



PC-DC-008-006

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

TWELVE JOHN DOES, et al.)	
Plaintiffs)	
v.)	Civil Action No. 80-2136
DISTRICT OF COLUMBIA, et al.)	
Defendants)	

FILED

APR 28 1982

MEMORANDUM ORDER AND JUDGMENT

CLERK, U.S. DISTRICT COURT
DISTRICT OF COLUMBIA

This action is before the Court on motion of the parties, pursuant to Rule 23(e) of the Federal Rules of Civil Procedure, for approval and entry of the attached Final Settlement Agreement (hereinafter the "Agreement") as this Court's Consent Decree, to settle all claims for declaratory and injunctive relief and damages in the above-titled class action.

This is a class action seeking declaratory and injunctive relief and damages, plaintiffs having filed the complaint on August 20, 1980. The complaint charged defendants with violating plaintiffs' Eighth Amendment right to be free from cruel and unusual punishment, defendants' statutory duties under §§ 24-425 and 24-442 of the D. C. Code, and defendants' common law duty of care by failing adequately to protect persons entrusted to the defendants' care and resident at the Lorton Central Facility and by failing to afford such residents living conditions that meet constitutionally and statutorily required standards. The complaint also charged defendants with responsibility for the resulting high level of violence at Central and other physical and psychological damages to inmates.

Plaintiffs moved for class certification on September 23, 1980. The Court certified the class on December 5, 1980, as consisting of "all persons, who on August 20, 1980, were residents of the Central Facility of the District of Columbia Reformatory at Lorton, Virginia."

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 consultation with these experts, interviews with residents and review of cases relevant to the issues raised by plaintiffs' claims, counsel for plaintiffs has recommended this compromise settlement to plaintiffs.

Counsel for defendants has conducted discovery, including production of documents, interrogatories directed to the plaintiffs' class representatives, and interviews with employees of the Department and other officials of the District of Columbia and has reviewed all of the terms and conditions set forth in this Agreement. On the basis of this consultation and review, counsel for defendants has recommended this compromise settlement to defendants.

Members of the class have been duly notified of the proposed compromise settlement, pursuant to Rule 23(e) of the Federal Rules of Civil Procedure.

The Court has received and considered comments from twenty-two class members regarding the settlement. Ten contained inquiries about damage awards. Considering the number of class members and their demonstrated willingness to petition the Court, it is evident that the vast majority of plaintiffs accept the settlement. Counsel for both sides have a wealth of experience from the Lorton maximum security case. Extensive discovery in this action has enabled counsel to develop a remarkably detailed agreement. The notice procedures have been more than adequate. This settlement agreement is fair, reasonable, and in the best interests of the plaintiff class and the District of Columbia.

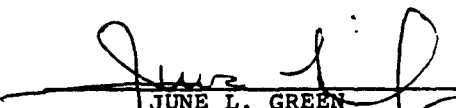
Accordingly, upon consideration of the parties' final settlement agreement, the comments received by the Court from plaintiff class members, the entire record in this action, and after a status conference in this action on April 28, 1982, it is by the Court

ORDERED, ADJUDGED AND DECREED

That the attached Final Settlement Agreement entered into by the parties, through their respective counsel, be approved and entered as this Court's Consent Decree resolving the above-titled class action;

FURTHER that this action is dismissed, except as set forth in the specific provisions of the Agreement, any party may apply at any time to the Court for an order pursuant to Rule 60 of the Federal Rules of Civil Procedure, or for such further orders as may be necessary or appropriate for the

construction of, implementation of, or enforcement of
compliance with this Consent Decree or any of its provisions.
Plaintiffs have reserved the right to request reasonable
attorneys' fees and costs arising from such further actions.


JUNE L. GREEN
U. S. DISTRICT JUDGE

April 28, 1982