

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

Ronald Swiney	*	
	*	
Plaintiff	*	
VS	*	CIVIL ACTION:91-T-978-N
E. L. Harrelson, et.al.	*	
Defendants	*	

A F F I D A V I T

Before me, the undersigned authority, a Notary Public in and for said County and State of Alabama at large, personally appeared E. L. Harrelson, who being known to me and being by me first duly sworn, deposes and says on oath as follows:

My name is E. L. Harrelson, and I am presently employed as warden with the Alabama Department of Corrections, Kilby Correctional Facility, Mt. Meigs, Alabama. I am over nineteen (19) years of age.

Inmate Ronald Swiney, 154406, was admitted to Humana Montgomery Hospital on 8-16-89. On approximately 8-23-91 I was informed by Captain Terrance McDonnell, Kilby Correctional Facility, that he had received a phone call at approximately 5:30 PM on 8-23-91 from Captain Lyle with Montgomery Security, Inc. I was informed by Capt. McDonnell that Inmate Swiney had created a disturbance at the hospital. Capt. McDonnell informed me that he would go to the hospital and investigate the alleged problem.

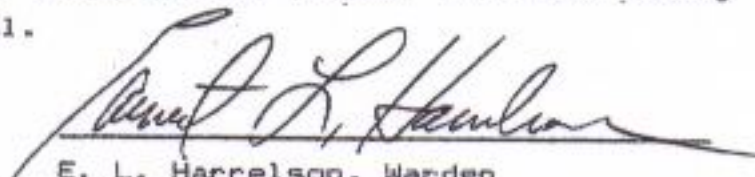
Captain McDonnell reported to me later that night on 8-23-91 after he had completed his investigation that inmate Swiney was demanding to be returned to Kilby due to a conflict he was having with the Montgomery Security Officers regarding the placement of additional leg irons on him.

Captain McDonnell investigated the problem that Inmate Swiney was having with the on-duty officers and made a recommendation that the female officer not be allowed to guard any of our inmates due to her arrogant attitude toward him during the investigation. I was in

agreement with Captain McDonnell's decision and instructed him to contact Captain Lyles, Montgomery Security, Inc., to inform him of our decision. The female officer was relieved of duty that night by Captain Lyles.

I can not recall issuing any orders on Inmate Swiney that he is referring to in his complaint.

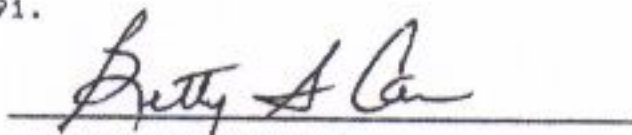
I have not violated Inmate Swiney's constitutional rights in any manner. He was treated as any incarcerated inmate that was being housed in a "free-world" hospital.



E. L. Harrelson, Warden
Kilby Correctional Facility

STATE OF ALABAMA
MONTGOMERY COUNTY

SWORN TO AND SUBSCRIBED BEFORE ME AND UNDER MY HAND AND OFFICIAL SEAL
THIS THE 26 DAY OF November, 1991.



Notary Public

My comm. expires 1-28-94