

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

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|----------------------------------|---|-------------------------------|
| MONTRELL CARR and QUINTIN SCOTT, |) | |
| individually and for a class, |) | |
| |) | |
| <i>Plaintiffs,</i> |) | |
| |) | Case No. 17-cv-7135 |
| v. |) | |
| |) | Hon. Martha M. Pacold |
| SHERIFF OF COOK COUNTY and COOK |) | |
| COUNTY, ILLINOIS |) | Magistrate Hon. David Weisman |
| |) | |
| <i>Defendants.</i> |) | |

DECLARATION OF JORELLE ALEXANDER, DMD

I, Jorelle Alexander, DMD, declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, and if called upon to testify at trial, hearing, or deposition would state, based upon my personal knowledge, the following:

1. I am the Chair of the Department of Oral Health for Cook County Health (“CCH”), an agency of Cook County. I have served in this capacity under various titles (originally under the title of “Systems Director of Oral Health”) since approximately 2013.

2. Cermak Health Services (“Cermak”) is an operating unit of CCH and provides healthcare to individuals at the Cook County Jail (“Jail”) and the Cook County Juvenile Temporary Detention Center (“JTDC”).

3. In my role as Department Chair, I oversee the various County dental clinics located across the County, including the six dental clinics at the Jail, the eight County ambulatory dental clinics, and the single dental clinic at JTDC.

4. Detainees housed at the Jail may request non-emergency dental services by filling out a health service request form (“HSRF”). If a detainee has an emergency dental condition, the detainee may be transported to the Jail’s Urgent Care clinic, open 24 hours a day, 7 days a week.

5. For non-emergency dental conditions, dental staff will schedule the detainee an appointment with a dentist. During the appointment, the dentist will exercise his or her professional judgment to determine what examinations and treatment, if any, are needed.

6. If the detainee has dental pain, the dentist may prescribe pain medications to alleviate the pain, if indicated. Prior to seeing a dentist, detainees also have access to other health care professionals who may execute standing orders for pain medication.

7. During the dental appointment, if the dentist determines that the detainee needs an extraction, the dentist may extract the tooth or teeth at the Jail dental clinic. If the detainee requires an extraction that falls outside the skill set or training of the dentist, or the detainee would be better served by a specialist in a hospital environment, the dentist may refer the patient to the Oral and Maxillofacial Surgery (“OMFS”) outpatient clinic at the John H. Stroger, Jr. Hospital of Cook County (“Stroger”) for the extraction.

8. A Cermak dentist has multiple options available to refer a detainee for oral surgery at Stroger OMFS, depending on the dental condition the detainee presents with. If the detainee does not have an emergent or urgent condition, the dentist will enter a routine referral order in Cerner, the electronic medical records system used by CCH, and a Stroger clerk will schedule an oral surgery appointment.

9. If a detainee presents with a condition that requires prioritization based on urgency, the dentist may escalate a referral through Cermak’s scheduling department at the Jail. The Cermak clerk who handles requests for expedited oral surgery appointments is Laura Hernandez. The

dentist may also contact me personally, and I will reach out to Ms. Hernandez to escalate the referral to Stroger OMFS. If required, I have the ability to personally escalate a referral to Stroger OMFS, as well.

10. If a detainee presents with an emergent condition, the detainee is transported to the Urgent Care clinic at the Jail for an evaluation by a physician. Depending on the physician's assessment, the detainee may be sent to the Emergency Department at Stroger where a head and neck specialist is always on call.

11. A dentist at one of the County ambulatory clinics may enter a routine referral order for oral surgery through Cerner. This is the same process used by Cermak dentists.

12. If a patient at one of the County ambulatory clinics needs to be prioritized because of an urgent condition, the dentist may reach out to a resident on call at Stroger OMFS to request an expedited appointment.

13. If a patient presents to one of the County ambulatory clinics with an emergent condition, the dentist may send the patient directly to the Emergency Department at Stroger or to the emergency room of the nearest hospital.

14. Jail detainees who are referred by a Cermak dentist to Stroger OMFS for routine oral surgery could receive treatment within ninety days. This is appropriate care for a routine referral and comparable to the amount of time members of the general public may be seen at Stroger OMFS when referred from one of the County's ambulatory clinics.

15. Based on my experience, Jail detainees have more reliable access to oral surgery than members of the general public.

16. Although I wrote in an email in 2016 that there was a "desperate" need for a part-time oral surgeon at the Jail, I was simply following up on a previous request for an oral surgeon

at the Jail that was requested by someone else. After I personally assessed whether an oral surgeon was needed at the Jail, I concluded that an oral surgeon at the Jail is not necessary because Jail detainees receive appropriate and timely care at Stroger OMFS, which is a hospital-based clinic.

17. It is my understanding that the plaintiffs in this case contend that all detainees who are referred to Stroger OMFS for routine oral surgery must wait ten to twelve weeks for treatment. Upon reviewing the scheduling and medical records of various detainees, I have confirmed that this contention is incorrect. Not all detainees who are referred to Stroger OMFS for routine oral surgery wait ten to twelve weeks for treatment. For example:

a. Detainee Antwan Halmon (20180603127) received treatment at Stroger OMFS **eight days** after the dentist entered a routine referral order for oral surgery. On 10/10/18, Dr. Khan entered a routine referral order for oral surgery at Stroger OMFS for Mr. Halmon. On 10/11/18, Ms. Macias scheduled Mr. Halmon an oral surgery appointment for 10/18/18, and Mr. Halmon received treatment on that date.

b. Detainee Lizabeth Garcia-Contreras (20171210159) received treatment at Stroger OMFS **thirteen days** after the dentist entered a routine referral order for oral surgery. On 7/19/18, Dr. Khan entered a routine referral order for oral surgery at Stroger OMFS for Ms. Garcia-Contreras. On 7/20/18, Ms. Macias scheduled Ms. Garcia-Contreras an oral surgery appointment for 8/1/18, and Ms. Garcia-Contreras received treatment on that date.

c. Detainee Isiah Wright (20180723148) was seen at Stroger OMFS **fourteen days** after the dentist entered a routine referral order for oral surgery. On 1/2/19, Dr. Kahina Caldwell entered a routine referral order for oral surgery at Stroger OMFS for Mr. Wright. On 1/3/19, Ms. Macias scheduled Mr. Wright an oral surgery appointment for 1/16/19. On

that date, Mr. Wright was transported to Stroger OMFS for treatment, but Mr. Wright refused treatment.

d. Detainee Daquan Mayfield (20171130068) received treatment at Stroger OMFS **twenty-one days** after the dentist entered a routine referral order for oral surgery. On 1/17/18, Dr. Thomas Prozorovsky entered a routine referral order for oral surgery at Stroger OMFS for Mr. Mayfield. On 1/17/18, Ms. Macias scheduled Mr. Mayfield an oral surgery appointment for 2/7/18, and Mr. Mayfield received treatment on that date.

e. Detainee Akia Harris (20170624086) received treatment at Stroger OMFS **twenty-seven days** after the dentist entered a routine referral order for oral surgery. On 1/18/18, Dr. Taylor entered a routine referral order for oral surgery at Stroger OMFS for Mr. Harris. On 1/18/18, Ms. Macias scheduled Mr. Harris an oral surgery appointment for 2/14/18, and Mr. Harris received treatment on that date.

f. Detainee Derrick Gray (20170828005) was seen at Stroger OMFS **twenty-nine days** after the dentist entered a routine referral order for oral surgery. On 1/23/18, Dr. Melanie Watson-Montgomery entered a routine referral order for oral surgery at Stroger OMFS for Mr. Gray. On 1/23/18, Ms. Macias scheduled Mr. Gray an oral surgery appointment for 2/21/18. On that date, Mr. Gray was transported to Stroger OMFS for treatment, but Mr. Gray refused treatment.

g. Detainee James Gonnigan (20180109064) received treatment at Stroger OMFS **thirty-four days** after the dentist entered a routine referral order for oral surgery. On 1/25/18, Dr. Caldwell entered a routine referral order for oral surgery at Stroger OMFS for Mr. Gonnigan. On 1/25/18, Ms. Macias scheduled Mr. Gonnigan an oral surgery appointment for 2/28/18, and Mr. Gonnigan received treatment on that date.

h. Detainee Delshawn Cotton (20141007211) received treatment at Stroger OMFS **thirty-five days** after the dentist entered a routine referral order for oral surgery. On 1/29/18, Dr. Street entered a routine referral order for oral surgery at Stroger OMFS for Mr. Cotton. On 1/29/18, Ms. Macias scheduled Mr. Cotton an oral surgery appointment for 3/5/18, and Mr. Cotton received treatment on that date.

i. Detainee Everardo Salinas (20130519168) received treatment at Stroger OMFS **thirty-five days** after the dentist entered a routine referral order for oral surgery. On 4/26/18, Dr. Taylor entered a routine referral order for oral surgery at Stroger OMFS for Mr. Salinas. On 4/26/18, Ms. Macias scheduled Mr. Salinas an oral surgery appointment for 5/31/18, and Mr. Salinas received treatment on that date.

j. Detainee Rahiem Douglas (20170906146) received treatment at Stroger OMFS **forty-three days** after the dentist entered a routine referral order for oral surgery. On 4/10/18, Dr. Taylor entered a routine referral order for oral surgery at Stroger OMFS for Mr. Douglas. On 4/10/18, Ms. Macias scheduled Mr. Douglas an oral surgery appointment for 5/23/18, and Mr. Douglas received treatment on that date.

k. Detainee Eric Foster (20180129013) received treatment at Stroger OMFS **forty-three days** after the dentist entered a routine referral order for oral surgery. On 4/4/18, Dr. Prozorovsky entered a routine referral order for oral surgery at Stroger OMFS for Mr. Foster. On 4/4/18, Ms. Macias scheduled Mr. Foster an oral surgery appointment for 5/17/18, and Mr. Foster received treatment on that date.

l. Detainee Quentin Perkins (20171029108) received treatment at Stroger OMFS **forty-nine days** after the dentist entered a routine referral order for oral surgery. On 6/11/18, Dr. Taylor entered a routine referral order for oral surgery at Stroger OMFS

for Mr. Perkins. On 6/12/18, Ms. Macias scheduled Mr. Perkins an oral surgery appointment for 7/30/18, and Mr. Perkins received treatment on that date.

18. When reviewing the medical records of the detainees listed above, I found the following information that is relevant to the dental care provided to these detainees:

a. Detainee Daquan Mayfield (20171130068) was diagnosed with having impacted third molars on 8/23/13, at which time no pain was noted. On a subsequent exam on 1/17/18, the impaction was noted with a pain level of zero. A routine referral was placed to have an impacted tooth removed. On 2/7/18, the tooth was extracted due to tooth eruption disturbance (impaction), and it is noted that there was no pathology or soft tissue lesion.

b. Detainee Akia Harris (20170624086) was seen during intake at the Jail in 2015 where it was noted that he had large carious lesions or loose teeth with reported toothache at that time that comes and goes. On a subsequent admission to the Jail, at a dental visit on 11/27/17, the dentist documented, "Gross Caries, Dental Neglect, remaining teeth are hopeless, patient does not seem to have any real knowledge with what is going on in his mouth. #10 and 22 have +4 mobility and the remaining teeth gave gross caries. Informed patient that his mouth is in a dire state and that he needs to make a decision moving forward. Very little active function, no daily OH, his teeth are covered in food and debris. Stroger referral and Palliative Rx." During this visit, the dentist extracted one tooth and referred the patient to Stroger OMFS for extraction of the patient's remaining teeth, which were hopeless. There was no documentation that the patient had dental pain during this visit.

c. Detainee Derrick Gray (20170828005) was referred to Stroger OMFS because he was biting his cheek due to the position of an upper tooth, as shown by the oral mucosa. The patient was subsequently seen on 2/1/18, in the dental clinic for which he reported no pain. When the patient was seen at Stroger OMFS on 2/21/18, he reported no complaints and was asymptomatic. There were no signs of infection or decay, and the patient refused to have any teeth extracted at that visit.

d. Detainee James Gonnigan (20180109064) reported pain on the lower left side of his mouth on 1/25/18. However, when the patient presented to Stroger OMFS on 2/28/18, his chief complaint was on the upper left side of his mouth.

e. Detainee Delshawn Cotton (20141007211) was seen on 1/2/18, for a cleaning and there was no mention of pain. Patient was seen again on 1/29/18, for fillings on other teeth. Patient was seen at Stroger OMFS on 3/5/18, for tooth extraction due to tooth eruption disturbance (impaction), and it is noted that there was no pathology or soft tissue lesion.

19. I have also reviewed relevant portions of the medical records of Plaintiffs Montrell Carr (20140822144) and Quintin Scott (20130624121).

20. Plaintiff Montrell Carr was referred to Stroger OMFS on 4/26/16 for tooth #16 and #17. However, the Cermak dentist did not note any caries or oral pathology on tooth #16 or #17. According to the medical records, Plaintiff Carr's primary complaints were related to tooth #30. A Cermak dentist offered to extract tooth #30 multiple times, including as early as 5/6/15, yet Plaintiff Carr refused treatment multiple times and instead wanted to go to Stroger OMFS for the extraction.

21. Plaintiff Carr wrote on an HSRF on 6/28/16 that he had a “7” out of “10” pain level. However, when he was seen by a dentist on 7/1/16, the dentist documented that his pain in tooth #30 was only 2/10 and that he complained of tooth sensitivity to chewing.

22. On 7/14/16, the dentist documented that Plaintiff Carr “does not appear to be in distress or in pain” and that he filled out an HSRF just to “get out of his housing unit.”

23. On 8/12/16, the dentist charted that Plaintiff Carr “has no pain or discomfort.”


24. Plaintiff Carr had an active order for acetaminophen from 4/23/15 to 5/21/15, from 9/24/15 to 10/1/15, and from 2/24/16 to 7/22/16. Plaintiff Carr also had an active order for ibuprofen from 8/22/14 to 8/29/14, from 2/7/15 to 2/21/15, from 4/7/15 to 4/10/15, from 12/16/15 to 12/30/15, from 5/25/16 to 6/8/16, from 7/14/16 to 7/28/16, and from 9/13/16 to 9/27/16.

25. Plaintiff Quintin Scott was seen at Stroger OMFS on 11/5/13, where the oral surgeon documented “no signs of acute infection were observed” and that the “patient left in good spirits.”

26. After Plaintiff Scott returned to Cermak, he was given the option to have his tooth extracted by a dentist at the Jail on 12/20/13, but he refused treatment and instead wanted to go back to Stroger OMFS for the extraction.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 7, 2020

By: 
Jorelle Alexander, DMD