

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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

C.A. No. 1462-71

FILED

SEP 15 1982

ORDER

CLERK, U.S. DISTRICT COURT
DISTRICT OF COLUMBIA

Pursuant to this court's order of November 5, 1976 requiring defendants to develop a classification system for deciding which inmates, if any, could have contact visits without jeopardizing security, defendants have informed the court that no inmates may receive contact visits. The ban on contact visits at the D.C. Jail satisfies the constitutional standards articulated in Bell v. Wolfish, 441 U.S. 520 (1979). For the reasons stated in this court's memorandum of September 15, 1982, plaintiffs' prayer for contact visits is DENIED.


UNITED STATES DISTRICT JUDGE

Date: September 15, 1982

(N)

Campbell v. McGruder



JC-DC-0001-0084

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DISTRICT OF COLUMBIA

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

C.A. No. 1462-71

.....

INMATES, D.C. JAIL, et al., :
:
Plaintiffs, :
:
v. :
:
DELBERT JACKSON, et al., :
:
Defendants. :

C.A. No. 75-1668

.....

LANA PHOEBE GARNES, et al., :
:
Plaintiffs, :
:
v. :
:
PATRICIA P. TAYLOR, et al., :
:
Defendants. :

C.A. No. 159-72

MEMORANDUM

Prétrial and post-trial detainees at the District of Columbia Jail and the Women's Detention Center do not enjoy contact visits--visits during which they may touch their friends and relatives, unhampered by glass or bars. The detainees have challenged the contact visit ban in three related lawsuits--

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Campbell v. McGruder, C.A. No. 1462-71; Inmates, District of Columbia Jail v. Jackson, C.A. No. 75-1668; and Garnes v. Taylor, C.A. No. 159-72. The court has, in the course of adjudicating these lawsuits, either ordered or contemplated ordering defendant jail officials to permit contact visits at the D.C. Jail and the Women's Detention Center. In this memorandum, the court reviews the current ban on contact visits in light of the standards set forth in Bell v. Wolfish, 441 U.S. 520 (1979), and finds that the ban is constitutional.

PROCEDURAL HISTORY

The contact visits issue in the three jail cases under the court's jurisdiction is procedurally complex.

The contact visits issue arose initially in Campbell v. McGruder, a suit brought by unconvicted pretrial detainees at the District of Columbia Jail. In that case, the court ordered defendants to "[e]stablish a classification system which will make it possible to determine ... which members of class can enjoy contact visits without jeopardizing the security of the facility." Campbell v. McGruder, 416 F. Supp. 100, 105 (D.D.C. November 5, 1976). The court's order was premised on the general due process principle that "the liberty of pretrial detainees..., to whom a presumption of innocence attaches, may not be more severely circumscribed than is absolutely necessary for the security of the institution." Campbell, Clarification on Remand, June 4, 1976 at 1. The Campbell order was appealed to the Court