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Sent by facsimile and U.S. mail

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May 6, 1997

Michael G. Lee
Deputy Attorney General
Office of the California Attorney General
1300 "I" Street, Suite 110i
Sacramento, CA 94244-2550

Re: *South v. Gomez, et al.*
CIV S-95-1070 DFL JFM P

Dear Mr. Lee:

On July 23, 1996, I faxed a letter to you describing our client, Torey South's, fear of being sexually harassed if required to work again in the prison. I explained the severe anxiety Ms. South had suffered in the past as a result of sexual harassment. I then asked that you "advise your clients, and those with authority to act, that Ms. South will not be psychologically or emotionally able to tolerate, nor should she have to, sexual harassment of any kind if assigned to work." I asked you to inform your clients of our intent to hold legally accountable those persons with authority who fail to protect Ms. South from the insidious effects of sexual harassment.

Throughout this litigation you and your clients, at both the CMF and CMC, have been apprised of the fragile psychological and emotional state of our client resulting directly from having been sexually harassed and *abused* in the prison system. You and your clients are well aware of Ms. South's allegations of rape at San Quentin, and of the formal charges of overfamiliarity, if not outright sexual assault, brought against an officer at CMF for his conduct toward our client, resulting in Ms. South's transfer to CMC.

Our client's pleas for one-on-one psychological counseling for the psychological trauma caused by all of this abuse was the subject of an inmate appeal that she filed, log #96-02898, last year after her transfer to CMC. On October 22, 1996, Dr. Battalino and Warden Duncan signed a Second Level Review memorandum to Ms. South, acknowledging her complaints, *agreeing* that she was probably suffering from Post Traumatic Stress Disorder, and *granting* her appeal. As a result, they ordered 10 weekly sessions of one-to-one therapy for Ms. South. She *never* received that therapy, despite your representations to the court that she would. As a result of the lack of meaningful psychological

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therapy for our client, she has continued to suffer distress and severe anxiety, and has not been able to heal from the prior traumas.

On April 1, 1997, Ms. South was ordered to go to a work assignment. She has attended work and done her best to deal with the inevitable sexual harassment to which she has been subjected. She has, however, suffered tremendously and her pre-existing, untreated PTSD, *caused by* CDC employees as well as inmates, has made it almost impossible for her to endure. She recently was forced to leave the workplace as she was emotionally debilitated and unable to work at that moment. As a result of that incident, our client is being threatened with the loss of credits such that her December 1997, release date may be extended to the Fall of 1998.

The purpose of this letter is to ask you to advise your clients at CMC that Ms. South's situation *must* improve. She *must* be provided with a workplace free from sexual harassment, and she *must* be provided with the one-to-one psychological therapy long ago granted on paper, but denied in reality to the present. As you know, some of the CMC defendants testified in front of Judge Levi that they truly have our client's welfare in mind; that they sincerely wish to help her. Presumably, those defendants not present, i.e. Warden Duncan, feel the same way, and would want the right thing to happen for Ms. South.

Our client would dearly like to avoid having to involve the court in this matter, and does not see why she should have to. We support her in that view, and therefore approach you with a fervent request that you communicate with your CMC clients immediately to try to improve the situation for Ms. South. Please forward this letter to those individuals and respond to me as soon as possible.

Very truly,


Susan D. Christian
Supervising Attorney

cc: Torey South