

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

LEONARD CAMPBELL, et al.,)
)
 Plaintiffs)
)
 v.)
)
 ANDERSON McGRUDER, et al.,)
)
 Defendants)

Civil Action No. 1462-71

FILED
APR 17 1974

JAMES F. DAVEY
CLERK

SECOND AMENDED CONSENT ORDER

The Consent Order issued on November 10, 1971, and amended January 11, 1972, is hereby revoked this 17 day of April, 1974. Pursuant to Rule 23 of the Federal Rules of Civil Procedure, the court has determined that this action shall be maintained as a class action and has entered an order to that effect. Upon consideration of the representation of counsel for the respective parties that all parties agree that the following provisions shall obtain pending final determination of this matter on the merits, it is hereby

ORDERED that defendants, their agents and employees shall permit plaintiffs' counsel and agents free access to all inmates of the D. C. Jail and shall not impede or delay plaintiffs' counsel or their agents from conferring with any inmate of the D. C. Jail;

That defendants, their agents and employees shall not take any action by use of force, restraint, threat or transfer from the general population upon any inmate of the D. C. Jail calculated to or tending to deter their cooperation with plaintiffs' counsel in this case.

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That defendants, their agents and employees shall not confine any inmate of the D. C. Jail in the treatment segregation cells or the "penthouse" cells except under emergency conditions when the safety of one or more persons is threatened, in which event the inmate confined shall be given an immediate administrative hearing, no later than 24 hours from the beginning of the confinement, and sooner if possible, at which he shall be entitled to representation;

That defendants, their agents and employees, in the event an inmate is confined or is to be confined in treatment segregation or "penthouse cells" pursuant to the above described emergency conditions, shall inquire of the inmate the name of his attorney and shall call the recording telephone at the Georgetown Criminal Justice Clinic at 638-0022 within one hour of the alleged violation and report the following: inmate's name; DCDC number; attorney's name if known; a brief description of the events; the scheduled time for the hearing; and the present location of the inmate;

That upon receipt of the telephone transmission pursuant to the above paragraph, the Georgetown Criminal Justice Clinic shall attempt to contact the inmate's counsel, if known, by telephone, and in the event that counsel is unknown, unavailable, unable, or unwilling to represent the inmate at the hearing, the Clinic shall arrange for representation either by legal counsel or by a third-year law student from a list approved by the Criminal Justice Clinic, and at the discretion of the Public Defender Service, their designated employees may accompany said counsel or student representatives at said hearings;