

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

Derrick Phipps, et al.,)	
)	
<i>Plaintiffs</i>)	
)	
-vs-)	No. 07 CV 3889
)	
Sheriff of Cook County and Cook)	<i>(Judge Bucklo)</i>
County,)	
)	
<i>Defendants.</i>)	

**PLAINTIFFS’ REPLY MEMORANDUM IN SUPPORT
OF MOTION FOR SUMMARY JUDGMENT**

Defendants mount a three pronged attack on plaintiffs’ motion for summary judgment, challenging the largely undisputed facts, interposing legal objections which range from the frivolous to the bizarre, and seeking to bar as “undisclosed” the expert whose report plaintiffs submitted as an exhibit to their motion for class certification.¹ The Court should reject this pettifogging and grant summary judgment to the plaintiff class on liability.

I. Groundless Challenge to Undisputed Facts: The Plaintiff Class of Wheelchair Bound Inmates Is Protected by the ADA and the Rehabilitation Act

Defendants assert that plaintiffs have failed to show that the plaintiff class consists of persons who are “qualified individuals with a disability.” (County Memo, Record Item No. 169 at 3.) Defendants fail to support this assertion with any coherent argument.

¹ Plaintiffs respond to the motion to bar expert in a separate pleading.

The County admitted in its response to plaintiffs' first request to admit that each of the named plaintiffs is "disabled" within the meaning of the ADA.² Record Item No. 56, pars. 3, 7, 10, and 14, reproduced as Exhibit 9 to Plaintiffs' Rule 56 Statement, Record Item No. 167. The County's admission was compelled by the fact that each named plaintiff has a permanent condition that prevents him from engaging in the "major life activity" of walking.³

The class definition limits participation in this case to persons, like the named plaintiffs, who are wheelchair bound. Typical class members are Anton Johnson, who had been wheelchair bound since 2000 (Plaintiffs' Rule 56 Statement, Record Item No. 167, par. 49), David Knight, who has been paraplegic since he was shot in 1989 (Plaintiffs' Rule 56 Statement, par. 54), and Cedric Tucker, who has been wheelchair bound since 1992. (Plaintiffs' Rule 56 Statement, par. 67.)

Defendants conceded in their cross-motions for summary judgment that "Plaintiffs ... are qualified individuals with a disability," (Sheriff Summary Judgment Memorandum, Record Item No. 161 at 9, and that "[plaintiffs] require wheelchair assistance." (County Motion to Summary Judgment,

² The Sheriff admitted that each named plaintiff has a permanent disability that substantially limits a major life activity, but objected to the "legal conclusion" that each plaintiff is disabled under the ADA. Sheriff's Response to First Request to Admit, Record Item No. 52, pars. 1-14, reproduced as Exhibit 1 *infra*.

³ Before the effective date of the 2008 amendments to the ADA, the Seventh Circuit agreed with the EEOC regulations, 29 C.F.R. §1630.2(i), that a person who, because of a permanent or long term condition, was "substantially limited" in his (or her) ability to engage in the "major life activity" of walking was "disabled" under the ADA. *E.E.O.C. v. Sears, Roebuck & Co.* 417 F.3d 789, 801-02 (7th Cir. 2005). The 2008 amendments incorporated into the statute the definition of "major life activities" set out in the EEOC regulations. *See Winsley v. Cook County*, 563 F.3d 598, 603 & n.2 (7th Cir. 2009).

Record Item No. 162 at 1.) Defendants' present argument that the members of the plaintiff class are not protected from discrimination by the ADA is wholly without merit.

II. Deliberate Flouting of Local Rule 56

Defendants have responded to plaintiffs' Rule 56.1 statement with "argument, evasion, and improper denials." *Bordelon v. Chicago School Reform Bd. of Trustees*, 235 F.3d 524, 528 (7th Cir. 2000). Rather than admit plaintiffs' contentions which cannot be disputed, and follow this Court's direction in *Bullock v. Dart*, 599 F.Supp.2d 947 (N.D.Ill. 2009) to "add, in a separate numbered statement, whatever factual material they believe is necessary to complete the picture," *id.* at 950, defendants use their Rule 56.1(b)(3) statement as a platform to advance their meritless legal argument (see *infra* at __-__), that this case involves violations of Title III of the ADA, which does not apply to public entities, rather than Title II, which applies to defendants. (Defendants' Rule 56.a(1)(3) Response, Record Item No. 172, par.s 16, 17, 18, 20, 21, 26, 27, 28, 30, 31, 33, and 34.)

Defendants also disregard their obligation to "deny the allegations in the numbered paragraph with citations to supporting evidence," *Jupiter Aluminum Corp. v. Home Ins. Co.*, 225 F.3d 868, 871 (7th Cir. 2000), and simply "dispute the facts" without any citation to supporting evidence. This type of improper response is illustrated in Contention 13:

Contention 13: The Sheriff does not have any expertise in ADA compliance and relies on "Facilities Management." (Exhibit 26, Kurtovich Dep., 5/1/08, 18.)

Response: Defendants dispute the facts in paragraph 13.

Defendants offer similar denials without record citations to contentions 16, 17, 18, 21, 26, 27, 28, 30, 31, 33, 34, 36, 37, 38, 39, and 42. This is an insufficient denial. *Business Systems Engineering, Inc. v. International Business Machines*, 520 F.Supp.2d 1012, 1014 n.2 (N.D.Ill. 2007).

Plaintiffs recognize that, when confronted with a summary judgment papers which “obfuscates, rather than clarifies, any genuine factual disputes,” *Illinois Dunesland Preservation Society v. Illinois Department of Natural Resources*, 587 F.Supp.2d 1012, 1016 (N.D.Ill. 2008), the Court may be inclined to simply deny summary judgment and resolve the factual disputes at trial. Plaintiffs urge the Court to resist this temptation because the real disputes in this case are about legal, rather than factual, issues.

III. There Is No Factual Dispute that the Jail Lacks Accessible Facilities for Wheelchair Bound Detainees

Defendants do not dispute that because of their disability, wheelchair bound prisoners at the jail have significant difficulties in using the toilets,⁴ as well as difficulties in showering,⁵ and in using the lavatories.⁶ Defendants agree that neither the medical staff at Cermak nor correctional officers are available to assist disabled inmates – defendants affirmatively state that they are not required to “provide assistance.” Defendants’ Rule 56.a(1)(3) Response, Record Item No. 172, par. 22.

⁴ Defendants’ Response to Rule 56.a(1)(3) Statement, Record Item No. 172, response to contentions 43, 51, 56, 59, 63, 64, 68.

⁵ Defendants’ Response to Rule 56.a(1)(3) Statement, Record Item No. 172, response to contentions 46, 53, 55, 61, and 69.

⁶ Defendants’ Response to Rule 56.a(1)(3) Statement, Record Item No. 172, response to contentions 45, 53, 60, and 69.

The pure question of law presented in this case is therefore whether the ADA or the Rehabilitation Act provides a remedy for the accessibility problems with toilets, showers, and sinks experienced by wheelchair bound prisoners at the Cook County Jail. Plaintiffs show below that this question should be answered in their favor

IV. A Bizarre Legal Objection: The Bogus Title III Defense

Throughout this litigation, plaintiffs have made plain that their ADA claim arises under 42 U.S.C. §12132, the discrimination provision of Title II that applies to public entities.⁷ Defendants concede that each is a public entity and do not dispute that Title II applies to jails. *Pennsylvania Dept. of Corrections v. Yeskey*, 524 U.S. 206 (1998).

Defendants seek to argue that plaintiffs' claims of inaccessible toilets, sinks, and showers are not covered by Title II of the ADA, but are only addressed in Title III, a section of the ADA that does not apply to public entities. (Sheriff's Memorandum, Record Item No. 171, 4-6; County Memorandum, Record Item No. 169, 4-6.) That defendants are presenting this argument for the first time in ten years of defending Title II claims at the jail bespeaks of its frivolity.

One of the first Title II ADA cases to be brought against defendants was *May v. Sheahan*, 99-CV-395. There, the plaintiff argued, *inter alia*, that the

⁷ 42 U.S.C. §12132 provides as follows:

Subject to the provisions of this subchapter, no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.

Sheriff had discriminated under Title II of the ADA against a person afflicted with AIDS who, like the members of the plaintiff class in this case, was “substantially limited in the major life activities of walking.” 1999 WL 543187 *3. In denying the Sheriff’s motion to dismiss, Judge Coar held that the prisoner had stated a claim under Title II for the Sheriff’s failure to make a reasonable accommodation that would have allowed the prisoner to attend to his “personal care.” (The ADA issue was not before the Court of Appeals in a qualified immunity appeal in *Mays*, 226 F.3d 876 (7th Cir 2000).)

Judge Coar again considered a Title II ADA claim against defendant Sheriff in *Jones v. Sheahan*, 97-CV-3471, 1999 WL 1024535 (N.D.Ill. 1999). The plaintiff in *Jones*, like the members of the plaintiff class in this case, was a paraplegic who could not engage in the everyday activity of walking. The plaintiff claimed, *inter alia*, that the toilet and showers were inaccessible to him because of his disability. 1999 WL 1024535 at *3-*4. The Sheriff did not dispute that these claims were actionable under Title II, but secured summary judgment on the unrebutted affidavit of Warrick Graham. 1999 WL 1024535 at *4. (The Sheriff engaged Graham to report on ADA compliance in this case; in contrast to *Jones*, the Sheriff now ignores Graham’s findings, which plaintiffs cite to support their cross-motion for summary judgment. See Plaintiffs’ Rule 56.1 Statement, pars. 7, 16, 18, 20, 24, 26, 27, 28, 30, 31, and 33.)

Defendant Sheriff was again sued under Title II of the ADA in *Cotton v. Sheahan*, No. 02-CV-824, 2002 WL 31409575 (N.D.Ill. 2002). There, a wheelchair bound prisoner complained about the Sheriff’s failure to provide adequate seating accommodations in the visiting room for persons in wheelchairs, as well as the Sheriff’s failure to remove barriers in the visiting room and to

provide reasonable accommodations for persons in wheelchairs in the facility's showers. 2002 WL 31409575 *2. In denying the Sheriff's motion to dismiss the Title II claim, Magistrate Judge Ashman held that the prisoner's claim that the Sheriff had failed to make reasonable accommodations for his disability stated an actionable claim. *Id.* at *3.

ADA cases under Title II arising from toilets and showers that are inaccessible to wheelchair bound prisoners are not unique to the Northern District of Illinois. *See, e.g., Kiman v. New Hampshire Dept. of Corrections*, 451 F.3d 274, 287-88 (1st Cir. 2006) (accessible shower facilities); *Pierce v. County of Orange*, 526 F.3d 1190, 1218, 1220, 1224 n.44 (9th Cir. 2008) (sinks, toilets, and showers); *Schmidt v. Odell*, 64 F.Supp.2d 1014, 1033 (D.Kan. 1999) (inaccessible toilet and shower); *Outlaw v. City of Dothan, Ala.*, 1993 WL 735802 (M.D.Ala 1993) (shower).

Defendants' bizarre Title III theory is only slightly less frivolous than defendants' fanciful argument that Title II of the ADA does not place an affirmative duty on jail officials to make the jail accessible to wheelchair bound prisoners and instead allows jail officials to discriminate against wheelchair bound prisoners.

V. Title II Mandates Accessible Facilities and Prohibits Discrimination

Defendants assert that Title II of the ADA does not mandate that jail facilities be accessible to the disabled. (County Memo, Record Item No. 169, at 5; Sheriff Memo, Record Item No. 171, at 8.) Neither the County nor the Sheriff seeks to reconcile this bold claim with the regulations promulgated under Title II.

Title II of the ADA requires the Attorney General to promulgate regulations to implement the statute. 42 U.S.C. §12134(a). These regulations require a public entity, like the jail, to “operate each service, program, or activity so that the service, program, or activity, when viewed in its entirety, is readily accessible to and usable by individuals with disabilities.” 28 CFR §35.150(a).

The regulations set out a variety of way in which a public entity may make a facility “readily accessible.”⁸ Relevant to this case is “alteration of existing facilities and construction of new facilities,” an option which “must meet the accessibility requirements of §35.151.”⁹ 28 C.F.R. §35.150(b)(1).

Defendants agree that they constructed Cermak Hospital after the effective date of the ADA, Defendants’ Rule 56.a(1)(3) Response, Record Item No. 172, par. 8, but are unable to explain why the showers in Cermak do not

⁸ 28 C.F.R. §35.150(b)(1) provides as follows:

(1) *General.* A public entity may comply with the requirements of this section through such means as redesign of equipment, reassignment of services to accessible buildings, assignment of aides to beneficiaries, home visits, delivery of services at alternate accessible sites, alteration of existing facilities and construction of new facilities, use of accessible rolling stock or other conveyances, or any other methods that result in making its services, programs, or activities readily accessible to and usable by individuals with disabilities. A public entity is not required to make structural changes in existing facilities where other methods are effective in achieving compliance with this section. A public entity, in making alterations to existing buildings, shall meet the accessibility requirements of §35.151. In choosing among available methods for meeting the requirements of this section, a public entity shall give priority to those methods that offer services, programs, and activities to qualified individuals with disabilities in the most integrated setting appropriate.

⁹ These “accessibility requirements” are the Uniform Federal Accessibility Standards (“UFAS”) or the Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities (“ADAAG”) discussed in plaintiffs’ opening memorandum, Record Item No. 166, at 4-6.

comply with the ADA.¹⁰ Defendants' Rule 56.a(1)(3) Response, Record Item No. 172, par. 27.

Similarly, defendants altered Division 2 in 2008 when they moved wheelchair bound detainees from the RTU to Division 2. Defendants' Rule 56.a(1)(3) Response, Record Item No. 172, par. 32. Defendants are unable to explain why they failed to make the toilets and the lavatories in the remodeled Division 2 comply with the ADA.¹¹ Defendants' Rule 56.a(1)(3) Response, Record Item No. 172, par. 33.

Before the move to Division 2, wheelchair bound prisoners, other than those in Cermak Hospital, were housed in the RTU.¹² The parties agree that the RTU was not subject to the regulations governing "alteration of existing

¹⁰ Contention 27 states as follows: "The showers in Cermak do not comply with the ADA because the shower controls and soap holders are too high off the ground. (Exhibit 20, Graham Dep., 2/25/08, 80-82, 87.) It would not be an undue financial burden to fix this problem with the shoulders. (Exhibit 20, Graham Dep. 2/25/08, 88.) Defendants respond with a motion to strike and an unsubstantiated "Defendants dispute the facts in paragraph 27." Defendants' Rule 56.a(1)(3) Response, Record Item No. 172, par. 27.

¹¹ Contention 33 states as follows: "Before the move, defendants undertook some modifications of Division 2. (Exhibit 26, Kurtovich Dep., 11/14/08, 13) These modifications failed to make Division 2 compliant with the standards of the ADA and the Rehabilitation Act: neither the toilets nor the lavatories were accessible to wheelchair bound detainees. (Exhibit 21, Graham Dep., 4/14/08, 7-13.)" Defendants respond with a motion to strike and an unsubstantiated "Defendants dispute the facts in paragraph 33." Defendants' Rule 56.a(1)(3) Response, Record Item No. 172, par. 33.

¹² Defendants affirmatively assert in contentions 26 and 29 of their Joint Rule 56 Statement, Record Item No. 163, that disabled prisoners were housed in the RTU and Cermak Hospital. Nonetheless, defendants deny Plaintiffs' Contention 29 ("Until sometime in 2008, male wheelchair bound detainees who were not assigned to Cermak Hospital would be held in the RTU") "as unsupported by the record." Defendants' Rule 56.a(1)(3) Response, Record Item No. 172, par. 29.

facilities and construction of new facilities.”¹³ Defendants offer only legal argument and an unsupported denial to Contentions 30 and 31 of Plaintiffs’ Rule 56 Statement that “[d]efendants have known since at least 2004 that the toilets in the RTU do not comply with the ADA,” and that “[t]he RTU does not have accessible toilets or sinks for wheelchair bound detainees.” Defendants’ Rule 56.a(1)(3) Response, Record Item No. 172, pars. 30, 31. Thus, the question of law presented on the cross-motions for summary judgment is whether the ADA required defendants to make toilets and sinks in the RTU accessible to wheelchair bound detainees.

An identical question was answered by the district court in *Cooper v. Weltner*, 1999 WL 10000503 (D.Kan. 1999). There, a disabled prisoner alleged that the shower facility at a county jail “lacked handrails, a non-skid surface, a shower hose, and a scald preventer.” The defendants argued that their jail had been constructed before enactment of the ADA and was therefore not required to include an ADA accessible shower. 1999 WL 10000503 at *5. The Court rejected this argument, relying on 28 C.F.R. §35.150(a), which provides that “A public entity shall operate each service, program, or activity so that the service, program, or activity, when viewed in its entirety, is readily accessible to and usable by individuals with disabilities.” *Id.* The Court also noted that §35.150(c) required that “any structural changes undertaken to comply with the obligations established by the regulation shall be made within three years

¹³ The parties agree that the RTU was built before enactment of the ADA. Plaintiffs are not aware of any evidence that the RTU was materially altered after enactment of the ADA.

of January 26, 1992, „but in any event as expeditiously as possible.” 1999 WL 10000503 at *6.

Cooper v. Weltner, supra, correctly applied the ADA to a county jail that had been constructed before enactment of the ADA and should be followed in this case with respect to the RTU. Moreover, there is no genuine dispute in this case that, as defendants’ expert conceded, “[d]efendants would not have incurred any undue financial expense if they had attempted to make the toilets in the RTU accessible for wheelchair bound detainees.” Defendants’ Rule 56.a(1)(3) Response, Record Item No. 172, pars. 30. Defendants violated the ADA when they failed to make the requisite minor modifications.

VI. The Rehabilitation Act: A Pure Question of Law

The parties agree that defendants’ liability under Section 504 of the Rehabilitation Act, 29 U.S.C. §794, turns on the receipt of federal funds.¹⁴ Plaintiffs asserted in paragraph 6 of their Rule 56 statement that “[d]efendants have received Federal financial assistance in 2003 and each year following,” and supported that contention with excerpts from the Cook County Budget. (Exhibits 1-7 to Plaintiff’s Rule 56 Statement, Record Item No. 167.)

Defendants do not deny that they received Federal financial assistance, but affirmatively state that they have not “received federal financial assistance for programs or services under the ADA.”¹⁵ Defendants’ Rule 56.a(1)(3) Re-

¹⁴ The Rehabilitation Act, and its implementing regulations, impose a higher burden than the ADA. See plaintiffs’ opening memorandum, Record Item No. 166, at 6.

¹⁵ The County does not receive any federal funds specifically designated “for programs or services under ADA Cermak Health Services or ... for the making of programs and services accessible to those qualified under the ADA.” Affidavit of John Morales, Exhibit 15 to Record Item No. 163, par. 3. Similarly, none of the federal funds re-

sponse, Record Item No. 172, par. 6. The parties thus present the Court with a pure question of law about the quantum of Federal financial assistance required to trigger the Rehabilitation Act.

Plaintiffs contend that defendants are subject to the Rehabilitation Act because the Sheriff and Cook County each receive money from the federal government.¹⁶

In *Schroeder v. City of Chicago*, 927 F.2d 957 (7th Cir. 1991), the Seventh Circuit recognized that the Rehabilitation Act “makes it unlawful for any ,program or activity’ receiving federal financial assistance to discriminate against the handicapped [and that t]he statute, as amended in 1988, defines program or activity to mean ,all the operations’ of a department, agency, district, or other instrumentality of state or local government that receives or dispenses federal financial assistance.” *Id.* at 962. The specific holding of *Schroeder* is that discrimination by two departments of the City’s fire department would not infect the entire city government. *Id.*

The Court in *Schroeder* quoted language from the legislative history of the Civil Rights Restoration Act of 1987 that is germane to this case:

ceived by the Sheriff are earmarked “for programs or services under [the] ADA for the Cook County Department of Corrections or ... for the making of programs and services accessible to those qualified under the ADA.” Affidavit of Alexis Herrera, Exhibit 10 to Record Item No. 163, par. 3.

¹⁶ The government website at www.usaspending.gov shows that the Sheriff received federal grants from the Department of Justice in 2004, 2005, and 2006 totaling more than one million dollars. Copies of the relevant web pages are reproduced in Exhibit 1, attached. The County makes no secret of its receipt of federal funds; the Cook County Bureau of Health boasts on its website of its receipt of federal funds. <http://medicine.johnstroggerhospital.org/irb/hektoen.html> (visited August 18, 2009).

If federal health assistance is extended to a part of a state health department, the entire health department would be covered in all of its operations. If the office of a mayor receives federal financial assistance and distributes it to local departments or agencies, all of the operations of the mayor's office are covered along with the departments or agencies which actually get the aid.

S.Rep. No. 64, 100th Cong., 2d Sess. 16 (1988), U.S. Code Cong. & Admin. News 1988, 3, 18

The Tenth Circuit applied this broad language to a county in *Bentley v. Cleveland County Board of County Commissioners*, 41 F.3d 600 (10th Cir. 1994). There, the plaintiff claimed that the County had laid off a disabled employee because of his disability. 41 F.3d at 602. The County conceded that it had received federal funds for road maintenance, but argued that it was not subject to the Rehabilitation Act "because Congress did not intend entire county governments to be programs or activities as defined in the Act." *Id.* at 603. The Court of Appeals rejected this argument, distinguished *Schroeder v. City of Chicago, supra*, and held that Congress had intended to make entire county governments subject to the Rehabilitation Act. *Id.*

The regulations implementing the Rehabilitation Act support plaintiffs' position that defendants are subject to the Act. 28 C.F.R. §42.102(d) provides as follows:

- (d) The terms *program or activity* and *program* mean all of the operations of any entity described in paragraphs (d)(1) through (4) of this section, any part of which is extended Federal financial assistance:
 - (1)(i) A department, agency, special purpose district, or other instrumentality of a State or of a local government; or
 - (ii) The entity of such State or local government that distributes such assistance and each such department or agency (and each other State or local government entity) to which the assistance is extended, in the case of assistance to a State or local government;

The federal government “extends” funds directly to Cook County as well as to the Sheriff of Cook County. See note 14 *ante*. Both entities are therefore subject to the Rehabilitation Act.

VII. Defendants Transform Three Disjunctive Methods of Proof into a “Three Part Test”

In *Washington v. Indiana High School Athletic Ass’n*, 181 F.3d 840 (7th Cir. 1999), the Seventh Circuit set out three different ways in which a plaintiff could prove a claim under the Rehabilitation Act or Title II of the ADA. *Id.* at 847. Defendants combine these three methods into a single, three part test, blithely substituting an “and” for an “or.” (County Memo, Record Item No. 169, 7.) The Court should reject this attempt to change the law.

The Court should also reject defendants’ argument that the evidence fails to show deliberate indifference.¹⁷ The record in this case shows that defendants have shown “deliberate indifference to the strong likelihood that pursuit of its questioned policies will likely result in a violation of federally protected rights.” *Access Living of Metropolitan Chicago v. Chicago Transit Authority*, 2001 WL 492473 *7 (N.D.Ill. 2001). Defendants knew since at least 2004 that the toilets in the RTU did not comply with the ADA. (Plaintiffs’ Rule 56 Statement, Record Item No. 167, par. 30.) Defendants did not attempt to fix this problem, even though making those toilets accessible would not have caused any undue financial burden. (Plaintiffs’ Rule 56 Statement, Record

¹⁷ Although the Ninth Circuit requires the plaintiff in a Title II ADA claim to show “deliberate indifference,” *Duvall v. County of Kitsap*, 260 F.3d 1124, 1138 (9th Cir. 2001), the Seventh Circuit has never adopted this standard, but employs the “but for” standard set out in *Wisconsin Community Services, Inc. v. City of Milwaukee*, 465 F.3d 737, 747 (7th Cir. 2006).

Item No. 167, par. 30.) Similarly, defendants failed to afford a priority to placing wheelchair bound detainees in the more accessible rooms in Cermak Hospital, (Plaintiffs' Rule 56 Statement, Record Item No. 167, par. 25), and failed to insure that the modifications to Division 2 (undertaken during the pendency of this lawsuit) complied with ADA accessibility standards. (Plaintiffs' Rule 56 Statement, Record Item No. 167, par. 33.)

VIII. Conclusion

For the reasons above stated and those previously advanced, the Court should grant plaintiffs' motion for summary judgment on liability.

Respectfully submitted,

/s/ Kenneth N. Flaxman

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Exhibit 1

Awards for 2004

http://www.usaspending.gov/faads/faads.php?datatype=H&detail=4&recipient_name=%27Cook%20County%20Sheriffs%27&fiscal_year=2004&recipient_state_code=17&recipient_city_name=Chicago&agency_code=1550 (visited 8/20/2009)

BY RECIPIENT

Search by name:
 Top 100 Recipients (2009)

- ▶ Overview: type of recipient
- ▶ Overview: cong. district of recipient
- ▶ Advanced search for recipients

BY PLACE OF PERFORMANCE

Overview by state
 ▶ Advanced search by place of performance

BY AGENCY

Overview by major agency
 ▶ Advanced search by agency

OTHER

Overview by type of assistance
 ▶ Grants by program

Assistance Search Results (FY 2004)

[Expanded Detail on Individual Transactions for FY 2004](#)

Search Criteria Used (More)

Federal Fiscal Year	2004
Level of Detail	Complete (all information)
Type of Report Output	HTML <input type="button" value="GO"/>

Award Or Aggregate # 1

Recipient Information ?

Recipient Name	COOK COUNTY SHERIFFS OFC
Recipient City Code	14000
Recipient City Name	CHICAGO
Recipient County Code	031
Recipient County Name	COOK COUNTY
Recipient State Code	Illinois
Recipient State Name	ILLINOIS
Recipient Zip Code	60602
Congressional District	IL90: Illinois unknown districts
Recipient Congressional District	90
Recipient Category	Government
Recipient Type	county government
Recipient DUNS Number	

Project and Award Info ?

Major Agency	Department of Justice
Agency Code	1550: DOJ - Office of Justice Programs
Agency Name	DOJ-OFFICE OF JUSTICE PROGRAMS
Federal Award ID	2004JVFX0124
State Application ID Number	SAI NOT AVAILABLE
CFDA Program Number	16.544
CFDA Program Title	GANG-FREE SCHOOLS AND COMMUNITIES-COMMUNITY BASED GANG INTERVENTION
Assistance Category	Grants & Cooperative Agreements
Assistance Type	project grant
Project Description	GANG RESISTANCE EDUCATION AND TRAINING (GREAT)
Program Source Agency	
Program Source Account	
Program Source Description	

Action ? (Award or Aggregate # 1)

Fiscal Year	2004
Fiscal Year / Quarter	20044
Action Type	new assistance action
Federal Funding Amount	\$188,897
Non-Federal Funding Amount	\$0
Total Funding Amount	\$188,897
Obligation / Action Date	09/01/2004
Starting Date	01/01/2004
Ending Date	12/31/2004
Record Type	individual action

Principal Place ?

Principal Place Code	1714000
Principal Place State	ILLINOIS

Principal Place County or City CHICAGO

Total transactions for fiscal year 2004: 1

Federal funding (within this search) for the year : \$188,897

END OF REPORT

Search Criteria Used

Recipient Name	'Cook County Sheriffs'
Recipient City	Chicago
Recipient State	Illinois
Federal Fiscal Year	2004
Governmental Agency	DOJ - Office of Justice Programs
Sort By	Recipient Name
Level of Detail	Complete (all information)
Type of Report Output	HTML <input type="button" value="GO"/>

This search was done on August 20, 2009.



Awards for 2005

http://www.usaspending.gov/faads/faads.php?datatype=H&detail=4&recipient_name=%27Cook%20County%20Sheriffs%27&fiscal_year=2005&recipient_state_code=17&recipient_city_name=Chicago&agency_code=1550 (visited 8/20/2009)

BY RECIPIENT

Search by name:

Top 100 Recipients (2009)

- ▶ Overview: type of recipient
- ▶ Overview: cong. district of recipient
- ▶ Advanced search for recipients

BY PLACE OF PERFORMANCE

Overview by state

▶ Advanced search by place of performance

BY AGENCY

Overview by major agency

▶ Advanced search by agency

OTHER

Overview by type of assistance

▶ Grants by program

Assistance Search Results (FY 2005)

[Expanded Detail on Individual Transactions for FY 2005](#)

Search Criteria Used (More)

Federal Fiscal Year	2005
Level of Detail	Complete (all information)
Type of Report Output	HTML <input type="button" value="GO"/>

Award Or Aggregate # 1

Recipient Information ?

Recipient Name	COOK COUNTY SHERIFFS OFC
Recipient City Code	14000
Recipient City Name	CHICAGO
Recipient County Code	031
Recipient County Name	COOK COUNTY
Recipient State Code	Illinois
Recipient State Name	ILLINOIS
Recipient Zip Code	60602
Congressional District	IL90: Illinois unknown districts
Recipient Congressional District	90
Recipient Category	Government
Recipient Type	county government
Recipient DUNS Number	

Project and Award Info ?

Major Agency	Department of Justice
Agency Code	1550: DOJ - Office of Justice Programs
Agency Name	DOJ-OFFICE OF JUSTICE PROGRAMS
Federal Award ID	2004JVFX0124
State Application ID Number	SAI NOT AVAILABLE
CFDA Program Number	16.AAB
CFDA Program Title	OFFICE OF SPECIAL COUNSEL FOR IMMIGRATION
Assistance Category	Grants & Cooperative Agreements
Assistance Type	project grant
Project Description	GANG RESISTANCE EDUCATION AND TRAINING (G.R.E.A.T.) PROGRAM
Program Source Agency	
Program Source Account	
Program Source Description	

Action ? (Award or Aggregate # 1)

Fiscal Year	2005
Fiscal Year / Quarter	20054
Action Type	continuation (funding in succeeding budget period which stemmed from prior agreement to fund - amount of the current action)
Federal Funding Amount	\$188,897
Non-Federal Funding Amount	\$0
Total Funding Amount	\$188,897
Obligation / Action Date	08/31/2005
Starting Date	01/01/2004
Ending Date	06/30/2006
Record Type	individual action

Principal Place ?

Principal Place State	ILLINOIS
Principal Place County or City	CHICAGO

Total transactions for fiscal year 2005: 1

Federal funding (within this search) for the year : \$188,897

END OF REPORT

This search was done on August 20, 2009.

Search Criteria Used

Recipient Name	'Cook County Sheriffs'
Recipient City	Chicago
Recipient State	Illinois
Federal Fiscal Year	2005
Governmental Agency	DOJ - Office of Justice Programs
Sort By	Recipient Name
Level of Detail	Complete (all information)
Type of Report Output	HTML <input type="button" value="GO"/>



Awards for 2006

http://www.usaspending.gov/faads/faads.php?datatype=H&detail=4&recipient_name=%27Cook%20County%20Sheriffs%27&fiscal_year=2006&recipient_state_code=17&recipient_city_name=Chicago&agency_code=1550 (visited 8/20/2009)

BY RECIPIENT

Search by name:

Top 100 Recipients (2009)

- ▶ Overview: type of recipient
- ▶ Overview: cong. district of recipient
- ▶ Advanced search for recipients

BY PLACE OF PERFORMANCE

Overview by state

- ▶ Advanced search by place of performance

BY AGENCY

Overview by major agency

- ▶ Advanced search by agency

OTHER

Overview by type of assistance

- ▶ Grants by program

Assistance Search Results (FY 2006)

[Expanded Detail on Individual Transactions for FY 2006](#)

Search Criteria Used (More)

Federal Fiscal Year	2006
Level of Detail	Complete (all information)
Type of Report Output	HTML <input type="button" value="GO"/>

Award Or Aggregate # 1

Recipient Information ?

Recipient Name	COOK COUNTY SHERIFFS OFC
Recipient City Code	14000
Recipient City Name	CHICAGO
Recipient County Code	031
Recipient County Name	COOK COUNTY
Recipient State Code	Illinois
Recipient State Name	ILLINOIS
Recipient Zip Code	606021305
Congressional District	IL90: Illinois unknown districts
Recipient Congressional District	90
Recipient Category	Government
Recipient Type	county government
Recipient DUNS Number	

Project and Award Info ?

Major Agency	Department of Justice
Agency Code	1550: DOJ - Office of Justice Programs
Agency Name	DOJ-OFFICE OF JUSTICE PROGRAMS
Federal Award ID	2006DDBX0334
State Application ID Number	SAI NOT AVAILABLE
CFDA Program Number	16.580
CFDA Program Title	BYRNE MEMORIAL STATE AND LOCAL LAW ENFORCE. ASSIST. DISCRETIONARY GRANT PR
Assistance Category	Grants & Cooperative Agreements
Assistance Type	project grant
Project Description	FY 2006 BJA CONGRESSIONALLY MANDATED AWARDS
Program Source Agency	
Program Source Account	
Program Source Description	

Action ? (Award or Aggregate # 1)

Fiscal Year	2006
Fiscal Year / Quarter	20064
Action Type	new assistance action
Federal Funding Amount	\$839,144
Non-Federal Funding Amount	\$0
Total Funding Amount	\$839,144
Obligation / Action Date	08/08/2006
Starting Date	07/01/2006
Ending Date	06/30/2007
Record Type	individual action

Principal Place ?

Principal Place Code	1714000
Principal Place State	ILLINOIS

Principal Place County or City CHICAGO

Award Or Aggregate # 2

Recipient Information [?](#) (Award or Aggregate # 2)

Recipient Name	COOK COUNTY SHERIFFS OFC
Recipient City Code	14000
Recipient City Name	CHICAGO
Recipient County Code	031
Recipient County Name	COOK COUNTY
Recipient State Code	Illinois
Recipient State Name	ILLINOIS
Recipient Zip Code	60602
Congressional District	IL90: Illinois unknown districts
Recipient Congressional District	90
Recipient Category	Government
Recipient Type	county government
Recipient DUNS Number	

Project and Award Info [?](#)

Major Agency	Department of Justice
Agency Code	1550: DOJ - Office of Justice Programs
Agency Name	DOJ-OFFICE OF JUSTICE PROGRAMS
Federal Award ID	2006JVFX0045
State Application ID Number	SAI NOT AVAILABLE
CFDA Program Number	16.737
CFDA Program Title	GANG RESISTANCE EDUCATION AND TRAINING
Assistance Category	Grants & Cooperative Agreements
Assistance Type	project grant
Project Description	GANG RESISTANCE EDUCATION AND TRAINING
Program Source Agency	
Program Source Account	
Program Source Description	

Action [?](#) (Award or Aggregate # 2)

Fiscal Year	2006
Fiscal Year / Quarter	20064
Action Type	new assistance action
Federal Funding Amount	\$143,245
Non-Federal Funding Amount	\$0
Total Funding Amount	\$143,245
Obligation / Action Date	09/14/2006
Starting Date	07/01/2006
Ending Date	06/30/2007
Record Type	individual action

Principal Place [?](#)

Principal Place Code	1714000
Principal Place State	ILLINOIS
Principal Place County or City	CHICAGO

Total transactions for fiscal year 2006: 2

Federal funding (within this search) for the year : **\$982,389**

END OF REPORT

Search Criteria Used

Recipient Name	'Cook County Sheriffs'
Recipient City	Chicago
...	...

This search was done on August 20, 2009.

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CERTIFICATE OF SERVICE

I hereby certify that on the 20th day of August, 2009, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Jamie Melissa Sheehan, Ass't State's Atty, 50 W Washington St, Room 500, Chicago, IL 60602, and Daniel Francis Gallagher, Esq., Querrey & Harrow, Ltd., 175 W Jackson Blvd, Ste 1600, Chicago, IL 60604-2827, and I hereby certify that I have mailed by United States Postal Service the document to the following non CM/ECF participants: none.

/s/ Kenneth N. Flaxman

Kenneth N. Flaxman
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