

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

TWELVE JOHN DOES, et al.,)
)
 Plaintiffs,)
)
 v.)
)
 DISTRICT OF COLUMBIA, et al.,)
)
 Defendants.)

Civil Action No. 80-2136

FILED

MAR - 5 1982

JAMES F. DAVEY, Clerk

NOTIFICATION TO CLASS MEMBERS
OF PROPOSED SETTLEMENT AGREEMENT

On August 20, 1980, a class action was filed on your behalf challenging the conditions of confinement at the Central Facility of the District of Columbia Reformatory at Lorton, Virginia. Filed in the United States District Court for the District of Columbia, the complaint named as defendants the District of Columbia and certain officials of the District of Columbia government. The caption of the case is set forth above.

This lawsuit sought three basic forms of relief:

(1) an order requiring defendants to improve conditions of security and safety at the Central Facility (2) an order requiring defendants to refrain from activities that violate the constitutional rights of residents at the Central Facility and (3) an award of money damages to compensate each class member for harm caused by the unacceptable conditions of his confinement.

The Court determined on December 5, 1980 that the case would be maintained as a class action. The members of the class of plaintiffs are all persons who, on August 20, 1980,

Twelve John Does v. District of Columbia



PC-DC-008-004

were residents of the Central Facility of the District of Columbia Reformatory at Lorton, Virginia. Class representatives who presented the claims on behalf of you and all class members were residents of the Central Facility on August 20, 1980.

The defendants in this action are the District of Columbia Government; Marion S. Barry, Jr., Mayor of the District of Columbia; Delbert C. Jackson, Director of the Department of Corrections; Marion D. Strickland, Superintendent of the Lorton Complex; Salanda V. Whitfield, Administrator of the Central Facility; Arthur Graves, Assistant Administrator of the Central Facility; and David P. Decatur, Institutional Major of the Central Facility.

In pursuing plaintiffs' claims, counsel for plaintiffs conducted extensive discovery, compelling production of documents from all levels of the Department of Corrections, deposing individual defendants and other employees of the Department, interviewing approximately 20 other employees of the Department, meeting with more than 200 members of the class and other residents of the Central Facility not members of the class, filing interrogatories, and employing three experts in the areas of penology and prison security, health and sanitation, correctional psychology and correctional medical services. Each expert inspected the Central Facility and relevant documents. Each interviewed residents and employees of the Department at Central.

After full review of all relevant documentation and consultation with the experts, interviews with residents and review of cases relevant to the issues raised by plaintiffs' claims, counsel for plaintiffs has recommended a proposed

final settlement agreement to the members of the class. This agreement would settle all of the claims for declaratory and injunctive relief and damages described above.

The proposed final settlement agreement and consent decree provides that defendants would take the following actions within specified time frames:

- I. Twenty-six additional control cells would be constructed within the Central Facility. Double-celling and commitment in excess of fourteen days in the control cells would occur only in exceptional circumstances.
- II. A new cellblock housing eighty persons would be constructed in the Maximum Security Facility.
- III. Additional security equipment would be installed at the Central Facility, including metal detectors, hand friskers, an intercom system between the control center and the housing units, a radio intercom system providing tower-to-tower and tower-to-ground communication, an upgraded perimeter surveillance system and additional lighting.
- IV. Correctional officer staffing at the Central Facility would be increased to a level of 331 officers.
- V. A Receiving & Diagnostic Center would be established at the Jail and all newly sentenced adults would be reviewed and diagnosed regarding proper housing, individualized programs and therapeutic needs. An Orientation Unit would be established at the Central Facility to receive new residents assigned to that institution and assist in integrating them into the general population. A classification and housing

system would be established which would assign each resident to a housing unit matched to his individual needs, and would provide specialized housing for older residents, honor residents, residents with medical problems requiring close proximity to the infirmary, and residents more prone to being victimized.

- VI. A set of environmental health standards would be established along with a timetable for compliance and regular inspections. The standards cover the areas of housekeeping and maintenance, solid waste management, insect and rodent control, mattresses, numbers of bathroom facilities, pharmaceutical services, radiological equipment, industries, plumbing, water supply, noise control, lighting, heating, ventilation, accident and fire prevention and preparedness, food services, milk quality and personal hygiene.
- VII. The medical staff would be increased by the hiring of additional doctors, pharmacists, a records clerk and other health services providers such as physicians' assistants, nurses and medical technicians. A psychiatrist also would be hired. Medical equipment and facilities would be upgraded.
- VIII. Industries, vocational and academic programs would be expanded and improved. For example, a tire retreading operation would be added to the industries program, teachers would be added to the academic program, and instructors would be provided for additional vocational training programs. Additional

program space would be sought, volunteer services and the Lorton Transformation Project would be encouraged, and residents would be provided, upon request, with letters of recognition for work performed and training received while at Central.

- IX. The rated capacity of the institution would be established at a total of 1166 residents. This capacity would be reduced when particular dormitories close for renovation. Failure to bring the actual population down to the rated capacity, or to maintain it at or below that level, could result in the appointment of a Special Master to recommend appropriate steps to the Court.
- X. Defendants would be required to notify plaintiffs' counsel of the completion of each of the agreement's requirements and to report monthly to plaintiffs' counsel on the progress made in accomplishing the agreement's requirements. Plaintiffs' counsel can enforce the agreement by requesting appropriate judicial action, including holding defendants in contempt of court.
- XI. Defendants would pay plaintiffs' counsel's reasonable expenses in litigating the case, including the payment of expert witness fees. No attorneys' fees or payment for damages have been provided for in the agreement.

NOW, THEREFORE, TAKE NOTICE:

1. If you were a resident of the Central Facility on August 20, 1980, you are a member of the class of plaintiffs described above and have been included in the class of persons

for whom injunctive relief (an order of the Court as described above) has been sought. Unless you wrote to the Clerk of the United States District Court for the District of Columbia requesting to be excluded from the class on the claims for money damages, you also are a member of the class for purposes of damage claims.

2. If you wish to read the entire proposed agreement, a copy is on file with:

Clerk of the Court
U.S. District Court for the
District of Columbia
Constitution Avenue and
John Marshall Place, N.W.
Washington, D.C. 20001

3. If you are a member of the class and have any comments on the proposed final settlement agreement, you should mail a letter stating them to:

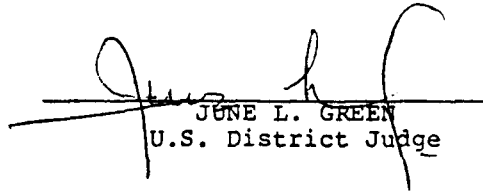
The Honorable June L. Green
U.S. District Judge
U.S. District Court for the
District of Columbia
Constitution Avenue and
John Marshall Place, N.W.
Washington, D.C. 20001

ATTN: Twelve John Does v. District of Columbia
Civil Action No. 80-2136

This request must be mailed on or before March 31, 1982.

NOTE: Be sure to identify yourself, sign, and write the name of the case and the trial action number on all letters mailed to this Court.

Dated this 5th day of March, 1982.



JUNE L. GREEN
U.S. District Judge

CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of March, 1982, I have caused to be served by delivering to the United States Postal Service, postage prepaid, true and accurate copies of Plaintiffs' and Defendants' Amendments to Order for Class Notification of Proposed Settlement Agreement, addressed to the following person:

Peter J. Nickles
1201 Pennsylvania Avenue, N.W.
P.O. Box 7566
Washington, D.C. 20044


MICHAEL ZIELINSKI