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**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, NORTHERN DIVISION**

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JUDITH REGAN, JANE DOE, JANE	:	
MOE, SUSAN SORENSEN and	:	Case No. C-80-131J
SANG YO WATTERS, on behalf of	:	
themselves and all others similarly	:	<b>PLAINTIFFS' MOTION FOR</b>
situated,	:	<b>APPOINTMENT OF AN EXPERT</b>
	:	<b>TO REVIEW JAIL PROCEDURES</b>
Plaintiffs,	:	<b>AND COMPLAINTS AND</b>
	:	<b>OPPOSITION TO DEFENDANTS'</b>
v.	:	<b>MOTION TO TERMINATE</b>
	:	<b>CONSENT DECREE</b>
COUNTY OF SALT LAKE;	:	
DARREL B. BRADY, individually	:	Honorable Bruce S. Jenkins
and as Commander of Salt Lake	:	
County Jail; ROBERT SALTER, as	:	
Salt Lake County Commissioner;	:	
WILLIAM DUNN, as Salt Lake	:	
County Commissioner; JACQUELINE	:	
LLOYD, ANNICK COOMBS, and	:	
JANE FOES I, II, and III, individually	:	
and as officers or agents of Salt Lake	:	
County,	:	
Defendants.	:	

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In this matter defendants have filed a Motion to Terminate Consent Decree and have filed a memorandum in support thereof. Attachment B to defendants' memorandum

sets forth procedures from the Salt Lake County Jails Policy Manual which indicate they were revised on July 1, 2001. The final page attached to attachment B is an email from Carol McAlister to SH Corrections Bureau DL which indicates, "Effective 2/19/04, and pending further legal review, prisoners going through clothing exchange prior to being housed will not be searched or visual body cavity searched, unless the reasonable suspicion standard and procedure is met." On its face, it appears clear that issues have arisen regarding the 2001 Jails Policy Manual procedures which are amended by an email which calls for further legal review. In addition, there are significant changes in the 2001 regulations when compared to those in existence at the time this lawsuit was filed, which have a revision date of December 20, 1978. This is an appropriate case for the appointment of an expert to review the procedures and any complaints and provide an independent report to the Court and counsel regarding this most important matter.

This motion is supported by plaintiffs' memorandum filed herewith.

Additionally, copies of the 1978 procedures which were in effect at the time of the Consent Decree are attached as Exhibit 1 hereto; the procedures revised in 2001 are attached as Exhibit 2 and the email from Carol McAlister to SH Corrections Bureau DL dated February 19, 2004, is attached as Exhibit 3, all for easy reference by the Court.

Plaintiffs suggest Toni Bair as the expert to be appointed under Rule 706 of the Federal Rules of Evidence. A copy of Mr. Bair's resume is attached as Exhibit 4.

DATED this \_\_\_\_\_ day of November, 2004.

Robert M. Anderson  
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Margaret D. Plane  
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Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on the \_\_\_\_\_ day of November, 2004, a true and correct copy of the above and foregoing PLAINTIFFS' MOTION FOR APPOINTMENT OF AN EXPERT TO REVIEW JAIL PROCEDURES AND COMPLAINTS AND OPPOSITION TO DEFENDANTS' MOTION TO TERMINATE CONSENT DECREE was mailed, first-class postage prepaid, to:

David E, Yocum, Esq.  
Salt Lake County District Attorney  
Patrick F. Holder, Esq.  
Deputy District Attorney  
2001 South State, Suite #S3600  
Salt Lake City, UT 84190-1200

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