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Dear Attorneys Assad and Novack:

Re: Battle et al. v. Hodgson et al., No. 1873CV00020

The copy of the proposed First Amended Complaint, attached to the Motion for Leave to Amend the Complaint, sent to you earlier today, had a error in the spelling of Tanisha Ibay's name in the caption. Please substitute this copy of the proposed Complaint for the one contained in the packet.

Sorry for the inconvenience.

Sincerely,

A handwritten signature in cursive script that reads "Jennifer Honig".

Jennifer Honig
Senior Attorney

Enclosure

COMMONWEALTH OF MASSACHUSETTS

BRISTOL, ss.

SUPERIOR COURT
CIVIL ACTION 1873CV00020

DANYEL BATTLE,¹ GERALD FRANCIS AND TANISHA IBAY, on Behalf of Themselves
and All Others Similarly Situated,

Plaintiffs

v.

THOMAS M. HODGSON, Sheriff, Bristol County, STEVEN SOUZA, Superintendent, Bristol
County Sheriff's Office, and JUDITH BORGES, Director of Medical Services,
Bristol County Sheriff's Office, in their official capacities,

Defendants.

FIRST AMENDED COMPLAINT

Introduction

1. Plaintiffs and the class they represent are prisoners with mental illness in the custody of the Bristol County Sheriff's Office (BCSO) who have suffered severe harm as a result of their confinement in solitary confinement or "segregation."²
2. The Plaintiffs are, or have been, held in tiny cells in BCSO segregation units for substantial periods of time under extremely harsh conditions and are denied the programs and services available in the general prison population.
3. It is well-known that exposing prisoners with serious mental disorders to segregation for more than a brief period of time places them at significant risk of serious harm. They experience mental deterioration and an aggravation of symptoms. Self-mutilation, suicide, and suicide attempts are distressingly common.

¹ Also known as Danyel Battle-Moore.

² "Restrictive Housing," as used in the parties' briefing after the original complaint, refers to the same practice of in-cell confinement for 22 hours or more a day. This term is used by the Criminal Justice Reform Act, Ch. 69 of the Acts of 2018, passed by the Massachusetts legislature in April 2018.