

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 v. ) CIVIL ACTION NO. 84-L-58  
 )  
 )  
 THE COUNTY OF LANCASTER, NEBRASKA; )  
 LANCASTER COUNTY BOARD OF )  
 COMMISSIONERS; PATRICK RACKERS, )  
 Director, Lancaster County )  
 Department of Corrections; and )  
 CITY OF LINCOLN, NEBRASKA, )  
 )  
 Defendants. )  
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PLAINTIFF'S SECOND NOTICE OF DEPOSITIONS

Pursuant to Rule 30(b)(6), Federal Rules of Civil Procedure, notice is hereby given that plaintiff United States will take the deposition of defendant City of Lincoln, Nebraska ("City") at the offices of the United States Attorney for the District of Nebraska, 100 Centennial Mall North, Lincoln, Nebraska, or at such other offices as are agreed to by counsel for the parties, on March 7, 1984, at 9:00 a.m. and continuing until completed.

The examination of the person(s) designated by the City to testify on its behalf will include inquiry into the following matters:

1. A description of all correctional officer job classifications within the City Department of Corrections ("DOC") 1/ between April 1, 1977 and August 13, 1981, and of all assignments within such job classifications, including, but not limited to, a description of:

a. The duties and responsibilities of each correctional officer job classification and each assignment within each job classification;

b. The qualifications for each correctional officer job classification and each assignment within each job classification, including any gender qualifications;

c. The job level (e.g., entry level, promotional) of each correctional officer job classification in the system of job progression within the DOC.

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1/ Throughout this discovery request, the term "correctional officer job classification" refers to the following classifications: Correctional Officer I, Correctional Officer II, Community Resource Specialist I, Community Resource Specialist II, Correctional Records Supervisor, Jail Administrator and any other classifications which involved the same or similar duties and responsibilities as the aforementioned classifications.

2. A description of the City's hiring process from April 1, 1977 through the August 13, 1981 for all correctional officer job classifications within the City DOC, including, but not limited to, a description of:

a. The manner by which it was determined that a vacancy existed;

b. The City's procedures for announcing and publicizing vacancies;

c. The procedures by which applicants obtained applications, the period for which applications remained in active status, and the location at which completed applications were stored;

d. The identity and title of City employees who were responsible for screening applicants and making selection decisions;

e. The establishment and use of any eligibility lists;

f. The selection devices used by the City (including, for example, any written employment tests, physical agility tests, psychological tests, oral interviews or background investigations) and the weights assigned to such devices; and

g. The identity and weights assigned to all other elements in the hiring process.

3. A description of the City's promotion process from April 1, 1977 through the August 13, 1981 for all correctional officer job classifications within the City DOC, including but not limited to a description of:

a. The manner by which promotional opportunities became available (e.g., with or without a vacancy);

b. The manner by which promotional opportunities were announced;

c. The procedure by which applicants become candidates for promotion, whether by formal application or otherwise;

d. The identity and title of City employees who were responsible for screening promotional candidates and making promotion decisions;

e. The establishment and use of any promotional eligibility lists;

f. The selection devices used by the City to determine promotions, and the weights assigned to such devices;

g. The identity and weight of all other elements of the promotion process; and

h. Any training courses or other programs the City provided or otherwise made available to DOC employees to enable them to become candidates for promotion, and the manner by which employees were selected for such courses or programs.

4. With respect to each selection device used by the City for hiring or promotion of persons into correctional officer job classifications, identify any studies prepared by or on behalf of the City to validate such devices pursuant to the Uniform Guidelines on Employee Selection Procedures ("Uniform Guidelines"), 45 Fed. Reg. 38920 (August 25, 1978) or its predecessors, as well as any data underlying such studies.

5. A description and explanation of any documents which refer or relate to the matters referred to in paragraphs 1-4, above, including, but not limited to, those documents which were provided to the United States by the City pursuant to the letter from David L. Rose to William F. Austin, dated February 9, 1983.

6. A description of any laws, regulations, ordinances or guidelines which mandated or authorized the procedures used by

the City for hiring or promoting persons into correctional officer job classifications within the City DOC.

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Joel W. Nomkin  
Attorney  
Civil Rights Division  
Department of Justice  
Washington, D. C. 20530

(202) 633-3872

CERTIFICATE OF SERVICE

I, Joel W. Nomkin, hereby certify that on this \_\_\_\_ day of February, 1984, I caused to be served by U.S. Mail, postage prepaid, a copy of the foregoing Plaintiff's Second Notice of Depositions upon counsel as follows:

Michael E. Thew  
Deputy County Attorney  
County-City Building  
555 South 10th Street  
Lincoln, Nebraska 68508-2866

James D. Faimon  
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