

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
September 6, 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
STAFFING		
In-person hearing on whether the court should approve parties' proposed mental-health staffing agreement (doc. no. 2606), subject to later determination as to PLRA compliance.	11/15/19 at 10:00 a.m.	
Evidentiary hearing on whether parties' proposed mental-health staffing agreement (doc. no. 2606) complies with the PLRA.		3/2/20 at 10:00 a.m. (Stayed until December 13, 2019)
SEGREGATION		
Parties were to develop schemes to verify that defendants are now accurately and timely identifying SMI inmates with regard to segregation. This matter was continued generally pending mediation and resolution of the monitoring issue. The parties are to file a joint statement as to the status of this issue.		9/20/19 at 5:00 p.m.
Evidentiary hearing on remedy for violations found in supplemental liability opinion. (Doc. nos. 2353, 2397, & 2398).		11/12/19 at 10:00 a.m.
With regard to remedy for violations found in supplemental liability opinion, parties to file briefs updating court as to what the issues are and what documents are relevant.		11/5/19
In-person Hearing on "segregation-like" issue.		11/12/19 at 10:00 a.m.
With regard to the "segregation-like" issue, parties to file briefs updating court as to what the issue is and what documents are relevant.		11/5/19
Remedy for remaining violations found in initial liability opinion. Evidentiary hearing already held. Just need to issue opinion.	Under submission	

HOSPITAL-LEVEL CARE		
Evidentiary hearing on whether parties' proposed stipulations comply with PLRA. (Doc. no. 2383).		3/2/20 at 10:00 a.m. (Stayed until December 13, 2019)
Vitek issue: Evidentiary hearing regarding most current facts surrounding hospital-level care.		1/24/20 at 10:00 a.m.
Vitek issue: Plaintiffs to file brief detailing (1) the most recent factual circumstances regarding hospital-level care and (2) why Vitek applies in light of those circumstances.		1/10/20
Vitek issue: Defendants to file brief detailing (1) the most recent factual circumstances regarding hospital-level care and (2) why Vitek does not apply in light of those circumstances.		1/17/20
SUICIDE PREVENTION		
In-person hearing on whether the court should approve parties' most recently proposed suicide prevention measures (doc. no. 2606), subject to later determination as to PLRA compliance.	11/15/19 at 10:00 a.m.	
Evidentiary hearing of whether parties' most recently proposed suicide prevention measures (doc. no. 2606) complies with the PLRA.		3/2/20 at 10:00 a.m. (Stayed until December 13, 2019)
Court's remedial opinion and judgment for immediate relief regarding suicide prevention (doc. nos. 2525 and 2526).	(Stayed until December 13, 2019)	
Defendants' motion to alter, amend, or vacate (doc. no. 2564).	(Stayed until December 13, 2019)	
Interim suicide prevention order (doc. no. 2569)	In effect until December 13, 2019	

DISCIPLINARY SANCTIONS		
Evidentiary hearing of whether parties' proposed stipulations comply with PLRA. (Doc. nos. 2384 & 2382).		3/2/20 at 10:00 a.m. (Stayed until December 13, 2019)
MONITORING		
Remedy. Evidentiary hearing already held. Just need to issue opinion.	Under submission as of December 13, 2019 (Stayed until then.)	
RESIDENTIAL TREATMENT AND STABILIZATION UNITS		
Remedy. Evidentiary hearing already held. Just need to issue opinion.	Under submission	
MISCELLANEOUS		
Evidentiary hearing on whether the following stipulations and orders comply with the PLRA: --Intake (doc. nos. 1780 & 1794) --Coding (doc. nos. 1779 & 1792) --Referral (doc. nos. 1786, 1814, & 1821) --Individual treatment plans (doc. nos. 1853 & 1865) --Psychotherapy and confidentiality (doc. nos. 1893 & 1899) --Definition of SMI (doc. no. 1720) --Bibb segregation issues (doc. nos. 1748 & 1751) --Preplacement screening, etc. (doc. nos. 1798, 1810, 1811, & 1815) --Removing SMIs from segregation (doc. nos. 1855 & 1861) --Confidentiality (doc. nos. 1894 & 1900) --Mental-health understaffing (doc. nos. 2283 & 2301)	3/2/20 at 10:00 a.m. (Stayed until December 13, 2019)	

The parties are to file a joint statement of ALL the orders, stipulations, and agreements (with document numbers cited) for which the court must make findings as to whether they comply with the PLRA.	2/7/20 (Stayed until December 13, 2019)	
With citations to the record in support of their arguments, the plaintiffs are to file a prehearing brief as to why these orders, stipulations, and agreements comply with the PLRA.	2/12/20 (Stayed until December 13, 2019)	
With citations to the record in support of their arguments, the defendants are to file a response as to why these orders, stipulations, and agreements do not comply with the PLRA.	2/18/20 (Stayed until December 13, 2019)	
Pretrial conference on PLRA issue.	2/21/20 at 10:00 a.m. (Stayed until December 13, 2019)	

DONE, this the 9th day of September, 2019.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE