

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

JEFFREY BARHAM, *et al.*

Plaintiffs,

v.

CHARLES RAMSEY, *et al.*

Defendants.

Civ. Action No. 02-02283 (EGS)(AK)

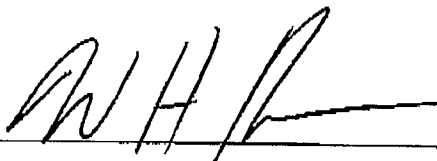
AFFIDAVIT OF WILLIAM DURHAM

1. I certify that I am over eighteen years of age and am competent to testify to the following based on personal knowledge.
2. On September 27, 2002, I was peaceably and lawfully protesting in Pershing Park when I was falsely detained and arrested.
3. After I was arrested and put on a bus for many hours, I was taken to the gymnasium of the Institute for Police Science at Blue Plains.
4. I was flex-cuffed with my wrist to my ankle.
5. I was left in this position for seven to eight hours.
6. I was with the last group to arrive at the gymnasium. I was assigned to a mat that was already full of arrestees. Hence, for the majority of my time in the gymnasium, I was lying on my side with my body on the floor off of the mat and my head lying on the leg of another arrestee whose lower body was on the edge of the mat.
7. In 2000, I sustained a back injury for which I receive long-term chiropractic treatment. During my time in the gymnasium, being cuffed wrist to ankle for an extended period of

- time triggered the areas of past injuries in the mid to upper portion of my back and in my neck.
8. Being cuffed wrist to ankle, I felt pain in my wrist. The cuff was constantly digging into my wrist and chaffing it.
 9. Being cuffed wrist to ankle, I was unable to sleep. Whenever I tried, I would doze off for a maximum of fifteen minutes before being awoken by the discomfort and pain of the position of my body.
 10. For three to four days following my release, I continued to feel stiffness and tenderness in my upper back and neck. I was a law student at the time, and it was painful to sit at a table to study.
 11. Having been cuffed wrist to ankle, I had spent the majority of the time in the gymnasium in the fetal position on my right side. Three to four days after my release, dense black bruises formed on my right shoulder, elbow and thigh. The bruises on my shoulder and elbow looked as if I had been punched there. The bruise on my thigh was one to two inches in width and extended down the length of my thigh.
 12. It was clear to me that the manner of cuffing and the length of time that the arrestees were left in that position was meant to be punishment. It was a torture-like method meant to "break" the arrestees. I did not get the sense that the arrestees were being detained in such a way for safety. This was made clear by officers who jeered, "You're not gonna go back [to the protest] tomorrow, are you? You're just gonna end up here like this again."
 13. The situation was dehumanizing and disarmed my psychological ability to deal with the situation. I felt so humiliated, powerless, and desperate that I could not calm myself, let alone comfort others. All I could think was, "I have to get out of here. I have to get out of

this position." I was willing to do just about anything to be released. Faced with such extreme discomfort, I no longer cared about my rights to go in front of a judge. I just wanted to be released. Today, three years later, I am still shocked by the level of emotion and shock I feel when I think about the way the arrestees were cuffed wrist to ankle for hours.

14. I certify under penalty of perjury that the foregoing is true and correct. Executed on January 10, 2006.



William Durham