



PC-DC-008-008

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**

**DEC 20 1982**

ORDER

CLERK, U.S. DISTRICT COURT  
DISTRICT OF COLUMBIA

The Court having considered plaintiffs' motion for an order declaring defendants in non-compliance with the Final Settlement Agreement and Consent Decree (the "Consent Decree") entered by this Court on April 28, 1982, and defendants' response thereto, the Court on this <sup>17<sup>th</sup></sup> day of December, 1982, hereby finds and declares that defendants are in non-compliance with the Consent Decree with respect to the following:

- (a) failure to install expeditiously the four walk-through metal detectors and the dormitory intercom system;
- (b) failure to reach the staffing objective of a complement of 331 correctional officers by October 1, 1982;
- (c) failure to commence operation of a Receiving & Diagnostic Center by mid-summer 1982, or to hire necessary staff by October 1, 1982 for the full operation of the Receiving & Diagnostic Center;

(d) failure to establish an Orientation Unit at Central by mid-summer 1982, or to commence conversion of Dormitories #25 and #26 into a location for the Orientation Unit;

(e) unilateral alteration and extension of the timetable for renovation of Dormitories #16 through #18, and failure to complete the renovation of Dormitory #24 by May 31, 1982 and Dormitory #16 by December 7, 1982;

(f) failure to prepare a schedule for renovating dormitories other than #15 through #24 by July 31, 1982;

(g) circumvention of the role assigned to the Chief Medical Officer at Lorton in hiring medical personnel;

(h) delay in posting most of the program staff positions, failure to hire a carpentry or dry wall vocational instructor, basic/secondary education teacher, or administrative aide, and failure to inform plaintiffs of vacancies in program staff positions; and

(i) failure to complete a feasibility study concerning the development of additional space for vocational training and the academic schools by October 30, 1982.

These findings having been made, it is hereby ORDERED:

1. That defendants implement fully and in a timely fashion all of the provisions of the Consent Decree;

2. That defendants shall be assessed \$ 100. for each day of non-compliance with the provisions of the Consent Decree after the date of this Order, except that, for purposes of this

Order, defendants shall not be assessed such fines if, with respect to the obligations imposed by the Consent Decree, they:

(a) install all walk-through metal detectors required by Item III of the Consent Decree by May 15, 1983;

(b) install the dormitory intercom system required by Item III of the Consent Decree by May 15, 1983;

(c) install additional lighting required by Item III of the Consent Decree by March 1, 1983;

(d) reach a correctional officer complement (as defined by Item IV of the Consent Decree) of 331 by March 1, 1983;

(e) assemble the first diagnostic team for the Receiving & Diagnostic Center required by Item V of the Consent Decree and complete the team's two-week training period by January 3, 1983;

(f) start receiving and diagnosing the first sentenced felons in the Receiving & Diagnostic Center by January 3, 1983;

(g) complete the hiring and training of all Receiving & Diagnostic Center personnel by February 1, 1983, and commence full operations of the Receiving & Diagnostic Center by that date;

(h) establish an interim Orientation Unit and commence operations by February 3, 1983 (in time to orient the first inmates processed by the Receiving & Diagnostic Center as required by Item V of the Consent Decree);

(i) complete the conversion of Dormitories #25 and #26 for the Orientation Unit by April 15, 1983;

(j) adhere to a modified renovation schedule for Dormitories #16 through #18 to be negotiated and agreed to by the parties pursuant to Item VI of the Consent Decree; provided, however, that plaintiffs expressly preserve their right to move for a contempt citation for failure to complete the dormitory renovations pursuant to the schedule established by Item VI of the Consent Decree, in the event that parties cannot agree on a modified renovation schedule;

(k) prepare a schedule for renovating Central dormitories other than #15 through #24 by January 1, 1983;

(l) inform by letter within seven days all persons involved in making personnel decisions for the Lorton Medical Services that no one is to be hired for or assigned to the Lorton Medical Services until after the Chief Medical Officer at Central has given his express written approval;

(m) remove from the Lorton Medical Services staff any personnel assigned to that staff since the date of the Consent Decree without a prior interview by and the express prior approval of the Chief Medical Officer at Lorton, including the individuals identified as "X" and "Y" in defendants' Memorandum of Points and Authorities in Opposition to Plaintiffs' filed December 3, 1982, if the Chief Medical Officer requests in writing within six-months of the date of this Order that he or

she be removed, and fill any vacancies created as a result in accordance with Item VII of the Consent Decree;

(n) provide plaintiffs by December 30, 1982, with a complete and accurate listing of all staff positions in the program area, including industries, vocational training, the academic school, the psychological services unit and the classification and parole office;

(o) inform the plaintiffs in each monthly compliance report of all vacancies in any program staff positions;

(p) make additional efforts, including the use of local advertising, in attempting to hire a qualified individual for each program staff position that is not filled within three weeks of the initial posting for a position; and

(q) report to this Court and to plaintiffs on the feasibility of developing additional program space for vocational training and the academic school by January 31, 1983.

3. That, in the event defendants continue to be in non-compliance with major provisions of the Decree as of March 1, 1983, the Court shall appoint, pursuant to Rule 53 of the Federal Rules of Civil Procedure, a Special Master to administer the Central Facility; and

4. That defendants shall pay plaintiffs' counsel their attorneys' fees and costs associated with litigating this motion and monitoring defendants' compliance with the Decree.

The Court makes no findings at this time as to whether defendants are or are not in compliance with aspects of the Consent Decree not specifically addressed herein.

  
UNITED STATES DISTRICT JUDGE

Dated: Dec. 17, 1982