



JC-DC-001-011

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

MAR 21 1975

CAMPBELL, et al., :
 :
 Plaintiffs, :
 :
 v. :
 :
 McGRUDER, et al., :
 :
 Defendants. :

JAMES E. DAVEY, Clerk

Civil Action No. 1462-71

MEMORANDUM AND ORDER

This is a class action brought by unconvicted pre-trial detainees incarcerated at the District of Columbia Jail.

Plaintiffs seek a declaratory judgment that their constitutional rights are being violated by the conditions of their confinement, and an order enjoining defendants from continuing to violate their rights.

Upon consideration of the evidence adduced at the trial of this matter and the representations of counsel for the parties, the court finds that the District of Columbia Jail is overcrowded to the point where two human beings are compacted in areas which fall short of accepted minimal space requirements for occupancy by one person. No attempt was made to rebut, or even cast doubt upon the accuracy of abundant testimony from credible witnesses that

the overcrowding at the jail results in both physical and psychological damage to the inmates, and ultimately is inimical to the orderly and fair administration of criminal justice.

The court concludes that by reason of the overcrowding alone, plaintiffs' constitutional rights are being violated, and that plaintiffs are entitled to prompt relief, and therefore ORDERS:

1. That not later than Tuesday, March 25, 1975 the defendants shall provide all counsel a list of all District of Columbia Jail residents who are not presently serving a sentence or awaiting sentence after conviction. Such listing shall include the name of the resident, D.C.D.C. Number, court and case number, charge, parole status, detainers, if any, date of incarceration at the jail, amount of bail bond set, and the name, address and telephone number of the detainee's counsel of record;

2. That counsel for plaintiffs shall immediately make every effort to implement the procedures governing the release of criminal defendants prior to trial as they relate to all members of the class.

3. That after 15 days from the date of this order defendants shall refrain from housing any pre-trial detainee of plaintiffs' class in any cell, room or

Dated: March 21, 1975

Will B. Smith
JUDGE

dormitory where there is an average of less than
48 square feet per person.