the inmates in that unit for over 12 hours until the fumes dissipated.

EXCEPTIONAL INCIDENTS

CTF A SUMMERTIME AIR CONDITIONER FAILURE

Mr. Anderson was housed in Unit D1A in the CTF housing unit in the summer of 2005. On June 15th, 2005 the air conditioning / cooling system in building D failed. This building along with the entire CTF facility is sealed environment. The windows cannot be opened and all access doors must remain closed at all times for security reasons.

The chart below show the LOW and HIGH temperature during the time the cooling system was inoperable (see EXHIBIT 12 for additional details on temperature)

OUTDOOR TEMPERATURES IN WASHINGTON DC AREA

BETWEEN JUNE 15, 2005 AND JULY 31, 2005

DATE	HIGH	LOW	DATE	HIGH	LOW
JUNE 15, 2005	88	75	JULY 9, 2005	87	67
JUNE 16, 2005	84	68	JULY 10, 2005	89	69
JUNE 17, 2005	77	61	JULY 11, 2005	91	70
JUNE 18, 2005	81	59	JULY 12, 2005	91	75
JUNE 19, 2005	79	64	JULY 13, 2005	87	74
JUNE 20, 2005	75	61	JULY 14, 2005	86	75
JUNE 21, 2005	83	60	JULY 15, 2005	86	75
JUNE 22, 2005	83	67	JULY 16, 2005	90	75
JUNE 23, 2005	84	64	JULY 17, 2005	89	74
JUNE 24, 2005	86	66	JULY 18, 2005	90	77
JUNE 25, 2005	91	67	JULY 19, 2005	91	77
JUNE 26, 2005	91	68	JULY 20, 2005	90	77
JUNE 27, 2005	84	74	JULY 21, 2005	95	74
JUNE 28, 2005	94	74	JULY 22, 2005	92	74
JUNE 29, 2005	86	68	JULY 23, 2005	87	71
JUNE 30, 2005	90	69	JULY 24, 2005	85	66
JULY 1, 2005	93	74	JULY 25, 2005	93	72
JULY 2, 2005	87	74	JULY 26, 2005	97	78
JULY 3, 2005	86	70	JULY 27, 2005	97	74
JULY 4, 2005	89	72	JULY 28, 2005	84	71
JULY 5, 2005	91	72	JULY 29, 2005	78	73
JULY 6, 2005	86	71	JULY 30, 2005	84	73
JULY 7, 2005	83	71	JULY 31, 2005	83	71
JULY 8, 2005	81	66			

The CTF Building is completely sealed. The windows do not open and the doors remain closed at all time due to security considerations. The building Heating /Cooling system must be operations at all time for the building to remain safe to occupy.

The building has significant internal heat sources:

Human generated heat- 360 to 392 inmates are housed in Building D of the CTF. Each adult human generate significant heat which a functioning air cooling system is designed to disperse. Even sleeping an adult generate around 71 calories per hours

Building Equipment – Electric lights, elevators, security controls. Each unit has lighting which remain on 24 hours per day. CTF has arc light in the common area. These lights are a least 12,500 watts per unit and building has 8 units. The building has 4 elevators and a large amount of electronic security and control equipment all of which generates heat.

Washer / Dryer in each unit – Dryer unit in unit was setup to vent hot air to the unit, not to an outside vent . This is a violation housing and fire codes and causes some serious air quality problems. During the cooling system failure good sense would have assumed that no one would turn on the dryer and put 2500 watts of additional heat into the unit. Many people housed in building D at the CTF lack good sense and the CTF officials did not take steps to disable this additional heat source.

Between June 15th and July 31st, 2005 building D reached temperatures of over 130 degrees f (55 C) for long periods of time. Inmates suffered serious health problems and many with pre-existing conditions were is seriously affected. Inmates passed out form heat on a number of occasions, but were not evacuated form the building. No effort was made to shift inmates into other facilities.

Washington Post wrote an article reporting the terrible condition at the CTF facility on July 25th, 2005. (EXHIBIT 13) Shortly after the article appeared the CTF official made the effort to fix the broken cooling system in building D. Senior official are quoted in the article claiming that the temperatures inside the building were 75 degrees on July 24th, 2005 were not honest. The amount of heat sources in the sealed building and the outside temperature would not have allowed the temperature to go below 90 degrees F even in coolest part of the day. It is possible that CTF official quoted in the article was talking about the temperature in his office in Building A where the cooling system was operational.

The only way for building D to lose heat was for it to propagate out of the cement walls and tiny windows. building was connected to other CTF building on 2 sides and so no heat could propagate out of the building in those directions.

Most of the inmates housed in building D at the CTF were there for minor non-violent crimes. Most had sentences of less than 6 months. No effort was made to evacuate this building even after inmate began to pas out form heat related medical problems.

Mr. Anderson who was being held prior to his trial and was legally assumed to be innocent until proven guilty was kept in this building the entire during the entire period of the summer when the cooling system was not working.

HARRSMEBNT AND ABUSIVE TREATMENT BY CDF OFFICER

Mr. Anderson has suffered the abusive treatment of Officer V. Robinson for over 3 months. Officer Robinson is often stationed at the 2nd floor visitors hall area where Mr. Anderson must pass to go to the law library and to his social and legal visits. Officer Robinson appears to be trying to provoke some serious incident with Mr. Anderson.

The harassment has been going on since November of 2006. Mr. Anderson has filed 4 grievances and asked senior officer to intervene and has even written to the Warden of the CDF to try to resolve this ongoing threat.(see EXHIBIT 18).

No resolution has occurred and the abuse and harassment continue.

DENIAL OF MEDICAL CARE

Mr. Anderson has been denied basic medical care and access to a doctor on a number of occasions.

The most serious incident occurred at the CTF facility. Beginning in late May of 2005, Mr. Anderson requested access to a doctor to resolve a problem with an upper respiratory infection. The normal treatment for this type of infection is to take the correct antibiotic for a specified period of time. Mr. Anderson put in sick call requests multiple times and was in contact with the nursing staff that visited the housing unit where he was held. He also contacted other senior officer of the CTF but was not given access to a doctor. His infection became more serious and he began having problems breathing. Around the 1st of June he finally saw a doctor who after examining him for less than 2 minutes prescribed a particular antibiotic for his condition. Mr. Anderson had suffered from this type of infection on a number of prior occasions and knew that this particular antibiotic prescribed had not been effective in the past for him. The doctor refused to listen to Mr. Anderson and after he took this antibiotic for one week his infection had only become worse.

Mr. Anderson asked once again to see a doctor. He was refused. He escalated his efforts by writing grievances, writing to CTF officials and even sent a letter to the Warden of CTF, Fred Figueroa. He received no response to his many request to see a doctor and his condition was getting more serious as his "upper" respiratory infection had migrated to become a "lower" respiratory infection. This type of infection is often associated with pneumonia. He still could not get access to a doctor or the proper medication. Finally at the end of August 2005, more than 2 months after he first requested medical care, his Mother contacted the senior medical doctor at the CTF and demanded treatment for Mr. Anderson. Mr. Anderson was seen by this doctor and given the correct medication. No tests were ever performed or follow up on this

condition. In the final weeks before his treatment Mr. Anderson could not sleep laying down since he could not breath well.

Two other similar occasions have occurred at the CDF facility. One of these occasions lasted 1 month and the other began on December 1st 2006 and has not been resolved as of February 9th, 2007.

SLEEP DEPRIVATION

SLEEP DEPRIVATION AT CDF

The schedule of activities at the CDF facility are set up in such a way that it is impossible to get more than a few hours of sleep each night. CDF management has full control over the schedule and activities which interrupt inmates sleep multiple times each night and which do not allow more than a few hours of uninterrupted sleep. The intent of this schedule may not have been to create sleep deprivation but the serious mental and physical effects of sleep deprivation are the same with or without intent. This ongoing disruptive schedule has had and continues to have a serious effect on Mr. Anderson's ability to maintain his mental and physical health and his ability to be able to concentrate effectively on assisting his legal counsel with his case.

The conditions which exist at the CDF which create sleep deprivation are completely under the control of CDF officials. Other detention facilities have been able to arrange their schedules to allow 6 to 8 hours of quiet time each night to allow inmates to sleep. The negative effects of sleep deprivation are well known. Hundreds of articles are in the public domain and a lot of research has been conducted, including the recent "research" by the US military at Guantanamo and Abu Ghraib prisons. EXHIBIT 10 contains 2 articles which were found on the internet after just a minute of "search" that contain information about the effects of sleep deprivation

DETAILED SLEEP DEPRIVATION CONDITIONS AT CDF

The housing units at the CDF facility are made of brick and metal and no effort has been made to put in any sound dampening panels or design the area to reduce echoes and sound propagation. Every sound made in a unit echoes throughout the unit making it possible to hear sounds from all parts of the unit. The doors to the cells at CDF are not soundproof and in fact have openings which allow all the sounds from the common area of the unit to enter.

CDF officials have created a schedule which wakes up inmates numerous times each night. This schedule does not allow inmates to have continuous and uninterrupted sleep for more than 1½ hours at a stretch. Some of these interruptions of sleep could possibly be considered simply bad planning, such as medication call in the middle of the night that could easily be adjusted to conform with a different 24 hour medication schedule. It is hard to imagine though how waking someone in the middle of the night (4:00 AM) to serve coffee (caffeine) could be anything other than a cruel joke since this is the only time of day that coffee is ever served in the CDF.

ADDITIONAL HOURS OF SLEEP DEPRIVATIONS FOR INMATES FACING TRIAL

Inmates who need to be transported to court face additional sleep deprivation due to the process used to transport them. An inmate facing a long trial will have to suffer from an almost impossible schedule for 4 to 5 nights per week. The few days available on

weekend are not enough to recover lost sleep. The physical health problems created by sleep deprivation can be long term and not easily resolved.

CDF SCHEDULE APPERS DESIGNED FOR SLEEP DEPRIVATION

Sleep deprivation is an effective form of torture and can have major effects after only a few days. Research shows that a person subject to sleep deprivation does not have normal problem solving ability, judgment or intellectual ability. Sleep deprivation is routinely used to as torture to break down mental resistance and weaken t resolve. Sleep deprivation also has some serious physical effects many of which have lng term consequences. These physical effects can become life threatening in a very short time.

Based on the current research and medical studies, it is unlikely that a person subject to the regular sleep deprivation regimen in the DC jail could have the ability to effectively and knowledgably assist their legal counsel in a complicate case. The level of sleep deprivation in the "court" schedule can reduce the hours of sleep each 24 hours to levels which completely impair an individual mentally and which threaten serious physical consequences.

Inmates who try to make up for lost sleep during daytime hours are unlikely to be successful due to daytime activities and high noise level in the units. Due to overcrowding the CDF can not allow all inmate in a housing unit out into the common area at one time so they had adopted a split schedule which allows inmates out around 4 hours per days. The days alternate so one day an inmate is out in the morning and the next day the inmate is out during the late afternoon/evening. This changing schedule makes it difficult for any inmate to establish some regular sleeping pattern to make up for the sleep lost during the night.

Below are the typical schedules for a regular night at the CDF and a night when a inmate is taken from CDF out to court.

TYPICAL "SLEEP" SCHEDULE ON REGULAR NIGHT

Lock in Cells	22:30
Noise level is high due to inmates shouting/ screaming until most are asleep	00:30
Television stays on for Corrections Officers and detailees until	01:30 – 03:00
Call for "Medication" . This involves Correction officers shouting the names Of inmates who receive medication and Noisily opening doors of cells	02:30
Inmates who have Court are woken to take showers This is done Via shouting and loudly opening Cell doors	03:00
Inmates are served coffee in the middle of the night. Involved detail Employees going To Each cell and shouting "COFFEE!!!" "COFFEE!!!" As loudly as possible. (coffee is not available any other time of the day)	04:00
Breakfast served over 45 minutes including tray removal	05:00 - 05:45
Additional Medication Call for certain inmates (nurse come by with pills and must wake and speak to some of the inmates. This can be heard throughout The unit)	05:30
Laundry service for sheets & towels (the only opportunity for clean sheets Requires you to give up your only set of sheets and sleep rest of night on The thin plastic covered mattress)	07:00
Television in units is operated at full volume	05:45 - 09:00

NOTES: During the night other activities can occur: Operation of loud floor waxing machine outside the doors of cells, Correction employees in loud discussion/arguments, Inmates having arguments or randomly screaming, medical emergencies. Time Listed above often shift ½ to 1 hour earlier or later.

TYPICALL "SLEEP" SCHEDULE ON COURT NIGHT

Lock in Cells	22:30
Noise level is high due to inmates shouting/ screaming until most are asleep	00:30
Television stays on for Corrections Officers and unit employees until	01:30 - 03:00
Call for "Medication" . This involves Correction officers shouting the names Of inmates who receive medication and Noisily opening doors of cells	02:30
Inmates who have Court are woken to take showers This is done Via shouting and loudly opening Cell doors	03:00
Inmates are served coffee in the middle of the night. Involved detail Employees going To Each cell and shouting "COFFEE" "COFFEE" As loudly as possible. (coffee is not available any other time of the day)	04:00
Breakfast served	05:00 - 05:45
Inmates going to Court leave cells and go common area in unit	05:45
Inmates going to court moved to ground floor	06:00 - 06:30
50 to 100 other inmates held in small room without enough seats	06:15 - 07:00
Inmates are strip searched in large groups	06:30 - 07:15
Inmates placed in another holding area with limited number of metal Benches	07:00 - 08:00
Inmates are chained at legs, hands and waist	07:15 - 08:15
Inmates are transported to courthouse in vans (no jackets provide During cold Weather, vans do are over packed beyond safe design Limits and no seat belts are provided	07:30 - 07:45
Inmates are laced in holding area in basement of Federal Courthouse until Court appearance. Hard metal benches. (Temperature is always freezing cold even in the summer)	07:45

NOTES ON COURT SCHEDULE:

Inmates are returned to the Central detention facility some times as late as 19:00 hours and then inmates often must wait in the intake area of CDF during the evening "count" which ends at around 20:45. Every other day inmate has "recreation time" in the evening for around 4 hours. On evening recreation days inmate will then have a few hours to take shower, make phone calls eat diner etc. On days with no "recreation time", inmate will then be locked in cell for the night and have no access to phone & shower during recreation period

This schedule allows little time to consult with legal advisors and no time to prepare any materials for next court day.

For lunch while at courthouse, inmate receives a paper bag with some stale bread and cheese to make themselves a sandwich. No provision is made form inmates on special medical diets while at the courthouse. Inmate can get water form the dirty sink shared with other inmates in the holding cells.

SLEEP DEPRIVATION CONCLUSION

The activities scheduled by CDF during the night hours create sleep deprivation. It difficult for anyone subject to this schedule to maintain there physical and mental health and be able to be maintain the mental acuity to effectively assist legal counsel in preparing of a complicated legal case.

The abusive and punitive schedule maintained for inmates going out to court would make it impossible for any inmate to be able to be effectively participate in their legal defense at trial after a few days of excessive sleep deprivation.

Mr. Anderson's tax charges are unique and technically complicated. His case involves details of business activities and transactions which go back over 16 years. The amount of documents and computer records related to his case which needs to access, revue and summarize for his legal counsel would be challenging for a defendant who was not incarcerated. The effects of the sleep deprivation on Mr. Anderson since his incarceration have already been profound. Mr. Anderson also had a reasonable fear of that the physical effects of sleep deprivation due to the additional loss of sleep during a long trial would be life threatening.

CDF official may claim that hey are not intentionally torturing the inmates under their care and that the draconian and tortuous sleep deprivation schedule now in effect at the CDF facility is not intentional. This is not a credible excuse. This schedule has been in effect for many years. The schedule is completely under the control of the CDF officials. The effects of sleep deprivation are well document and well known. This is negligence or gross negligence on the part of the DC Department of Corrections.

SENSORY DEPRIVATION

During the time that Mr. Anderson was held at CDF solitary confinement he was kept in his small cell 24 hours per day. This cell had 2 tiny windows which were painted over on the outside so that it was not possible to know if it was day or night. The lights in the central areas near his cell were kept on 24 hours per day.

The SE-2 housing area where Mr. Anderson has spent the last 10 months has no windows in the common area and no way for him to know if it is day or night, winter or summer.

The lights in SE-2 housing unit remain on in the common areas 24 hours per day. The small cell that Mr. Anderson shares with another inmate has no windows at all. The cell is painted white and inmates are not allowed to put any pictures or other things on the walls.

CTF and CDF official form time to time have decided to limit the number of books that Mr. Anderson is allowed to have in his cell and on a number of occasions have seized

his reading materials leaving him without anything to read. This has further aggravated the effects of sensory deprivation.

Inmates spend 20 or more hours locked into this sensory deprived environment. This environment combined with the sleep deprivation is not conducive to mental or physical health.

STRIP SEARCHES

The American Correctional Association recommends that “ A strip search of the general population inmates is only conducted when there is a reasonable belief that the inmate may be in possession of an item of contraband. The least invasive form of search is conducted”. This is part of their publication titled “PERFORMANCE BASED STANDARDS FOR ADULT LOCAL DETENTION” (fourth edition). The CDF personnel completely ignore this standard and routinely use strip searches for no reason.

The CDF facility officers conduct strip searches in large public groups each time and time enters or leaves the facility. This includes visits to Court or other outside visits

Strip searches are also conducted on inmates in the solitary confinement unit whenever they leave the unit for legal visits and often at time when they leave the unit for visits in other parts of the CDF facility such as medical appointments.

Strip searches are also conducted during shakedowns (searches) of the housing units which can occur multiple times each year.

Mr. Anderson has been strip searched over 68 times at the CDF facility. This is more than 1 time for each week he has been in the CCF facility.

The public strip searches conducted in large groups are extremely problematic and the CDF has already lost a number of class action lawsuits which include strip searches and a element of the case. CDF officials have not changed their policies or practice despite the lack of support from correctional experts and the legal losses in civil actions.

None of the strip searches of Mr. Anderson have ever revealed any contraband.

SHAKEDOWNS / CELL SEARCHES

CTF and CDF officers do shakedowns of inmate cells at various times. Mr. Anderson has been Shaken down over 45 times since he has been incarcerated.

In some of these shakedowns the officers involved have destroyed the order and arrangement of all the legal papers which Mr. Anderson had in his cell. This has occurred 6 times. It is not necessary to disrupt legal papers to search for contraband and in most cases the officers were able to search with any permanent disruption or damage to the legal documents.

No inmate has any right to or expectation of privacy due to the "security" issues of the facilities.

OTHER CONDITONS AT CTF

Mr. Anderson has also suffered from:

Abusive and threatening officers and staff.

Abusive and threatening inmates which should not have been in the general population.

Officer and staff which are impaired by drugs or alcohol use while on duty.

Racial discrimination

Retaliation for making legitimate complaints about conditions

This document is not a complete record of all the conditions at the CTF and CDF facilities. Many other problems and conditions not mentioned in this document exist and many of the conditions effected Mr. Anderson

EXHIBIT LIST

1. COURT ORDER – Designating Library Access for Walter Anderson
2. SIGN IN SHEET – for CDF Law Library
3. Letter to Mr. FULTON re CTF LAW LIBRARY access
4. Correspondence in November 2005 –re CTF right violations.
5. letter from Walter Anderson to Don Paul at CTF – sent via FEDEX
6. Copies of LEGAL and REGULAR mail improperly returned from CDF
7. Documentation of improperly returned Reading Material form CTF
8. CDF GRIEVANCE FORM
9. GRIEVANCE FILINGS at CDF- April 26, 2006 to February 9, 2007
10. Letters to Cpl Parker re Grievance Procedures Response
11. Sleep Deprivation – 2 articles form internet
12. TEMPERATURES
13. Washington Post Article July 25th, 2005
14. CTF solitary confinement – copies of grievance reports
15. Medical correspondence related to CTF denial of medical care
16. Correspondence with CTF to return of document which were improperly taken
17. Order to Move Mr. Anderson to solitary order form Wardens office
18. Correspondence with CDF related to improperly taken legal documents