



American Civil Liberties Union / Foundation of Delaware
100 West 10th Street, Suite 309,
Wilmington, Delaware 19801
(302) 654-5326 Fax (302) 654-3689
acludelaware@acludelaware.org www.aclu-de.org

Sidney Balick
President ACLU Delaware
Nancy D. Dean
Vice President
Jeanne M. Hanson
Second Vice President
Max S. Bell, Jr.
Secretary
Grace E. Messner
Treasurer
Gilbert J. Sloan
President ACLF Delaware
Joan D. Kandler
Treasurer ACLF

Board of Directors
Timothy F. Brooks
Joan DeFattore
Alice E. Eakin
Anne M. Farley
Helen K. Foss
Judith D. Govatos
Lawrence A. Hamermesh
Patricia A. Hampton
Selma Hayman
Bangalore I. Lakshman
Phyllis Levitt
Elizabeth M. McGeever
Judith E. Mellen
Norman M. Monhait
Joy Mulholland
Joseph S. Naylor
Darryl A. Parson
Jeffrey A. Raffel
Scott Reid
Joan I. Rosenthal
Carl Schnee
Warren A. Scott
Sonia S. Sloan
Peggy E. Strine
Randy Tiffany
Leland B. Ware
James C. Welch
Serena M. Williams
Cecil C. Wilson

Advisory Board
Gary W. Aber
Mashoor I. Awad
Victor F. Battaglia, Sr.
Sam Beard
Henry H. Beckler
Richard G. Elliott, Jr.
Herbert Graves, Jr.
Shirley C. Horowitz
Kathi A. Karsnitz
Penny Marshall
John E. Osborn
B. Wilson Redfearn
Joseph A. Rosenthal
Carolyn Walker
Paul P. Welsh

Drewry Nash Fennell, Esq.
Executive Director

June 12, 2006

Mr. Stanley W. Taylor, Jr.
Commissioner
Delaware Department of Correction
245 McKee Road
Dover, DE 19904

Re: FOIA REQUEST

Dear Commissioner Taylor:

This is a request under the Freedom of Information Act, 29 Del Code § 10001 et seq.

I respectfully request a copy of the following:

1. The disciplinary rules whose violation would result in action against an inmate;
2. and the policies and procedures controlling disciplinary infractions, including Department of Correction policies and procedures and the Bureau of Prisons policies and procedures;
2. The prison grievance procedures for medical grievances as well as non-medical grievances;
3. Treatment protocols for the following illnesses or conditions:
 - a. HIV/AIDS;
 - b. Hepatitis;
 - c. Diabetes;
 - d. Heart Disease;
 - e. Cancer;
 - f. Sexually Transmitted Diseases;
 - g. Pregnancy and Gynecological Care;
 - h. High Blood Pressure;
 - i. High Cholesterol;
 - j. Dental Care;
 - k. Chronic pain; and
4. Operating procedures with respect to wellness visits, including routine gynecological care

To permit me to reach an intelligent and informed decision about whether to file an administrative appeal of any denied material, please describe any withheld records (or portions thereof) and explain the basis for your exemption claims.

I also request a waiver of all fees for this request. Disclosure of the requested information is in the public interest because it is likely to contribute significantly to the public understanding of the operations or activities of the government and is not primarily in my commercial interest.

To help to determine my status for the purpose of assessing fees, please note that I am requesting such information on behalf of the American Civil Liberties Union of Delaware, a public interest organization that seeks the information for public use, and not for private or commercial use.

If you have any questions regarding the scope of the request or any other matters, please call me at (302) 654-5326, ext. 102. I look forward to receiving your response by June 27, 2006¹.

Sincerely,



Julia M. Graff
Staff Attorney
ACLU of Delaware

¹ See Letter from Attorney General (June 3, 2004): "This Office has determined that 'reasonable access means that a public body should, within 10 days of receipt of a definitive request, issue a written determination to the requestor stating which of the requested records will, and will not be released and the reasons for any denial of a request. Att'y Gen. Op. 91-IO03 (Feb. 1, 1991)," available at http://www.state.de.us/attgen/main_page/opinions/2003/03-ib13.htm. See also Letter from Attorney General (June 2, 2003): "Statutes in a number of other states exclude Saturdays, Sundays and holidays in calculating the required response time for public records. See e.g., D.C. Code S 1-522(c); La. Rev. Stat. S 41:31; S.C. Code Ann. S 30-4-40. We think it appropriate to exclude weekends and holidays in Delaware as well. In addition, just as the courts do not count the day of filing, the time-line for a FOIA response to a public records request begins the next business day after the public body received the request," available at http://www.state.de.us/attgen/main_page/opinions/2003/03-ib13.htm.