

Dee Farmer
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN

DEE FARMER,

Plaintiff,

vs.

EDWARD BRENNAN, et al.,

Defendants.

Civil Action No. 91-C-716-S

DECLARATION OF DEE FARMER

I, Dee Farmer, hereby declare and state as follows:

1. From January, 1988 to March 9, 1989 I was a inmate confined at the Federal Correctional Institution (FCI), Oxford, Wisconsin. During, my confinement at FCI-Oxford I submitted administrative remedies to Defendants BRENNAN, and DUBOIS that specifically concerned my transsexualism. Defendants KURZYDLO and BRENNAN was also aware of my transsexuality through records in my Central File maintained by them and their personal observation of me on a regular basis. Defendant Smith was aware of my transsexuality through the transfer packet sent to him by Defendant Kurzydlo, well as documents sent by the Associate Warden of FCI-Oxford in February, 1989.

2. With regard to their personal involvement in the

designation and placement of me at USP-Terre Haute where I was sexually assaulted, each of them contributed to the designation by ignoring Bureau of Prisons policy that requires ordinarily for transsexual offenders to be housed in co-correctional institutions. Nevertheless, they either directly participated in the transfer or permitted it to occur knowing the risk that I would be subjected to.

3. During Defendant DUBOIS and SMITH employment with the Bureau of Prisons North Central Office they had frequent contacts with FCI-Oxford which were continuous and systematic throughout their employment in said Region. Specifically, Defendant DUBOIS handled all administrative remedies and controlled housing matters arising out of FCI-Oxford. While Defendant SMITH handled every transfer of disciplinary nature arising out of FCI-Oxford. Though, Defendants DUBOIS and SMITH had other responsibilities that required them to have contact with FCI-Oxford these duties alone required continuous contact.

4. I have no knowledge of the manner in which the summons and complaint was served on any other defendants. As a pro'se plaintiff I filed my complaint with the Court and the Court instructs the U.S. Marshals to conduct service of process. To the best of my knowledge, the type of service generally conducted by the U.S. Marshal's is sufficient and accordance with law.

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

DEE Farmer

[Signature] 12-3-91