

August 16, 2005

To: Sean Marler

From: Daniel Zwerdling

About: Here's the information we need about the circumstances surrounding the death of Richard Rust

As you know, I have asked to visit Oakdale and meet with Oakdale's warden and staff in person -- so I can hear in detail their account of what happened May 29, 2004. We're trying to get the most accurate picture possible of what really happened that day -- what challenges the staff faced, what steps they took to try to save Richard Rust and maintain discipline among detainees, what challenges the detainees faced, etcetc. As you also know, I asked you and the warden to give me a tour of the detention center.

I'm writing this note because you've refused those requests and told me that you'll only answer questions in writing. I've numbered the list of questions (and kinds of information I'm asking for), but please note that many of the items contain several questions under one number.

1. Who investigated the circumstances surrounding the death of Richard Rust? How did they conduct their investigation? How many detainees and staff did they interview?
2. Did the investigators review security camera images? Did security cameras capture the area around Richard Rust's body when and after he collapsed? If so, please send us copies of those security camera images (either on video or as digital files) starting several minutes before he collapsed until after he was taken to the hospital.
3. Please summarize the investigators' report on the circumstances surrounding Richard Rust's death -- and then also please send me a complete copy of their report.
4. What time did Richard Rust collapse? Where did he collapse?
5. Who was the first employee who arrived at the scene? What time did he/she arrive?
6. What, if anything, did that employee do to assist Mr. Rust? If the employee tried to give emergency care, please tell me exactly what kind of care he/she gave and how many minutes he/she gave it.

7. Who were the next five employees who arrived at the scene? Exactly what time did each of them arrive, and what did they do? If any gave emergency care, exactly how many minutes did he/she give it?
8. What time did Oakdale staff first call the Oakdale medical unit and ask for help? Who called and whom did they call?
9. Which members of the medical staff arrived at the scene while Richard Rust was lying on the floor? Exactly what time did he/she arrive, what if any care did he/she give, and how many minutes did he/she give it?
10. How many employees were on Oakdale's medical staff as of May 29, 2004? Please break the list down by their licenses -- physicians, registered nurses, medical technicians, etc. How many detainees and other inmates were they serving at the entire Oakdale complex? Please list how many hours each of those employees was assigned to work each week, as of that period.
11. How many employees, and what type of employees, were on Oakdale's medical staff as of January 1, 1999? In other words, has the medical staffing changed over recent years, and if so, how? How many hours per week were they assigned to work, at the time?
12. How many employees, and what kinds of employees, are on the medical staff as of today? What hours are they assigned to work each week?
13. Has any of the medical staff ever been disciplined by professional boards – including, but not limited to, having their licenses suspended or revoked? If so, what was the nature of the disciplinary action, and why was it taken?
14. What is the Oakdale Federal Detention Center's policy regulating how the staff is supposed to respond in an emergency such as an apparent heart attack? Who is supposed to be trained in CPR and other emergency measures, and how often? Please send a copy of those standards.
15. What time did Oakdale staff call the community hospital and/or ambulance service, and ask for help? What time did staff from the hospital get to where Richard Rust was lying on the floor? What did they do?
16. Did Oakdale Detention Center have automatic defibrillators on site on May 29, 2004? If so, how many, and where were they located? Was one used on Richard Rust and if so, when and by whom? If not, why not?

17. Does Oakdale have defibrillators now? If so, how are they deployed?
If not, why not?
18. Detainees gathered outside the recreation center just after Richard Rust collapsed. Who investigated what happened there, and what Oakdale staff did to control the detainees? Please send a full copy of his/her report, and copies of video and/or digital images from security cameras that were trained on that area.
19. Were the detainees “locked down” on May 30, 2004 and during the next week, and prevented from leaving their cells? If so, how many days were they “locked down” and why? What were they fed at each of their meals during the days that they were “locked down”?
20. How many detainees were sent to the disciplinary cells (commonly known as “the Box” or “The Hole” or “solitary”) between May 29- June 1? Why? Please list the number of days that each detainee who was sent there remained there.
21. Was there some kind of service in the chapel on or about May 30, at which detainees talked about Richard Rust’s death? Were any of the participants at that service sent to “The Hole”? If so, how many, and why?
22. Have any other detainees died at Oakdale since January 1, 2000? If so, please give details.

Sean, that’s my list for now. When I get your reply, I may well send follow-up questions. Thanks.