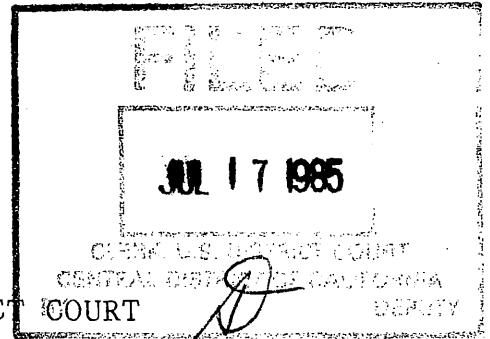


1 DEWITT W. CLINTON, COUNTY COUNSEL
FREDERICK A. BENNETT,
2 PRINCIPAL DEPUTY COUNTY COUNSEL
648 HALL OF ADMINISTRATION
3 500 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012

4 (213) 974-41880

5 ATTORNEYS FOR DEFENDANTS

6 UNITED STATES DISTRICT COURT
7 CENTRAL DISTRICT OF CALIFORNIA



ENT
JS-6

8
9 WILLIAM ROBERTSON, ROBERT BELISLE)
AND JAMES RUMPH, on behalf of)
10 themselves and all others)
11 similarly situated,)

No. 82 1442 WPG (Px)

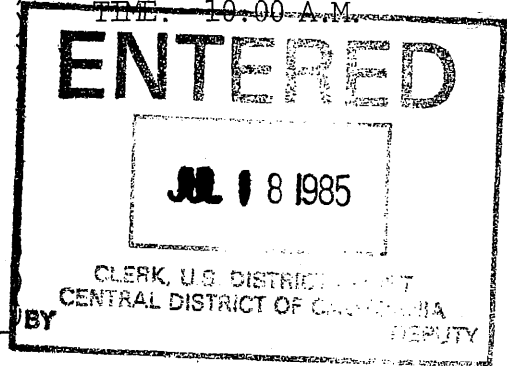
STIPULATION AND REQUEST
FOR DISMISSAL: ORDER

12 vs. Plaintiffs,

DATE: JULY 22, 1985

13 SHERMAN BLOCK, RONALD BLACK
14 WILLIAM POGGIONE, JERRY L. WEST,
15 KENNETH SMITH, MURLE HESS,
JOHN MAHON, JR., AND COUNTY
OF LOS ANGELES

TIME: 10:00 A.M.



16 Defendants.

17
18
19
20 The parties to the above entitled action through their
21 counsel of record, the undersigned, stipulate and agree that the
22 following conditions and practices meet or exceed constitutional
23 requirements, and request the court to dismiss this action without
24 prejudice.

25
26 Insofar as feasible the following procedures and
27 conditions are followed in providing for the security of
28 homosexual inmates incarcerated in the Los Angeles County Jail:

- Docketed
- Mid copy *Def*
- Mid Notice *Def*
- 130

18 JUL 1985

18

1 1. Male homosexuals are housed at the Hall of Justice
2 Jail and will remain housed there unless exigent circumstances
3 necessitate their movement. Counsel for plaintiffs will be
4 consulted if such movement becomes necessary.

5 (a) The Department recognizes that it is desirable
6 to house two (2) inmates per cell.

7 (b) All homosexual inmates are provided with 2½
8 hours of outdoor (roof) exercise per week. The Sheriff may
9 restrict the roof exercise of those protective custody and
10 administrative segregation inmates whose presence on the
11 roof poses a legitimate security problem. Exercise time
12 may be suspended for inclement weather and other
13 exigencies.

14 (c) Inmates are provided fifteen (15) minutes for
15 eating. A "slow table" is provided those inmates who
16 request it. Homosexual inmates in protective custody and
17 administrative segregation may be fed in their cells if
18 security needs so dictate.

19 (d) Inmates are provided reasonable access to the
20 more than 25 telephones which are now installed in the
21 homosexual inmate housing areas.

22 (e) Homosexual inmates receive at least twice
23 each week, clean outer garments, undergarments, socks and
24 towel exchange.

25 (f) Court wake-up for presentenced inmates is
26 5:30 A.M.

27 (g) For homosexual inmates housed at the Hall of
28

1 Justice Jail and going to court in the Criminal Courts
2 Building, the tunnel is utilized to expedite their trip to
3 and from court. The Transportation Bureau transports
4 homosexual inmates returning from court and from the Inmate
5 Reception Center to the Hall of Justice Jail on an hourly
6 basis after 2:30 P.M. and transports them after 10:00 P.M.
7 without unnecessary delay.

8 (h) An inmate grievance procedure for all inmates
9 including homosexual inmates is used to resolve grievances
10 relating to any condition of confinement including, but not
11 limited to:

- 12
- 13 - Medical Care
 - 14 - Classification actions.
 - 15 - Disciplinary participation.
 - 16 - Program participation.
 - 17 - Telephone, mail and visiting procedures.
 - 18 - Food, clothing and bedding.
 - 19 - A grievance form of instructions for registering a grievance
 - 20 - All inmates shall be permitted to report a grievance which shall be transmitted, without alteration, interference, or delay to the person or entity responsible for investigating them.
 - 21 - Written reasons for denial of grievance at each level of review which acts on the grievance.
 - 22 - Resolution of the grievance at the lowest appropriate staff level.
- 23
- 24
- 25
- 26
- 27

28 (i) Homosexual inmates are allowed regular

1 access to dayrooms which contain a television and hot
2 water.

3 (j) Homosexual inmates are permitted to shower
4 upon assignment to a housing unit and at least every other
5 day or more often if possible.

6 (k) Homosexual inmates are allowed two visits
7 totaling one hour per inmate, per week. Current visiting
8 hours are: Monday - Friday; 1800 hours to 2100 hours;
9 Saturday, Sunday, and holidays, 1500 hours to 2100 hours.
10 Attorney visits are allowed from 0900 - 2100 hrs. on each
11 work day and as needed on an emergency basis.

12 (l) Homosexual inmates with court ordered "Pro-Per"
13 status are housed in Central Jail.

14 (m) Medical staff at the Hall of Justice Jail
15 provides nursing coverage 16 hours a day, 7 days per
16 week. A physician is on site on Tuesday and Thursdays
17 from 1300 hours to 1700 hours. A physician is on call at
18 Central Jail 24 hours per day. Sick call is held every
19 day. Inmates with serious injuries or illnesses are
20 transported to Central Jail hospital or Los Angeles
21 County, U.S.C. Medical Center.

22 2. Inmates entering Inmate Reception Center are
23 asked if they are homosexual and informed of the availability of
24 homosexual housing. Inmates who state that they are homosexual
25 are immediately transferred to segregated housing units for
26 homosexuals. The classification necessary to determine if those
27 inmates are suitable for such segregated housing units is
28 determined by the classification staff at that unit after the

1 entering inmate is assigned to a housing module.

2 3. The Sheriff classifies homosexual inmates as
3 soon as possible after their reception into the facility. The
4 Facility Commander continues to have the discretion to allow
5 plaintiffs counsel and a member of the gay community access to
6 inspect housing facilities for homosexual inmates and to observe
7 the classification process. Under no circumstances is the
8 classification process to be used as a disciplinary tool.

9
10 4. Homosexual inmates requiring protective custody,
11 and those guilty of violation of jail regulations or accused
12 of crimes while incarcerated are housed in homosexual protective
13 custody and homosexual administrative segregation housing units.
14 However, the Sheriff may transfer homosexual inmates requiring
15 higher security than that available at their place of
16 confinement to single-celled housing units at other jail facili-
17 ties for legitimate security or discipline related reasons.

18 5. Segregated and secure holding cells are
19 provided in the Inmate Reception Center during the homosexual
20 inmates processing out for court and upon their return from
21 court. Homosexual inmates requesting the use of civilian
22 clothing for court appearances are provided clothing under
23 the same standards as civilian clothing is provided for
24 non-homosexual inmates.

25
26 6. Homosexual inmates are segregated on trans-
27 portation buses while in route to and from court. Whenever
28 possible, homosexuals are placed in protective cages. If

1 said cages are needed for other segregated prisoners,
2 homosexuals are seated in the front rows of transportation
3 buses.

4 7. Homosexual inmates are segregated while
5 they are out to court facilities for which the Sheriff is
6 responsible and are visually checked for their well being
7 as often as court routine permits.
8

9 8. All homosexual inmates are provided regular
10 access to library services. Sentenced homosexual inmates are
11 provided equal access to educational and vocational training
12 programs. Homosexual inmates are provided access to trustee
13 positions under standards and restrictions promulgated by the
14 Chief of The Custody Division.

15 9. Counsel for plaintiffs has access to prisoners
16 at the facility and to the facility itself. Upon discovery
17 of conditions, procedures or practices which are deemed to be
18 unjustified, corrections are made at the facility. Arrange-
19 ments for monitoring by plaintiffs counsel's paralegals exist.
20

21 10. This stipulation will be posted in appropriate
22 places in the Hall of Justice Jail.


23 11. When any homosexual inmate has information that
24 he believes will disclose a violation of this stipulation, he
25 may set forth that information in writing to the Commander of
26 the jail who shall cause an investigation thereof to be made
27 as soon as reasonably practicable, and in any event within
28

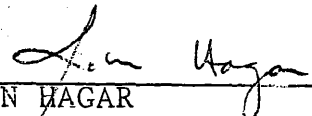
1 ten (10) days following receipt of such statement. Promptly
2 following the completion of the investigation the Commander
3 shall deliver a written reply to the inmate indicating the
4 results thereof and what, if any, action has been taken
5 concerning the inmates' complaint and what, if any, action
6 has been taken to prevent violations of this judgement.

7 12. Homosexual inmates desiring to advise counsel
8 for the plaintiffs of complaints shall address them to:

9
10 A.C.L.U. Foundation of Southern California
11 633 South Shatto Place
12 Los Angeles, California 90005

13 IT IS SO STIPULATED:

14 
15 FREDRICK R. BENNETT
16 DEPUTY COUNTY COUNSEL
17 FOR DEFENDANTS

18 
19 JOHN HAGAR
20 ATTORNEY FOR PLAINTIFFS

21 GOOD CAUSE APPEARING THEREFORE, IT IS SO ORDERED:

22 JUL 17 1985

23 
24 WILLIAM F. GRAY
25 U.S. DISTRICT COURT JUDGE
26
27
28

NAME, ADDRESS AND TELEPHONE NUMBER
OF ATTORNEY(S)

DE WITT W. CLINTON, County Counsel
FREDERICK R. BENNETT, Principal Deputy
648 Hall of Admin/500 W. Temple St.
Los Angeles, CA 90012
(213) 974-1880

Attorney(s) for DEFENDANTS

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

WILLIAM ROBERTSON, et al.,

vs. Plaintiff(s),

SHERMAN BLOCK, etc.

Defendant(s).

CASE NUMBER

CV 82-1442-WPG (Px)

PROOF OF SERVICE / ACKNOWLEDGMENT OF SERVICE

I, the undersigned, certify and declare that I am over the age of 18 years, employed in the County of Los Angeles, State of California, and not a party to the above-entitled cause. On July 17, 198⁵, I served a true copy of STIPULATION AND REQUEST FOR DISMISSAL: ORDER

AUG 9 85
DISTRICT OF CALIFORNIA

by personally delivering it to the person(s) indicated below in the manner as provided in FRCivP 5(b); by depositing it in the United States Mail in a sealed envelope with the postage thereon fully prepaid to the following: (list names and address for person(s) served. Attach sheets if necessary)

JOHN HAGAR, ESQ
A.C.L.U. Foundation of So. Calif.
633 S. Shatto Pl
Los Angeles, CA 90005

Place of Mailing: 500 West Temple Street, Los Angeles, California 90012
Executed on July 17, 198⁵ at Los Angeles, California.

(over)