

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

THOMAS REMICK, NADIYAH WALKER,	:	
JAY DIAZ, MICHAEL ALEJANDRO,	:	No. 2:20-cv-01959-BMS
MICHAEL DANTZLER, ROBERT	:	
HINTON, JOSEPH WEISS, JOSEPH	:	
SKINNER, SADDAM ABDULLAH, and	:	
JAMES BETHEA, on behalf of themselves	:	Judge Berle M. Schiller
and all others similarly situated,	:	
	:	
Plaintiffs-Petitioners,	:	
	:	
v.	:	
	:	
CITY OF PHILADELPHIA; and BLANCHE	:	
CARNEY, in her official capacity as	:	
Commissioner of Prisons,	:	
	:	
Defendants-Respondents.	:	

PLAINTIFFS’ STATUS REPORT

Plaintiffs file this status report to document the numerous issues stemming from the ongoing Philadelphia Department of Prisons (PDP) staffing crisis. In addition to the limitations on out-of-cell time described here and in previous status reports, staffing shortages have disrupted prison operations in a variety of other areas.

Plaintiffs’ counsel continue to receive reports of noncompliance with the Court’s Order of January 28, 2021 (ECF No. 63) mandating a minimum of three hours of daily out-of-cell time for incarcerated people in PDP facilities. Class members have not only reported receiving less than three hours of out-of-cell time, but some describe days of no out-of-cell time at all. Deputy Warden certifications provided by Defendants corroborate reports of noncompliance. *See* Exhibit A. People incarcerated in the PDP and Defendants’ Deputy Warden certifications attribute this noncompliance to staffing shortages.

Out-of-cell time is not the only prison function impacted by the ongoing staffing issues. Plaintiffs' counsel has also received numerous reports of delays or outright stoppage of the following prison operations:

1. Provision and collection of mail, both legal mail and personal mail, including distribution of purchased items;
2. Provision of medical care, including responding to sick call requests and timely provision of medication;
3. Provision of basic hygiene supplies including toilet paper, cleaning supplies, soap, and face masks;
4. Timely transportation of incarcerated people to confidential spaces in which to conduct legal calls with attorneys;
5. Law library access;
6. Being held in intake holding cells or cells in the receiving area beyond 24 hours.

Consistent and timely provision of these services is necessary for ensuring the constitutional rights of incarcerated people in PDP custody.

Plaintiffs' counsel also seeks updates on any expansion of the Vaccine Ambassador Program that has proven to be successful in providing information about the vaccine and increasing the vaccination rate among people incarcerated in the PDP, and any progress, if any, of vaccinations among prison staff.

Plaintiffs' counsel will be prepared to discuss these issues and Defendants' proposals for addressing PDP staffing shortages during the court conference scheduled for later today.

Respectfully submitted,

/s/ David Rudovsky

David Rudovsky (PA 15168)

/s/ Susan Lin

Susan Lin (PA 94184)

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Attorneys for Plaintiffs

DATE: August 19, 2021

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

THOMAS REMICK, et al., <i>on behalf of</i>	:	
<i>themselves and all others similarly situated,</i>	:	No. 2:20-cv-01959-BMS
	:	
Plaintiffs-Petitioners,	:	
	:	Judge Berle M. Schiller
v.	:	
	:	
CITY OF PHILADELPHIA; and BLANCHE	:	
CARNEY, in her official capacity as	:	
Commissioner of Prisons,	:	
	:	
Defendants-Respondents.	:	

CERTIFICATE OF SERVICE

I, Su Ming Yeh, hereby certify that a true and correct copy of Plaintiffs’ Status Report was served upon the following via email and ECF on August 19, 2021.

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Respectfully submitted,

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DATE: August 19, 2021