

EXHIBIT
“B”
PART II

My Sister's Keeper

A complete after-care program that assists women who have been recently released from the correctional system in the following areas: educational referral, shelter care, self-esteem and family/individual counseling.

Veterans Assistance

A representative from the Veterans Administration is available to provide information and assistance to detainees regarding healthcare, housing, education and many ongoing basic needs.

General Library

Facilities for general reading and participation in the Clarence Darrow Art Program are available to detainees. For additional information, please submit a **Detainee Request Form** to the CRW.

Marriages

Detainees may get married while in CCDOC custody. A presiding judge from the Criminal Courts will establish the marriage date(s) and notify the CCDOC and detainees accordingly. CCDOC Program Services staff will assist the detainee and fiancé with procedural information and required documentation. Additional information can be obtained by submitting a **Detainee Request Form** to the CRW.

Voter Registration and Absentee Balloting

Pre-trial detainees who are residents of Cook County will be able to register to vote and cast absentee ballots in elections while they are incarcerated. The Chicago Board of Elections and/or the Cook County Board of Elections will make eligibility requirements available. All elections are held under the supervision of a representative of the Board of Election Commissioners.

Minors

Individuals who are under the age of 17 and incarcerated in the CCDOC should immediately notify the Security staff and/or the CRW. The CCDOC will begin an age verification and/or custody transfer process.

Personal Hygiene

All detainees are expected to maintain personal body cleanliness. Showers are located in the housing areas for detainee use. Upon intake, detainees will be issued a uniform, soap, toothpaste, toothbrush and linens. Personal care and hygiene items are available through the commissary.

Laundry

Detainees will be given the opportunity to exchange linen and uniforms on a weekly basis.

Barber/Beauty Shop

All detainees have routine access to barber/beauty shop services that are provided and scheduled in each division.

Meals

The CCDOC serves three (3) meals a day. Special diets may be approved upon written request, and are available.

Commissary

Sells a variety of food and personal hygiene products to detainees that have unencumbered funds in their trust account. Commissary is available weekly according to

schedules posted in each division. The weekly spending limit is \$80.00.

Trust Department

Holds funds for detainees while they are incarcerated at the CCDOC. Any money in the possession of the detainee when they enter the CCDOC is deposited in an account bearing the name and identification number of the detainee. After arrival, the only authorized means of receiving funds from the outside is in the form of money orders, cashier's check and certified checks, and must be sent by mail. Personal checks are not accepted. All money orders, etc., must bear the detainee's name and identification number and not exceed \$100.00 at any one (1) time. Ten (10) business days are required before these funds can be used for any purpose other than commissary. Western Union and Money Gram can be utilized to transfer funds to the CCDOC. Please contact the CRW for information.

Mail

Detainees will be permitted to receive mail while incarcerated, provided that, at the time of admission to the department, each detainee had given their consent for designated CCDOC personnel to open and inspect incoming mail in accordance with CCDOC regulations and relevant laws. If a detainee does not give their consent to such inspection, all mail addressed to the individual will be returned to the Post Office unopened and marked "Refused". Outgoing mail may be opened, read or censored. Any incoming mail that does not clearly identify the addressee (including the complete and correct detainee number) will be returned. All incoming and outgoing mail must have complete information from sender and addressee.

Outgoing mail should have the following information in the return address corner:

Detainee's Name _____ ID # _____
Division _____ Wing/Cell _____
P.O. Box 089002
Chicago, Illinois 60608

Incoming mail should have the following information:

Sender's Full Name
Sender's Full Address
Sender's Zip Code

Detainees Name _____ ID # _____
Division _____ Wing/Cell _____
P.O. Box 089002
Chicago, Illinois 60608

Telephones

Telephones are located in living units. Detainees will share the use of telephones in the living unit. Telephones will not accept incoming calls. Telephone privileges will begin after the living unit passes daily inspection. Detainees are permitted to use the telephone whenever they are in the dayroom. Outgoing telephone calls will be billed as collect calls. If the person being called accepts the call, they will be charged for the call. Telephone calls will be limited to 15 minutes. After 15 minutes, the call will be cut off by the telephone system. Abuse or illegal use of the telephone privileges may result in the loss of privileges, disciplinary action or criminal charges.

Personal Property

At discharge the detainee shall present himself or herself to the Property Office with valid picture identification. The Property Office remains open 24 hours a day. No money can be given without picture identification. Release of funds cannot be processed until the Commissary Department confirms that no payment is due. Cash will be given for accounts up to \$100.00 during the hours of **9:00 a.m. - 1:30 p.m.** and **2:00 p.m. - 8:30 p.m.** Checks will be given for accounts over \$100.00 during the hours of **9:00a.m. - 3:30 p.m.** Upon the request of a detainee, CRWs will assist in the release of money to another individual or agency. The receiving party must have picture identification and the detainee's property receipt. Items on receipt will be stored for a maximum of 90 days from the discharge date. All property not returned to the detainee or released to another individual within 90 days from the discharge date will be disposed of. Upon the request of the detainee, CRWs will assist in the release of personal property to another individual or agency. The detainee will sign a release form identifying the name and address of the person authorized to receive the property. The receiving party must have picture identification.

Bonding Office

The Bond Office is open from **9:00 a.m. - 9:00 p.m.**, 365 days per year and accepts payment by cash, cashier's check or credit card. The bond clerk must verify cashier and certified checks with the bank. Checks are to be made payable to: **Clerk of the Circuit Court.** Credit Cards will be accepted in accordance with the guidelines set by the Circuit Court of Cook County.

Internal Investigations

Any threat of harm done to any detainee, Correctional Officer or civilian employee or any other criminal offense and any disturbance or threat to the order and welfare of the CCDOC will be investigated thoroughly and confidentially by IAD.

Fire Drills

Fire drills are conducted periodically. Detainees are expected to move promptly in an orderly fashion during such drills and to follow the directives of the staff members. In the event of a department evacuation or emergency, follow all directions by staff while maintaining silence and order. Exit signs are located throughout the department to assist in the evacuation of staff and detainees during an emergency.

Family Contact Information

Detainee's next of kin or other designated individual(s) shall be notified in case of death or serious illness. This information shall be obtained from the detainee at the time of admission and maintained in the detainee's central file.

Visitation

All persons entering or exiting the CCDOC will be required to produce one (1) valid government picture identification which will include: Driver's License, State Identification card, Passport, etc. If a government ID is not available, a combination of the following are acceptable: Public Aid card accompanied by Medical card and/or voter's registration card. No one under the age of 17 years of age will be allowed to enter unless accompanied by an adult. All bags and containers will be searched for contraband before the visitor is permitted to enter the CCDOC. All visitors will be subject to search under existing departmental guidelines.

Any visitor attempting to introduce contraband into the CCDOC will be subject to criminal prosecution under existing Illinois or Federal Law.

For detainee information regarding the visitation schedule and visitation procedures, please call **1-773-869-5245.**

Facility Location

The Cook County Department of Corrections is accessible by several bus lines operated by the Chicago Transit Authority. Persons interested in transportation information and/or directions to the department can contact the Regional Transportation Authority for specific schedules and times of operations.

The Cook County Department of Corrections is located at **2700 S. California Avenue, Chicago, Illinois 60608** in the **County of Cook.**

AUTHORIZED BY:

 **6/16/06**

SCOTT KURTOVICH-ACTING, EXEC. DIR.

DATE

STATE OF ILLINOIS



NOTICE OF RIGHTS OF PERSONS UNDER ARREST

DEPARTMENT OF CORRECTIONS

ILLINOIS CODE OF CRIMINAL PROCEDURE - 725 ILCS 5/ JAIL AND DETENTION STANDARDS

ARTICLE 103. RIGHTS OF ACCUSED - Sec. 103-2. - Treatment while in custody.

(Source: Laws 1963, p. 2836.)

- a) On being taken into custody every person shall have the right to remain silent.
- b) No unlawful means of any kind shall be used to obtain a statement, admission or confession from any person in custody.
- c) Persons in custody shall be treated humanely and provided with proper food, shelter and, if required, medical treatment.

Sec. 103-3. - Right to communicate with attorney and family; transfers.

(Source: Laws 1963, p. 2836.)

- a) Persons who are arrested shall have the right to communicate with an attorney of their choice and a member of their family by making a reasonable number of telephone calls or in any other reasonable manner. Such communication shall be permitted within a reasonable time after arrival at the first place of custody.
- b) In the event the accused is transferred to a new place of custody his right to communicate with an attorney and a member of his family is renewed.

Sec. 103-4. - Right to consult with attorney.

(Source: Laws 1963, p. 2836.)

Any person committed, imprisoned or restrained of his liberty for any cause whatever and whether or not such person is charged with an offense shall, except in cases of imminent danger of escape, be allowed to consult with any licensed attorney at law of this State whom such person may desire to see or consult, alone and in private at the place of custody, as many times and on such period each time as is reasonable. When any such person is about to be moved beyond the limits of this State under any pretense whatever the person to be moved shall be entitled to a reasonable delay for the purpose of obtaining counsel and of availing himself of the laws of this State for the security of personal liberty.

ARTICLE 109. - PRELIMINARY EXAMINATION - Sec. 109-1. Person arrested.

(Source: P.A. 90-140, eff. 1-1-98.)

- a) A person arrested with or without a warrant shall be taken without unnecessary delay before the nearest and most accessible judge in that county, except when such county is a participant in a regional jail authority, in which event such person may be taken to the nearest and most accessible judge, irrespective of the county where such judge presides, and a charge shall be filed. Whenever a person arrested either with or without a warrant is required to be taken before a judge, a charge may be filed against such person by way of a two-way closed circuit television system, except that a hearing to deny bail to the defendant may not be conducted by way of closed circuit television.
- b) The judge shall:
 - (1) Inform the defendant of the charge against him and shall provide him with a copy of the charge.
 - (2) Advise the defendant of his right to counsel and if indigent shall appoint a public defender or licensed attorney at law of this State to represent him in accordance with the provisions of Section 113-3 of this Code.
 - (3) Schedule a preliminary hearing in appropriate cases; and
 - (4) Admit the defendant to bail in accordance with the provisions of Article 110 of this Code.

- c) The court may issue an order of protection in accordance with the provisions of Article 112A of this Code.

ARTICLE 110. BAIL - Sec. 110-2. - Release on own recognizance.

(Source: P.A. 89-377, eff. 8-18-95.)

When from all the circumstances the court is of the opinion that the defendant will appear as required either before or after conviction and the defendant will not pose a danger to any person in the community and that the defendant will comply with all conditions of bond, which shall include the defendant's current address with a written admonishment to the defendant that he or she must comply with the provisions of Section 110-12 of this Code regarding any change in his or her address, the defendant may be released on his or her own recognizance. The defendant's address shall at all times remain a matter of public record with the clerk of the court. A failure to appear as required by such recognizance shall constitute an offense subject to the penalty provided in Section 32-10 of the "Criminal Code of 1961", approved July 28, 1961, as heretofore and hereafter amended, for violation of the bail bond, and any obligated sum paid in the recognizance shall be forfeited and collected in accordance with subsection (g) of Section 110-7 of this Code.

This Section shall be liberally construed to effectuate the purpose of relying upon contempt of court proceedings or criminal sanctions instead of financial loss to assure the appearance of the defendant, and that the defendant will not pose a danger to any person or the community and that the defendant will comply with all conditions of bond. Monetary bail should be set only when it is determined that no other conditions of release will reasonably assure the defendant's appearance in court, that the defendant does not present a danger to any person or the community and that the defendant will comply with all conditions of bond.

The State may appeal any order permitting release by personal recognizance.

Sec. 110-4. - Bailable Offenses.

(Source: P.A. 91-11, eff. 6-4-89.)

- a) All persons shall be bailable before conviction, except the following offenses where the proof is evident or the presumption great that the defendant is guilty of the offense: capital offenses; offenses for which a sentence of life imprisonment may be imposed as a consequence of conviction; felony offenses for which a sentence of imprisonment, without conditional and revocable release, shall be imposed by law as a consequence of conviction, where the court after a hearing, determines that the release of the defendant would pose a real and present threat to the physical safety of any person or persons; stalking or aggravated stalking, where the court, after a hearing, determines that the release of the defendant would pose a real and present threat to the physical safety of the alleged victim of the offense and denial of bail is necessary to prevent fulfillment of the threat upon which the charge is based; or unlawful use of weapons in violation of item (4) of subsection (a) of Section 24-1 of the Criminal Code of 1961 when that offense occurred in a school or in any conveyance owned, leased, or contracted by a school to transport students to or from school or a school-related activity, or on any public way within 1,000 feet of real property comprising any school, where the court, after a hearing, determines that the release of the defendant would pose a real and present threat to the physical safety of any person and denial of bail is necessary to prevent fulfillment of that threat.
- b) A person seeking release on bail who is charged with a capital offense or an offense for which a sentence of life imprisonment may be imposed shall not be bailable until a hearing is held wherein such person has the burden of demonstrating that the proof of his guilt is not evident and the presumption is not great.
- c) Where it is alleged that bail should be denied to a person upon the grounds that the person presents a real and present threat to the physical safety of any person or persons, the burden of proof of such allegations shall be upon the State.
- d) When it is alleged that bail should be denied to a person charged with stalking or aggravated stalking upon the grounds set forth in Section 110-6.3 of this Code, the burden of proof of those allegations shall be upon the State.

Sec. 110-7. - Deposit of Bail Security.

- a) The person for whom bail has been set shall execute the bail bond and deposit with the clerk of the court before which the proceeding is pending a sum of money equal to 10% of the bail, but in no event shall such deposit be less than \$25. The clerk of the court shall provide a space on each form for a person other than the accused who has provided the money for the posting of bail to so indicate and a space signed by an accused who has executed the bail bond indicating whether a person other than the accused has provided the money for the posting of bail. The form shall also include a written notice to such person who has provided the defendant with the money for the posting of bail indicating that the bail may be used to pay costs, attorney's fees, fines, or other purposes authorized by the court and if the defendant fails to comply with the conditions of the bail bond, the court shall enter an order declaring the bail to be forfeited. The written notice must be: (1) distinguishable from the surrounding text; (2) in bold type or underscored; and (3) in a type size at least 2 points larger than the surrounding type. When a person for whom bail has been set is charged with an offense under the "Illinois Controlled Substances Act" which is a Class X felony, the court may require the defendant to deposit a sum equal to 100% of the bail. Where any person is charged with a forcible felony while free on bail and is the subject of proceedings under Section 109-3 of this Code the judge conducting the preliminary examination may also conduct a hearing upon the application of the State pursuant to the provisions of Section 110-6 of this Code to increase or revoke the bail for that person's prior alleged offense.
- b) Upon depositing this sum and any bond fee authorized by law, the person shall be released from custody subject to the conditions of the bail bond.

ARTICLE 113. ARRAIGNMENT - Sec. 113-3. - Counsel and Expert Witness

(Source: P.A. 91-589, eff. 1-1-00.)

- (a) Every person charged with an offense shall be allowed counsel before pleading to the charge. If the defendant desires counsel and has been unable to obtain same before arraignment the court shall recess court or continue the cause for a reasonable time to permit defendant to obtain counsel and consult with him before pleading to the charge. If the accused is a dissolved corporation, and is not represented by counsel, the court may, in the interest of justice, appoint as counsel a licensed attorney of this State.
- (c) In all cases, except where the penalty is a fine only, if the court determines that the defendant is indigent and desires counsel, the Public Defender shall be appointed as counsel. If there is no Public Defender in the county or if the defendant requests counsel other than the Public Defender and the court finds that the rights of the defendant will be prejudiced by the appointment of the Public Defender, the court shall appoint as counsel a licensed attorney at law of this State, except that in a county having a population of 2,000,000 or more the Public Defender shall be appointed as counsel in all misdemeanor cases where the defendant is indigent and desires counsel unless the case involves multiple defendants, in which case the court may appoint counsel other than the Public Defender for the additional defendants. The court shall require an affidavit signed by any defendant who requests court-appointed counsel. Such affidavit shall be in the form established by the Supreme Court containing sufficient information to ascertain the assets and liabilities of that defendant. The Court may direct the Clerk of the Circuit Court to assist the defendant in the completion of the affidavit. Any person who knowingly files such affidavit containing false information concerning his assets and liabilities shall be liable to the county where the case, in which such false affidavit is filed, is pending for the reasonable value of the services rendered by the public defender or other court-appointed counsel in the case to the extent that such services were unjustly or falsely procured.

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DWOND DONAHUE, <i>et al.</i>)	
)	Case No. 07 CV 4534
Plaintiffs,)	
vs.)	HON. JUDGE GOTTSCHALL
)	
COOK COUNTY, <i>et al.</i>)	HON. MAGISTRATE JUDGE COLE
Defendants.)	

AFFIDAVIT OF DANIEL BROWN

I, Assistant Director Daniel Brown, being first duly sworn under oath, depose and state that the following is based upon my personal, firsthand knowledge and that if I were called upon to testify, my testimony would be as follows:

1. I am presently employed as Assistant Executive Director, located at 2700 S. California in Chicago, Illinois.
2. I have been so employed in the Assistant Director position since January 2007.
3. My duties include maintaining the Cook County Department of Corrections ("CCDOC") general orders and the Rules and Regulations for Detainees manual.
4. The Rules and Regulations for Detainees manual which became effective June 2006, bearing the signature Scott Kurtovich, Acting Executive Director, 6/16/06, is the Rules and Regulations for Detainees manual that was in use at the CCDOC on August 16, 2006.
5. The Rules and Regulations for Detainees manual is kept in the ordinary course of business.
6. The Rules and Regulations for Detainees manual is provided to each detainee at the CCDOC upon entry into the facility.

Further affiant sayeth not,

<p>Subscribed and sworn to before me this <u>18th</u> day of March, 2009</p> <p><i>Jessica Campbell</i> NOTARY PUBLIC</p>	<p>By: <i>Daniel Brown</i></p> <p>Title: <u>ASSISTANT EXECUTIVE DIRECTOR</u></p> <p>Cook County Department of Corrections</p>
--	---

