

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

EDWARD BRAGGS, et al., )  
)  
Plaintiffs, )  
)  
v. )  
)  
JEFFERSON S. DUNN, in his )  
official capacity as )  
Commissioner of )  
the Alabama Department of )  
Corrections, et al., )  
)  
Defendants. )

CIVIL ACTION NO.  
2:14cv601-MHT  
(WO)

PHASE 2A REVISED REMEDY SCHEDULING ORDER  
ON THE EIGHTH AMENDMENT CLAIM

Based on the representations made on the record on  
May 14, 2019, it is ORDERED that the remaining deadlines  
and dates for the Phase 2A remedy scheduling order for  
the Eighth Amendment claim are revised as follows:

|                                                                                                                                                                                                                                                                                                                             | OLD DATES                                                                    | NEW DATES                                              |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------|--------------------------------------------------------|
| SEGREGATION                                                                                                                                                                                                                                                                                                                 |                                                                              |                                                        |
| Parties to develop schemes to verify that defendants are now accurately and timely identifying SMI inmates with regard to segregation.                                                                                                                                                                                      | Continued generally pending mediation and resolution of the monitoring issue |                                                        |
| Evidentiary hearing on remedy for violations found in supplemental liability opinion. (Doc. nos. 2353, 2397, & 2398).                                                                                                                                                                                                       |                                                                              | 7/8/19 at 10:00 a.m., and 7/9 and 7/10/19 at 9:00 a.m. |
| Remedy for violations found in initial liability opinion.                                                                                                                                                                                                                                                                   | Under submission                                                             |                                                        |
| HOSPITAL-LEVEL CARE                                                                                                                                                                                                                                                                                                         |                                                                              |                                                        |
| Evidentiary hearing on whether parties' proposed stipulations comply with PLRA. (Doc. no. 2383).                                                                                                                                                                                                                            |                                                                              | 7/8/19 at 10:00 a.m., and 7/9 and 7/10/19 at 9:00 a.m. |
| Vitek issue.                                                                                                                                                                                                                                                                                                                | Under submission                                                             |                                                        |
| SUICIDE PREVENTION                                                                                                                                                                                                                                                                                                          |                                                                              |                                                        |
| Evidentiary hearing on (1) the adequacy of the defendants' "review process" for collecting information about prisoners with SMIs in segregation, (doc. no. 2345), as well as (2) what the court should do with the information the defendants provide as a result of the "review process." <i>E.g.</i> , (doc. no. 2408-1). |                                                                              | 7/8/19 at 10:00 a.m., and 7/9 and 7/10/19 at 9:00 a.m. |
| Parties are allowed to meet with Judge Ott to attempt to agree on the details of internal and external monitoring not already resolved in the opinion on immediate suicide prevention. (Doc. no. 2526).                                                                                                                     | By 5/18/19                                                                   |                                                        |
| Defendants are to file a proposal that includes both external and internal monitoring schemes in the event that parties cannot reach an agreement on this issue by 5/18/19. (Doc. no. 2526).                                                                                                                                | 5/25/19                                                                      | 5/28/19 at 5:00 p.m.                                   |
| Plaintiffs are to file a response to defendants' proposal on external and                                                                                                                                                                                                                                                   | 6/1/19                                                                       | 6/4/19 at 5:00 p.m.                                    |

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| internal monitoring schemes. (Doc. no. 2526).                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                          |                                                        |
| Completion of pre-placement screening training for all nurses who perform such screenings for segregation or who supervise nurses performing such screenings. See (doc. no. 2526).                                                                                                                                                                                                                                                                                                                        | 6/3/19                                                   |                                                        |
| "Segregation-like" issues.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Under submission, though the court may reopen the matter |                                                        |
| Evidentiary hearing on all remaining issues.                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                          | 7/8/19 at 10:00 a.m., and 7/9 and 7/10/19 at 9:00 a.m. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                          |                                                        |
| <b>DISCIPLINARY SANCTIONS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                          |                                                        |
| Evidentiary hearing of whether parties' proposed stipulations comply with PLRA. (Doc. nos. 2384 & 2382).                                                                                                                                                                                                                                                                                                                                                                                                  |                                                          | 7/8/19 at 10:00 a.m., and 7/9 and 7/10/19 at 9:00 a.m. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                          |                                                        |
| <b>MONITORING</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                          |                                                        |
| Remedy.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Under submission                                         |                                                        |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                          |                                                        |
| <b>RESIDENTIAL TREATMENT AND STABILIZATION UNITS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                          |                                                        |
| Remedy.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Under submission                                         |                                                        |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                          |                                                        |
| <b>MISCELLANEOUS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                          |                                                        |
| Evidentiary hearing on whether the following stipulations and orders comply with the PLRA:<br>--Intake (doc. nos. 1780 & 1794)<br>--Coding (doc. nos. 1779 & 1792)<br>--Referral (doc. nos. 1786, 1814, & 1821)<br>--Individual treatment plans (doc. nos. 1853 & 1865)<br>--Psychotherapy and confidentiality (doc. nos. 1893 & 1899)<br>--Definition of SMI (doc. no. 1720)<br>--Bibb segregation issues (doc. nos. 1748 & 1751)<br>--Preplacement screening, etc. (doc. nos. 1798, 1810, 1811, & 1815) |                                                          | 7/8/19 at 10:00 a.m., and 7/9 and 7/10/19 at 9:00 a.m. |

|                                                                                                                                                                                                                                                                                       |  |                             |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-----------------------------|
| <p>--Removing SMIs from segregation (doc. nos. 1855 &amp; 1861)<br/> --Confidentiality (doc. nos. 1894 &amp; 1900)<br/> --Mental-health understaffing (doc. nos. 2283 &amp; 2301</p>                                                                                                  |  |                             |
| <p>Parties are to file a joint report on whether the "miscellaneous" stipulations and orders listed above include, or omit, items, and, if so, how. If the parties differ, they should note their difference(s) in their joint report.</p>                                            |  | <p>5/24/19 at noon.</p>     |
| <p>In-person pretrial conference on ALL matters in this order set for hearing on 7/8/19 at 10:00 a.m. The court understands that, for ALL the matters set for hearing on 7/8/19, the plaintiffs also rely on all the evidence already presented on the suicide-prevention matters</p> |  | <p>6/28/19 at 9:00 a.m.</p> |
| <p>Parties to file a joint pretrial statement setting forth their positions on ALL the matters in this order set for hearing on 7/8/19.</p>                                                                                                                                           |  | <p>6/25/19 at noon.</p>     |
| <p>An in-person status conference on how parties are progressing in their "pursuit of a path" toward "global resolution" of this case and related cases and proceedings, and on any other matters that warrant the court's attention.</p>                                             |  | <p>6/4/19 at 2:00 p.m.</p>  |

DONE, this the 16th day of May, 2019.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE