

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

THERESA VICTORY, <i>et al.</i>	:	CIVIL ACTION
	:	
v.	:	NO. 18-5170
	:	
BERKS COUNTY, <i>et al.</i>	:	

JUDGMENT

AND NOW, this 7th day of April 2020, having reviewed the jury's November 14 and 15, 2019 Verdicts (ECF Doc. Nos. 321, 323), our January 15, 2020 entry of permanent injunctive relief (ECF Doc. No. 339), and today's Order (ECF Doc. No. 349) partially granting Plaintiffs' Motion for reasonable attorneys' fees and costs, we enter **JUDGMENT**:

1. Consistent with the terms described in our January 15, 2020 Order (ECF Doc. No. 339), Berks County and its Warden and Deputy Warden shall:
 - a. Provide a substantially equivalent amount of time each day during which cell doors are unlocked and prisoners are permitted to access the dayroom for all Trusty women and men, unless there is a unit-wide lockdown or individual disciplinary action;
 - b. Provide substantially equivalent access to phones, microwaves, and showers to all Trusty women and men, if allowing both Trusty women and men to access those amenities during time periods when their cell doors are unlocked or during indoor recreation periods, unless there is a unit-wide lockdown or individual disciplinary action;
 - c. Provide substantially equivalent visitation conditions for Trusty women and men including the presence or absence of a physical barrier between prisoners and their visitors;
 - d. Notify a female or male Trusty inmate, at the time that a male or female inmate is classified as a Trusty, of that classification by providing a Review for Trusty Status

Memorandum from Berks County Jail System Treatment Staff. This memorandum shall at least notify the inmate of the following:

i. You are fully sentenced on all charges. If additional charges are brought against you, your classification status will be reviewed and adjusted accordingly.

ii. You have been medically cleared to work and must accept any job assignment offered to you. If you are no longer medically cleared, your classification status will be reviewed and adjusted accordingly.

iii. If recommended programming interferes with your job assignment, your program schedule takes priority.


iv. You may also be eligible for work release and furloughs. You may sign up to speak with your unit counselor about these programs.

v. Formal misconduct citations may result in the loss of Trusty Classification.

e. For as long as Berks County continues to offer Trusty inmates eligibility for a home furlough, submit a Partial Confinement Reentry Order to a Trusty inmate's sentencing judge on a case by case basis after a given Trusty inmate meets the criteria for and requests a home furlough;

2. We enter **JUDGMENT** of **\$510,139.61**, plus post-judgment interest, in favor of the Plaintiffs and against Berks County consisting of \$2,800 in compensatory damages payable to Ms. Victory, \$1.00 in compensatory damages payable to Ms. Velasquez-Diaz, and reasonable attorney's fees of \$503,939.20 and uncontested costs of \$3,399.41 consistent with our April 7, 2020 Order (ECF Doc. No. 349); and,

3. The Clerk of Court shall **close** this case.


KEARNEY, J.