

Independent Monitor Joshua W. Martin III Releases First Report Regarding Inmate Health Care in Delaware

WILMINGTON, Del. – Joshua W. Martin III has released the first report in his role as Independent Monitor overseeing the progress of the Delaware Department of Correction (DOC) in satisfying the requirements of a 2006 Memorandum of Agreement (MOA) between DOC and the United States Department of Justice (DOJ) relating to prison medical and mental health care at the Howard R. Young Correctional Institution, the Delores J. Baylor Women’s Correctional Institution, the Delaware Correctional Center, and the Sussex Correctional Institution. In May 2007, Mr. Martin was jointly selected by the DOC and the DOJ to serve in that position.

As Independent Monitor, Mr. Martin, together with the medical and mental health professionals who are members of the Monitoring Team, is monitoring the DOC’s compliance with the requirements of the MOA. These requirements apply to DOC policies and procedures, recordkeeping, medication and laboratory orders, staffing and training, screening and treatment, access to care, chronic disease care, medication management, emergency care, mental health care, suicide prevention, and quality assurance. In addition, the Monitoring Team is providing technical assistance as needed in order to assist the DOC with reaching or sustaining compliance with certain of the requirements under the MOA.

The Independent Monitor is required to issue semi-annual reports regarding the DOC’s progress. The first of these reports was released on June 29, 2007. It can be read or printed at <http://www.potteranderson.com/assets/attachments/MonitorReport.pdf>, or on the DOC website.

On December 29, 2006, the DOJ and the State of Delaware entered into the MOA which requires the State to take measures to ensure that adequate medical and mental health care is provided to its inmates. In April, the DOC issued a Comprehensive Action Plan that identified the specific measures that the DOC intends to take in order to bring the four facilities covered by the MOA into compliance with the MOA. The Comprehensive Action Plan has been accepted by the DOJ.

At Potter Anderson, Mr. Martin concentrates his law practice on mediation and arbitration, as well as on business counseling, particularly in the areas of telecommunications, public utilities and governmental relations. He also serves as Chair of Potter Anderson’s Diversity Committee, where he is responsible for enhancing the firm's ongoing diversity efforts.

Prior to joining the firm, Mr. Martin was president and Chief Executive Officer of Verizon Delaware from 1996 until 2005, where he was responsible for all aspects of the company’s telecommunications business within the State, including regulatory, financial and operational matters. He also spent eight years as a Delaware Superior Court Judge and served on the Delaware Public Service Commission from 1978 until 1982, including three years as chairman.

Potter Anderson & Corroon LLP is a general practice law firm based in Wilmington, Del., that has been providing legal advice to local businesses, governmental and non-profit entities and individuals, as well as some of the largest national and multinational corporations, for more than 180 years. For more information about the firm, visit the firm’s Web site at www.potteranderson.com.