

EXHIBIT 2

In The Matter Of:

TIMMERMAN v.

RANKIN, et al.

KYLE CHILDRESS

April 25, 2023

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1 **A. It is observation two.**
 2 Q. And do you agree that the cells depicted
 3 in Exhibit 1 and Exhibit 2 used to be visitation
 4 areas, but they were repurposed into some kind of a
 5 cell or detention room?
 6 **A. Agreed.**
 7 Q. What are the rules, policies and
 8 regulations regarding the use of these cells in 2020
 9 that are depicted in Exhibit 1 and Exhibit 2?
 10 **A. The use of these cells would be for close**
 11 **observation of individuals who are either on suicide**
 12 **watch or have significant medical issues.**
 13 Q. If the persons are on suicide watch, would
 14 it be mandatory that they're placed in one of these
 15 areas alone?
 16 **A. Not necessarily.**
 17 Q. If they were in with another person, would
 18 that person also be on suicide watch?
 19 **A. Yes.**
 20 Q. Could the person on suicide watch be
 21 placed in there with other persons who are not on
 22 suicide watch?
 23 **A. No.**
 24 Q. In 2020, was there a limited amount of
 25 time that a person could be held in either

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1 observation one or observation two as depicted in
 2 Exhibit 1 and 2?
 3 **A. Not to my knowledge.**
 4 Q. Were there any written rules or policies
 5 regarding placement of inmates in the observation
 6 one or observation two in 2020?
 7 **A. I don't recall.**
 8 Q. In 2020, was observation one equipped with
 9 a surveillance camera?
 10 **A. Yes, it had two.**
 11 Q. Two cameras?
 12 **A. Uh-huh.**
 13 Q. Okay.
 14 **A. Yes.**
 15 Q. Okay. One at one end of the long room and
 16 one at the other end?
 17 **A. Correct.**
 18 Q. Okay, and then observation two. In 2020,
 19 was observation two equipped with a surveillance
 20 camera?
 21 **A. Yes, it also had two at both ends, one at**
 22 **both ends.**
 23 Q. And did the live feed from those two
 24 cameras get broadcast to the control room?
 25 **A. Yes.**

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1 Q. Do these cells depicted in Exhibit 1 and
 2 Exhibit 2 each have a toilet within the cell?
 3 **A. They do not.**
 4 Q. And do these cells depicted in Exhibit 1
 5 and Exhibit 2 have a source of drinking water within
 6 the cell?
 7 **A. Not within the cell.**
 8 Q. How is -- how is it that persons locked
 9 into these cells that are depicted in Exhibit 1 and
 10 Exhibit 2 get to use a toilet?
 11 **A. Upon request.**
 12 Q. Is there a telephone or some kind of audio
 13 intercom where the person inside either one of these
 14 cells can contact the control room and request use
 15 of a toilet?
 16 **A. Upon placement, inmates are advised to**
 17 **knock on the door and stand in front of the camera**
 18 **so that way we are aware that they need something**
 19 **and we can respond quickly to them.**
 20 Q. And in 2020, were there any written
 21 policies instructing how correction officers were to
 22 respond to the persons locked in the cells depicted
 23 in Exhibit 1 and Exhibit 2 when they think they need
 24 something?
 25 **A. Not to my knowledge.**

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1 Q. So any of the policies governing how the
 2 correction officers were to respond to that would
 3 have been verbal policies?
 4 **A. Practices, yes.**
 5 Q. Practices, okay. And was there training
 6 on this in 2020?
 7 **A. No formal training.**
 8 Q. Have any formal training on how officers
 9 are required to respond to inmates stating some
 10 needs in one of these two cells since 2020?
 11 **A. No formal training.**
 12 Q. How is it that persons locked in these
 13 cells depicted in Exhibit 1 and Exhibit 2 get
 14 drinking water outside of regular mealtimes?
 15 **A. They simply knock on the door, stand in**
 16 **front of the camera. When the officer responds,**
 17 **they may request water. There is generally a water**
 18 **jug that they can use, that they can get water from,**
 19 **or they can be taken to the nearest restroom and get**
 20 **water out of the sink there.**
 21 Q. Do they have a water jug in the cell with
 22 them?
 23 **A. No.**
 24 Q. Are you familiar with the four single
 25 inmate repurpose visitation booths that are near the

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1 control room?
 2 **A. Yes, I'm familiar with them.**
 3 Q. And I'm handing you a group of photographs
 4 that are labeled Exhibit 3. Let's see, these are
 5 Bates marked Coles County Jail 1, Coles County Jail
 6 2 and Coles County Jail 3. And tell me, please, if
 7 the doors of those cells are visible on this, the
 8 first page, which is Coles County Jail 1, are those
 9 doors to rooms for single cells?
 10 **A. So you can see at least three, nearly the**
 11 **fourth. The first door on your right is not the**
 12 **cell door, that is a door to exit the facility, but**
 13 **the following three cells, there's a fourth one back**
 14 **there, those are the doors to that area.**
 15 Q. Okay. And if you turn over to the second
 16 and third page which is marked Coles County Jail 2
 17 and 3, does that depict the interior of one of these
 18 four cells?
 19 **A. I believe it does not show the stool that**
 20 **is in the cell, the toilet -- the chair that's**
 21 **mounted to the floor.**
 22 Q. Okay, so besides what's shown in here,
 23 there's a chair mounted to the floor?
 24 **A. Correct.**
 25 Q. In each of those four?

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1 **A. Yes.**
 2 Q. Okay. And is each of the four
 3 substantially similar to what was shown in the first
 4 one?
 5 **A. They're identical.**
 6 Q. Okay. And on the site visit to Coles
 7 County jail on March 31st, 2023, Administrator
 8 Childress referred to these four single cells as B1,
 9 B2, B3 and B4. Is that what the four cells were
 10 named in 2020 as well?
 11 **A. Correction is they are V, V Victor.**
 12 Q. Oh, V not B.
 13 **A. Correct, V Victor 1 through 4.**
 14 Q. Thank you.
 15 **A. It also would have been called -- the**
 16 **whole block is called old side visitation.**
 17 Q. Okay. And are these cells V1 through V4
 18 designed to hold one single person at a time?
 19 **A. I'm uncertain for their design.**
 20 Q. Have you ever been aware of more than one
 21 person being put in any one of these cells that is
 22 V1 through V4?
 23 **A. Yes.**
 24 Q. And how many persons have you witnessed
 25 being put into those cells V1 through V4?

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1 **A. No more than three.**
 2 Q. And what's the actual purpose of those
 3 four cells V1 through V4 as depicted in Exhibit 3?
 4 **A. Original purpose or repurposed purpose?**
 5 Q. The purpose, the purpose now.
 6 **A. The purpose now, it is a staging area,**
 7 **also a short-term administrative segregation, but**
 8 **generally what it's used for is for nurse's visits.**
 9 **An individual will be placed in there while they**
 10 **wait to see the nurse.**
 11 Q. Does the nurse's visit then get conducted
 12 within that --
 13 **A. No.**
 14 Q. -- V cell?
 15 **A. Sorry.**
 16 Q. Okay. And is there a nurse's office or an
 17 infirmary where the visit occurs?
 18 **A. Yes.**
 19 Q. Okay. Where is the nurse's office or
 20 infirmary located?
 21 **A. So referencing Coles County Jail 1, the**
 22 **gate on the left-hand side, and if you go through**
 23 **that gate, the nurse's station is just past the**
 24 **elevator doors on the right.**
 25 Q. Why would these cells V1 through V4 be

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1 used to house -- not house, to have more than one
 2 inmate in there?
 3 **A. Constraints on how many cells we have**
 4 **available at a given time for the purposes of**
 5 **staging like that.**
 6 Q. Are there any written rules, policies and
 7 regulations regarding the use of the four cells V1
 8 through V4 that are depicted in Exhibit 3 at this
 9 present time?
 10 **A. I apologize, our FTO manual in '21, and**
 11 **I'm trying to recall if training was included in**
 12 **that regarding this cell. As of right now, I do not**
 13 **recall.**
 14 Q. And do you recall whether there were any
 15 written rules, policies and regulations regarding
 16 the use of the four cells depicted in Exhibit 3 in
 17 year 2020?
 18 **A. I don't recall.**
 19 Q. In year 2020, would one of these cells
 20 that's depicted in Exhibit 3 be a place to place a
 21 person who's waiting to get booked?
 22 **A. Typically, no.**
 23 Q. In 2020, is there any limit as to the
 24 actual amount of time that a person may be held in
 25 one of these cells that's depicted in Exhibit 3?

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1 **A. I don't believe we have any policy**
 2 **referencing that.**
 3 Q. Do you ever recall at any time any person
 4 being held longer than overnight in one of the cells
 5 depicted in Exhibit 3?
 6 **A. No.**
 7 Q. Do these cells depicted in Exhibit 3 each
 8 have a toilet within the cell?
 9 **A. They do not.**
 10 Q. Do each of these cells depicted in Exhibit
 11 3 have a source of drinking water within the cell?
 12 **A. They do not.**
 13 Q. And how is it that a person locked in one
 14 of the cells depicted in Exhibit 3 gets to use a
 15 toilet?
 16 **A. Upon request.**
 17 Q. And is the request in the cells V1, V2,
 18 V3, V4 and V5, the request procedure the same as the
 19 request procedure in the observation one and
 20 observation two?
 21 **A. With one exception.**
 22 Q. And what is the exception?
 23 **A. There is no camera in those cells.**
 24 **However, it is mere feet away from our control room**
 25 **where we are staffed 24/7 as we notated earlier.**

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1 **Simply knocking on the door alerts us to the need to**
 2 **respond.**
 3 Q. How is it that persons locked in these
 4 cells depicted in Exhibit 3 get water outside of
 5 regular mealtimes?
 6 **A. Upon request.**
 7 Q. I'm going to reference the cells depicted
 8 in Exhibit 1, Exhibit 2 and Exhibit 3 for the next
 9 question.
 10 **A. Okay.**
 11 Q. In 2020, were written records kept at the
 12 Coles County jail to record each time that a person
 13 locked into one of these cells requested a drink of
 14 water and the response to that request?
 15 **A. Short answer, yes.**
 16 Q. Written records were kept?
 17 **A. Digital records.**
 18 Q. And I'm referencing again all of the cells
 19 depicted in Exhibits 1, 2 and 3 for this question.
 20 In 2020, were written records kept at the Coles
 21 County jail to record each time a person locked into
 22 one of these cells requested to use the toilet and
 23 then the response to that request?
 24 **A. Same as before, we have a digital system**
 25 **to log that.**

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1 Q. And why were those records not produced in
 2 discovery in this case?
 3 **A. The company we contract with retains those**
 4 **records no longer than two years. Upon the request,**
 5 **it was past the two year time frame.**
 6 **MR. VAYR:** If I can interject, just
 7 some -- are you talking about the cell check logs,
 8 like the little buzzer with the rod.
 9 **THE WITNESS:** No, it's -- so we have
 10 Guardian RFIDs, so it's a handheld scanner, and you
 11 can go to each cell, it will log your cell check as
 12 well as any supply that you've given to an inmate or
 13 a living area. So we can in theory go to
 14 observation, scan the door that we're giving supply,
 15 and it lists the inmates housed in that area, you
 16 select the inmate that you're supplying an item to,
 17 then you select the item that you're supplying them,
 18 so we have anywhere from laundry, toilet, water,
 19 cleaning cart, the works, anything that we would
 20 potentially give them.
 21 **MR. VAYR:** Okay, sorry to interject.
 22 **BY MS. REDWOOD:**
 23 Q. Handing you Exhibit 4 which is the first
 24 six pages of the IDOC Coles County jail inspection
 25 report for year 2020, these are Bates marked

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1 Timmerman 196 to Timmerman 201. Have you seen the
 2 full 2020 inspection report before?
 3 **A. I have not.**
 4 Q. We do have a copy here of the full
 5 inspection report for 2020 which was marked for
 6 Jimmy Rankin's deposition. And for the questions
 7 I'm asking you, if at any time you want to reference
 8 the full report, you are free to be able to do that,
 9 okay?
 10 **A. Okay.**
 11 Q. But I'll ask you some specific questions.
 12 Basically I'm only asking you about these pages, but
 13 if you need the rest of the report, it's here for
 14 you to look at.
 15 Please turn to the last page that's Bates
 16 marked Timmerman 201. At the last third of the
 17 page, do you see where the IDOC reports the number
 18 of cells and detention rooms?
 19 **A. Yes.**
 20 Q. And from this report, can you explain the
 21 difference, if any, between cells and detention
 22 rooms?
 23 **A. If I may have a moment. I'm trying to**
 24 **discern how they broke it up. I apologize, I do not**
 25 **know how they broke it up.**