

ROYCE LAMBERTH REFERS DC JAIL TO DOJ FOR CIVIL RIGHTS INVESTIGATION

Judge Royce Lamberth, a 78-year old Reagan appointee with a libertarian streak, just held the Warden and the Director for the DC Jail in civil contempt for not providing the medical records of Christopher Worrell in timely fashion as he ordered. He further found that DC Jail had abridged the civil rights of Worrell and referred the jail to Merrick Garland for investigation for general civil rights violations.

Worrell's medical issues – both pre-existing non-Hodgkins lymphoma and a hand he broke while in jail – have been pending for some time. For a time (back when John Pierce was his lawyer), Worrell was himself delaying treatment by refusing to go to medical appointments. The government had been regularly submitting Worrell's medical records to the docket. Last week, Judge Lamberth ordered the jail to include the doctor's notes from a hand specialist who reviewed Worrell's hand injury ASAP.

On October 8, 2021, the Court ordered the D.C. Jail and D.C. Department of Corrections (“DOC”) to provide forthwith “the actual narrative specialist notes from orthopedic hand specialist Dr. Wilson, who evaluated Mr. Worrell and is recommending surgical repair.” ECF No. 102. The Court also ordered the D.C. Jail and DOC to resubmit forthwith the Electronic Prisoner Medical Request for Mr. Worrell with all appropriate and requested information. *Id.* Today, the Court received an email communication from Acting U.S. Marshal Lamont Ruffin stating that DOC sent to the U.S. Marshals Service (“USMS”) the following email on October 8, 2021:

Good afternoon Marshal Haywood,
Please be advice that I spoke with the medical team. Resident Worrell is scheduled for a re-evaluation by the hospital surgeon next week on October 14, 2021. DOCs [sic] medical team has requested from the surgeon's office that Mr. Worrell return to the facility with the appropriate medical note. DOC will provide the documentation following Mr. Worrell's return from the medical appointment.

DOC provided no additional information to the USMS.

According to their claims today, they recognized these notes weren't in the electronic file on Tuesday morning, and scanned them in before

Lamberth ordered a show cause hearing (they did not, however, offer to share metadata proving that point). Lamberth didn't buy that – and was already steaming about DC Jail's decision to limit how many video conference rooms are available (which has made it almost impossible to schedule last minute hearings).

In judging that DOC had violated Worrell's civil rights, Lamberth raised the possibility that he was treated this way because he's a Jan 6 defendant. I'm not sure there's any evidence to support that.

It's still too early to understand what will happen as a result of this, both to Worrell's case, and to the January 6 investigation generally. There's not much evidence that this treatment is because these guys are Jan 6 defendants. But neither is there any evidence that the jail has done what it has needed to do to respond to the increased demands created by the January 6 investigation.

Hopefully, at the very least, this will serve as a wakeup call that the DC Jail needs to do better.