

## **Judge questions prison workers on 'dry cells' with no water**

By REBECCA BOONE, Associated Press

BOISE, Idaho (AP) — Inmates at a prison near Boise were frequently housed in so-called "dry cells" without running water or mattresses except for a handful of days when a court-appointed examiner visited the facility, documents state.

The records detailing the use of the dry cells were presented to U.S. District Court Judge David Carter on Thursday during a contempt of court hearing in a long-running lawsuit over prison health care.

Inmates at the Idaho State Correctional Institution have asked the judge to sanction the state, saying officials misled the court-appointed examiner, and therefore, the court. They contend prison officials tampered with medical records, hid problem inmates and otherwise deceived the examiner during his visits to the prison in 2011 and 2012.

The visits were crucial, they contend, because the examiner's report set the stage for future settlement talks.

Prison officials countered that the allegations are based on evidence that was taken out of context and overblown by disgruntled former employees.

"I think any of us who practices law for any length of time realizes there are very few liars. There are people who, because of their circumstances, view situations differently," Colleen Zahn, the deputy attorney general representing the Department of Correction, told the judge.

Many of the former corrections employees who testified in support of the inmates' allegations didn't like their former boss, Zahn said, and viewed all of her decisions in the worst possible light.

Much of the testimony during the two-day hearing focused on the dry cells, which are sometimes used to house inmates at risk of harming themselves or others. The cells don't have sinks, and a grate in the floor serves as a toilet.

Carter noted that some of the inmates were kept in the cells for a week or longer, but the lockups were conspicuously empty when the court examiner was at the prison.

At least one inmate was placed in a dry cell on the last day of the examiner's visit, but it wasn't clear if that happened before or after the examiner left the prison.

Elijah Watkins, the attorney representing the inmates, said the department was simply continuing its usual pattern of denying any wrongdoing — something he said it has done since the case was first filed in 1981.

"I'm the first to admit this case has gone on far too long," Watkins said. "The question we need to ask is why."

The departments' actions amounted to an attack on the judicial process and deserve a harsh punishment, Watkins said.

"An attack on the king's man is an attack on the king," he told the judge. "The court needs to hold their feet to the fire, not to be harsh but to make sure we get this right."

It's not clear when the judge will issue a ruling in the case.

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