

## CURRICULUM VITAE

**NAME:** Steve J. Martin

**ADDRESS:** 8513 Adirondack Trail  
Austin, Texas 78759

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**DATE OF BIRTH:** August 27, 1948

**EDUCATION:**

1973 Bachelor of Science  
Criminology and Corrections  
Sam Houston State University  
Huntsville, Texas

1974 Master of Arts  
Correctional Administration  
Sam Houston State University  
Huntsville, Texas

1981 Juris Doctor  
University of Tulsa  
School of Law  
Tulsa, Oklahoma  
(Admitted to Texas State Bar-Card #13106550)

**EMPLOYMENT:**

1987-Present Corrections Consultant and Attorney

1986-1987 Gray & Becker, Attorneys at Law  
General practice law firm engaged in litigation, administrative law, civil rights and legislative work.

1985-1986 Texas Office of the Attorney General - Special Assistant Attorney General. Worked as a consultant to the Chief of the Enforcement Division on litigation involving the Texas Department of Corrections.

(Vita current as of January 2011)

**STEVE J. MARTIN VITA PAGE 2**

**Employment (continued)**

1981-1985 Texas Department of Corrections - Executive Assistant to the Director (1984-85); General Counsel (1983-85); Legal Counsel (1981-83)  
Huntsville, Texas

As Legal Counsel, I served as the in-house attorney on class action litigation. In 1982, I was given responsibility for providing primary case administration of RUIZ v. ESTELLE (a class action conditions lawsuit in which virtually all operational aspects of the prison system were subject to court orders). From 1983-85, I served as the chief legal officer of the department. I also served as the liaison to the Office of the Special Master in RUIZ as well as liaison to the Office of the Attorney General and the Texas Legislature. From 1984 I also served as the Director's Executive Assistant, an operations position and the third ranking official in the department.

1980-1981 Tulsa County District Attorney's Office  
Assistant District Attorney/ Legal Intern  
Tulsa, Oklahoma

As an Assistant District Attorney/Legal Intern, I provided representation to county jail officials on civil rights litigation filed by county jail prisoners. I also drafted a set of jail standards adopted by the district judges for operation of the jail.

1975-1980 United States Probation and Parole Office  
U.S. Probation and Parole Officer  
McAllen, Texas (1975-77)  
Tulsa, Oklahoma (1977-80)

As a probation officer I supervised an average caseload of 50 to 75 probationers and parolees in addition to conducting pre-sentence and pre-trial diversion reports.

1974 Federal Bureau of Prisons  
Federal Corrections Institution Casework Intern  
Fort Worth, Texas

**STEVE J. MARTIN VITA PAGE 3**  
**Employment (continued)**

After my first year of graduate school, I worked as a summer Casework Intern for the Director of Mental Health Programs at the facility.

1972-1973

Texas Department of Corrections  
Correctional Officer  
Huntsville, Texas

I was assigned to the Ellis Unit, a maximum security prison, and worked routine security posts such as cellblocks, control center, hall officer, and death row. I also worked at the Goree Unit for female offenders.

**REPRESENTATIVE PROFESSIONAL ACTIVITIES:**

2001-Present

Appointed as a Court Expert, *CARRUTHERS v. JENNE*, to examine the conditions of confinement in Broward County Department of Detention, Ft. Lauderdale, Florida.

2003-Present

Retained as an expert witness in *DISABILITY ADVOCATES, INC. v. NEW YORK STATE OFFICE OF MENTAL HEALTH, et al.*, involving class action civil rights claims regarding the treatment of mentally ill inmates confined to disciplinary segregation, New York State Department of Corrections.

2004-Present

Appointed as Court Monitor, *GATES v. BARBOUR*, to monitor capacity orders for the Mississippi Department of Corrections.

2005-Present

Retained as an expert witness, *FAIRLEY v. ANDREWS*, regarding allegations of excessive force in the Cook County Jail, Chicago, Illinois.

2005-Present

Retained as an expert witness, *T.R., P.R., and K.W. v. SOUTH CAROLINA DEPARTMENT OF CORRECTIONS*, class action litigation regarding the treatment of mentally ill inmates in the South Carolina Department of Corrections.

**STEVE J. MARTIN VITA PAGE 4**  
**Representative Professional Activities (continued)**

2006-Present	Member of Editorial Board, <i>Correctional Law Reporter</i> .
2006-Present	Retained as an expert, DITTIMUS-BEY, et al. v. TAYLOR, et al., regarding conditions of confinement at the Camden County Jail, Camden, New Jersey.
2007-Present	Retained as an expert by Independent Fact Finder and Court Monitor, S.H. v. STICKRATH, to examine/monitor staff use of force, restraints, seclusion, classification, and youth grievances at the Ohio Department of Youth Services.
2007-Present	Retained as an expert witness, VANDEHEY v. VALLARO, regarding use of force at the Garfield County Jail, Colorado.
2008-Present	Retained as expert witness, SILVERSTEIN v. BOP, regarding confinement at the United States Penitentiary Administrative Maximum ("ADX"), Florence, Colorado.
2008-Present	Retained as an expert witness, CARTY v DEJONGH, regarding conditions of confinement at facilities in St. Thomas, Virgin Islands.
2009-Present	Retained as an expert witness, HICKS v HETZEL, regarding conditions of confinement at the Donaldson Correctional Facility, Bessemer, Alabama.
2010-Present	Retained as an expert witness, SHREVE v FRANKLIN COUNTY JAIL regarding use of force.
2010-Present	Retained as an expert witness, SOLIS v BACA, regarding strip searches at the Los Angeles County Jail.
2010-Present	Appointed as Court Monitor, REYNOLDS v SCHRIRO, to monitor use of restraints by New York City Department of Corrections at the Bellevue and Elmhurst hospitals.
2010-Present	Retained by the Department of Homeland Security, Office for Civil Rights and Civil Liberties as penology expert.

**STEVE J. MARTIN VITA PAGE 5**  
**Representative Professional Activities (continued)**

2010	Participated as <i>amici curiae</i> , SCHWARZENEGGER v PLATA, regarding prison overcrowding in the California Department of Corrections.
1993-2008	United States Department of Justice, Civil Rights Division, Special Litigation Section, Corrections Expert.
2005-2008	Retained as an expert, WILLIAMS v. TASER INTERNATIONAL, INC., regarding use of force at the Gwinnett County Detention Center, Georgia.
2006-2008	Retained as an expert witness, IKO v. GALLEY, regarding use of force at the Western Correctional Institution, Maryland Department of Public Safety and Correctional Service.
2007	Participated as <i>amici curiae</i> , IQBAL v. ASHCROFT, U. S. Court of Appeals, 2 <sup>nd</sup> Cir., regarding treatment of detainees at the Metropolitan Detention Center, New York City.
2007-2008	Retained by the U.S. Attorney's Office, New York City, to examine staff use of force at the Westchester County Jail, White Plains, New York.
2008-2009	Retained as an expert witness, JACKSON v. GERL, regarding use of force at the Wisconsin Secure Program Facility, Boscobel.
2007-2009	Retained as an expert witness, YOUNG v. COOK COUNTY, regarding the strip search policies of the Cook County Jail.
2007-2008	Retained as an expert witness, RUTLEDGE v. COOK COUNTY, regarding staff use of force at the Cook County Jail.
2006-2008	Retained as an expert witness, WILKERSON, et al. v. STALDER, regarding the placement of inmates in long-term segregation at the Louisiana State Penitentiary, Angola.

**STEVE J. MARTIN VITA PAGE 6**  
**Representative Professional Activities (continued)**

2006-2007 Retained as a consulting expert by the State Attorney, 13<sup>th</sup> Judicial Circuit, Tampa, Florida, In Re: In-Custody Death of Martin Lee Anderson while confined at the Bay County Boot Camp, Panama City, Florida.

2004-2006 Retained as an expert witness, INGLES v. TORO, class action use of force litigation involving the New York City Department of Corrections.

2005-2006 Retained as an expert witness, GILLIS v. LITSCHER, et al., regarding placement of an inmate in the Behavior Management Program, Wisconsin Secure Program Facility.

2005 Member, Travis County, Citizen Bond Advisory Committee; Chairman, Sub-Committee on Jails, Travis County, Texas.

2005 Participated as *amici curiae*, WILKINSON v. AUSTIN, No. 04-495, Supreme Court of the United States; placement process for inmates in supermax prisons.

2002-2005 Appointed as Court Monitor, UNITED STATES v. NASSAU COUNTY, to monitor Settlement Agreement on use of force, Nassau County Corrections Center, Long Island, New York.

2002-2005 Retained as a consultant by the Georgia Attorney General's Office to review use of force practices at the Phillips State Prison, Buford, Georgia.

2003-2004 Retained as an expert witness, HARGETT v. ADAMS, class action litigation regarding conditions of confinement at the Joliet Treatment & Detention Facility, Illinois.

2003-2004 Retained as an expert witness, NEW TIMES v. ADAMS, class action litigation regarding censorship practices of the Colorado Department of Corrections.

2002-2004 Retained by the United States Attorney's Office, San Francisco, as an expert in UNITED STATES v. LEWIS; criminal civil rights prosecution for civil rights violations at

the Pelican Bay State Prison.

**STEVE J. MARTIN VITA PAGE 7**

**Representative Professional Activities (continued)**

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| 2003-2004 | Retained as a consultant by the Georgia Attorney General's Office in <i>BURNS v. WETHERINGTON</i> , regarding civil rights claim for failure to protect an inmate at the Lee Arrendale State Prison, Alto, Georgia.                         |
| 2004      | Retained as a consultant to the Ohio Department of Youth Services on staff use of force.  |
| 2004      | Retained as a consultant by the Los Angeles County, Special Counsel, to assist in a report to the Los Angeles County Board of Supervisors on inmate violence in the Los Angeles County jails.   |
| 2000-2002 | Appointed as Court Monitor, <i>DOES v. STEWART</i> , to monitor a system-wide class action remedial order on protective segregation for the Arizona Department of Corrections.  |
| 1998-2002 | Appointed as Court Monitor, <i>SHEPPARD v. PHOENIX</i> , to monitor a court order on use of force in the New York City Department of Corrections, Rikers Island.  |
| 2001      | Retained by the United States Department of Justice and the United States Attorney's Office, Brooklyn, New York to assist in the development of remedial plan for Nassau County Sheriff's Department, Division of Correction, Use of Force. |
| 2001      | Retained by the United States Attorney's Office, San Francisco, as an expert in <i>UNITED STATES v. POWERS and GARCIA</i> , a criminal civil rights prosecution for civil rights violations at the Pelican Bay State Prison.                |
| 2001      | Retained by the Los Angeles County Board of Supervisors to evaluate the in-custody restraint death of a detainee.   |
| 2001      | Served as a Member of the research team of the Berkman Center, Harvard Law School, to evaluate rehabilitation programs in two Jamaican maximum security prisons.  |

**STEVE J. MARTIN VITA PAGE 8**  
**Representative Professional Activities (continued)**

2000	Participated as <i>amici curiae</i> , ATWATER v. CITY OF LAGO VISTA, No. 99-1408, Supreme Court of the United States, regarding custodial arrests for a non-jailable misdemeanor.
1989-2000	Retained as an expert witness and consultant, FELICIANO v. COLON, conditions litigation involving the Puerto Rico prison system.
1999-2001	Retained as an expert, MULDROW v. KEOHANE, litigation regarding the use of restraints, USP, Atlanta, Georgia.
1999-2000	Retained as an expert, SABATINO v. AMENN, class action litigation on the use of restraints, Erie County Prison, Pennsylvania.
1999-2000	Retained as a consultant to review Immigration and Naturalization Service Detention Standards, United States Department of Justice.
1996-1999	Retained as an expert, LEE v. COUGHLIN, litigation involving punitive segregation at Sing Sing/Southport prisons, New York.
1998-1999	Retained as an expert, SPATES v. IOWA CORRECTIONAL INSTITUTION FOR WOMEN, conditions litigation.
1992-1995	Retained as an expert witness, MADRID v. GOMEZ, conditions litigation involving Pelican Bay State Prison, California.
1996-1998	Retained as an expert witness, COLLINS v. ALGARIN, litigation involving excessive force at Montgomery County Jail, Pennsylvania.
1994-1998	Retained as an expert witness, ALLEN v. CHISHOLM, excessive use of force litigation involving Montana State Prison.



**STEVE J. MARTIN VITA PAGE 9**  
**Representative Professional Activities (continued)**

1995-1998	Retained as an expert witness, BOLTON v. COOMBE, litigation involving double celling practices at Woodbourne Correctional Facility, New York.
1996-1998	Retained as an expert witness, SOLOMON v. DELLANA, litigation involving excessive use of force at the Allegheny County Jail, Pittsburgh.
1997-1998	Retained as an expert witness, BLACKMON v. McCOTTER, litigation involving stabbing death of inmate at the Central Utah Correctional Facility.
1997-1998	Retained as an expert witness, CLARK v. CALIFORNIA, litigation involving treatment of developmentally disabled prisoners in the California Department of Corrections.
1997-1998	Retained as an expert witness, TATE v. GOMEZ, litigation involving lethal force at the Corcoran State Prison, California.
1994-1995	Retained as an expert witness by the New York Attorney General's Office, BIN-WAHAD v COUGHLIN, litigation involving claim of retaliatory transfer in New York Department of Corrections.
1993-1995	Retained as a consultant to the Texas Comptroller of Public Accounts, Performance Review of the Texas Department of Criminal Justice.
1991-1993	Gubernatorial appointee to the Texas Punishment Standards Commission; Vice-Chair, Policy Development Committee.
1989-1993	Retained as a consultant and expert witness on prison and jail litigation by the Texas Attorney General's Office.
1992-1993	Retained as a consultant, BENJAMIN v. ABATE. Principal author of <u>Reports of Plaintiffs' Expert Consultants on Conditions in the New York City Jails</u> , Legal Aid Society,

New York.

**STEVE J. MARTIN VITA PAGE 10**  
**Representative Professional Activities (continued)**

- 1991-1992                      Staff Director, Study Committee on Judicial Education, Texas Supreme Court. Principal investigator for the Report on Judicial and Court Personnel Education Programs.
- 1990-1992                      Retained as an expert witness and consultant, JENSEN v. CLARKE, crowding litigation involving Nebraska State Prison, Lincoln, Nebraska.
- 1989-1993                      Retained as a consultant on litigation involving numerous county jails including Detroit, Seattle, Houston, Austin and San Antonio.
- 1989-1991                      Assisted Texas Legislature on the development of criminal justice legislation, 71st and 72nd Legislatures.
- 1988-1989                      Gubernatorial Appointee to Texas Council on Offenders with Mental Impairments; Chairman, Legislative Subcommittee.
- 1986-1990                      Retained by Corrections Corporation of America, Nashville, Tennessee, to assist in the development and operation of private prison facilities in Texas.
- 1988-1992                      Employed as expert witness by Prison Law Office, San Quentin on litigation involving Vacaville, San Quentin and Tracy prisons.
- 1987-1993                      Employed as expert witness by Prisoners Legal Services of New York on litigation involving Attica and Elmira prisons.
- 1987-1989                      Employed as expert witness by NAACP LDF, New York on death row conditions litigation in Missouri and Arkansas.

**TEACHING/LECTURES/SYMPOSIUMS:**

- 2010                              Participant, Department of Homeland Security, "Roundtable on Mental Health and Immigration Enforcement."

**STEVE J. MARTIN VITA PAGE 11**

**Teaching/Lectures/Symposiums (continued)**

- 2009 Speaker, Texas Criminal Defense Lawyers Association, Seminar, Post Conviction Law and Criminal Administrative Remedies, *Status of Prisoners' Rights in Today's Criminal Justice Arena*, January 9, 2009.
- 2005 Testified before Commission on Safety & Abuse in America's Prisons on Staff Use of Force in United States Confinement Settings; April 20, 2005, Tampa, Florida.
- 2003 Symposium on Prison Reform, Pace Law School, Judicial Institute and the Open Society; moderator and presenter for Effective Post-PLRA Settlement Models, October 2003.
- 2001 Presenter, Southern Methodist University School of Law, Colloquium on the Judicial Work of Judge William Wayne Justice, May 2001.
- 2000 Guest Lecturer, University of Minnesota Law School, Institute of Criminal Justice; "Responding to the Crowded Jail, Legal Issues."
- 1999 Visiting Scholar, Institute of Criminology and School of Law, Queen's University, Belfast, Ireland; Seminar: "Punishment as Big Business: The Iron Triangle," October 1999.
- 1999/2000 Guest Lecturer, New York University School of Law.
- 1995 Guest Lecturer, National Association of Attorneys General Annual Conference; "The Role of Experts in Prison Litigation."
- 1995 Testified before the United States Senate Judiciary Committee as a panel member on the Prison Litigation Reform Act.
- 1990 Southwest Texas State University, San Marcos, Texas. Adjunct faculty - taught corrections course.
- 1989 St. Edwards University, Austin, Texas. Adjunct faculty - taught corrections course.

**STEVE J. MARTIN VITA PAGE 12**

**Teaching/Lectures/Symposiums (continued)**

- 1988 Technical Assistance Consultant, National Institute of Corrections Boulder, Colorado.
- 1986 The University of Texas School of Law, Austin, Texas. Visiting faculty - taught seminar on institutional reform litigation.
- 1979-1981 Langston University, Tulsa, Oklahoma. Adjunct faculty - taught probation and parole, corrections, and criminology courses.
- 1976-1977 Pan American University, Edinburg, Texas. Adjunct faculty – taught corrections courses.
- 1973-1974 Sam Houston State University, Huntsville, Texas. Graduate Fellow - taught course in social problems.

**PUBLICATIONS/PAPERS:**

Kercher, Glen A. And Steve J. Martin, "Severity of Correctional Officer Behavior in the Prison Environment," presented before the Texas Academy of Science, Huntsville, Texas, 1975.

Martin, Steve J., and Sheldon Ekland-Olson, Texas Prisons: The Walls Came Tumbling Down, Austin: Texas Monthly Press, 1987.

Ekland-Olson, Sheldon and Steve J. Martin, "Organizational Compliance with Court-Ordered Reform," *22 Law and Society Review* 359, 1988.

Martin, Steve J., "Prisoners' Rights", *Texas Tech Law Review*, Volume 20, Symposium 1989, Number 2.

Martin, Steve J., "Texas Prisons: A Brooding Crisis Behind Bars", *Texas Lawyer*, March 13, 1989.

Martin, Steve J., and Sheldon Ekland-Olson, "Ruiz, A Struggle Over Legitimacy", Courts, Corrections and the Constitution: The Impact of Judicial Intervention on Prisons and Jails, edited by John J. Dilulio, Jr., Oxford University Press, 1990.

Martin, Steve J., "The Ceiling of Texas", *Texas Observer*, January 11, 1991.

Martin, Steve J., "An End to Ruiz: Shifting the Debate from Rhetoric to Reason", Texas Public Policy Foundation, April 1995.

**STEVE J. MARTIN VITA PAGE 13**  
**Publications (continued)**

Grant, Darlene and Steve Martin, "Should Prison Reform Litigation Be Curtailed?" National Council on Crime and Delinquency *Focus*, May 1996.

Martin, Steve J., "Prison Reform Litigation: Shifting the Debate From Rhetoric to Reason," Alan Fortunoff Criminal Justice Colloquium, Center for Research in Crime and Justice of New York University School of Law, February 26, 1996.

Martin, Steve J., Perspectives on Justice, "Inmates Haven't Changed, Prisons Have," *Los Angeles Times*, July 1998.

Martin, Steve J., "Sanctioned Violence in American Prisons," Building Violence: How America's Rush to Incarcerate Creates More Violence, edited by John May, Sage Publications, Inc., January 2000.

Martin, Steve J., "Corrections in the New Millennium: The Mean Season," *Voice for the Defense*, Texas Criminal Defense Lawyers Association, Vol.29 Number 2, March 2000.

Martin, Steve J., "Introduction," *Frontiers of Justice, Volume 3: The Crime Zone*, Biddle Publishing Co., Brunswick, Maine, March 2000.

Martin, Steve J., Book Review: Going Up the River: Travels in a Prison Nation, Punishment & Society, *International Journal of Penology*," Vol. 4, Number 1, January 2002.

Martin, Steve J. Book Review: Punishment & Democracy: Three Strikes and You're Out in California, *British Journal of Criminology*, Vol.43, Number 1 Winter 2003.

Martin, Steve J., Book Review: Maconochie's Gentlemen: The Story of Norfolk Island and the Roots of Prison Reform, *British Journal of Criminology*, Vol.43, Number 4 Autumn 2003.

Hill, Debbie, Larry Hammond, Bruce Skolnik, Steve J. Martin and Donna Clement; "Effective Post-PLRA Settlement Models: A Case Study of Arizona's Protective Segregation Lawsuit," 24 *Pace Law Review* 743 (Spring 2004).

Martin, Steve J., Staff Use of Force in U.S. Confinement Settings; Commission on Safety and Abuse in America's Prisons, 601 Thirteenth St., N.W., Washington, D. C., *Washington Journal of Law & Policy*, Volume 22 (2006 ).

Martin, Steve J., Staff Use of Force in U. S. Confinement Settings: Lawful Control Versus Corporal Punishment; *Social Justice Quarterly*, Vol. 33, No.4 (2007).

Martin, Steve J., Effective Expert Witnessing in Corrections Litigation: Rules, Relevance & Reliability, *Correctional Law Reporter*; Volume XX No.1, June/July 2008.

