



JC-GA-012-001

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF GEORGIA

ALBANY DIVISION

JOHNNY C. WILSON, et al.,)	
)	
Plaintiffs,)	CIVIL ACTION NO. 75-36-ALB
)	
UNITED STATES OF AMERICA,)	<u>CONSENT DECREE</u>
)	
Plaintiff-Intervenor,)	
)	
v.)	
)	
OREE THOMPSON, Sheriff of)	
Early County, Georgia,)	
)	
Defendant.)	

The Plaintiff-intervenor, United States of America, having filed a motion to add the defendant Oree Thompson as a named party in this action for purposes of enforcing the Court order of June 27, 1968, in Wilson v. Kelley, 294 F. Supp. 1005 (N.D. Ga. 1968), aff'd 393 U.S. 266 (1968), said motion having been granted, and the plaintiff-intervenor and the defendant having stipulated and agreed that:

1. The defendant, Oree Thompson, is the Sheriff of Early County, Georgia. Under Georgia law, he is responsible for the operation and maintenance of the Early County Jail.

2. The defendant, Oree Thompson, as Sheriff of Early County, Georgia, is bound by the Court's order entered on June 27, 1968, in Wilson v. Kelley, supra, which required, inter alia, that all sheriffs of the State of Georgia and their successors in office desegregate their penal facilities on or before January 1, 1968.

3. The United States alleges in its Motion to Add Named Party-Defendant that the Early County Jail is a racially segregated facility, in violation of the Court's order of June 27, 1968. The defendant has agreed to comply with the Court's order of June 27, 1968, with Title III of the Civil Rights Act of 1964, and with the provisions of the Fourteenth Amendment of the Constitution of the United States. The plaintiff-intervenor and the defendant therefore have agreed to the entry of this decree.

NOW, THEREFORE, without trial upon the merits and upon consent of the parties, it is hereby ORDERED, ADJUDGED and DECREED that the defendant, Oree Thompson, Sheriff of Early County, Georgia, together with any agents, employees, successors, and any persons in active concert or participation with him in the operation of the Early County Jail, is hereby permanently enjoined from:

1. Assigning prisoners charged to his custody to cells and cellblocks in the Early County Jail on the basis of race, color, religion or national origin.

2. Failing or refusing to design and implement a standard system of prisoner classification and assignment not related to race, color, religion or national origin.

3. Failing or refusing forthwith to desegregate all facilities of the Early County Jail.

4. Scheduling any inmate activities, programs or privileges, including recreation or visitation, or making any job assignments, such as trusty status, in any manner which has the purpose or effect of segregating inmates on the basis of race, color, religion or national origin.

5. Failing or refusing to prepare and maintain adequate records of the classification and assignment of prisoners to cells and cellblocks, such records to indicate the basis for such classification and assignment, and to be maintained and kept for a period of twenty-four months from the time the prisoner is charged to the custody of the defendant. Such records shall show initial assignments by race and any subsequent changes in assignments of each inmate to cells and cellblocks.

IT IS FURTHER ORDERED THAT:

6. Within sixty (60) days of the entry of this decree, defendant Oree Thompson shall submit a written notification of his compliance with the terms of this

decree to the Court, furnishing a copy thereof to the plaintiff-intervenor, the United States of America.

7. Representatives or agents of the plaintiff-intervenor United States shall have reasonable access to the prisoner classification and assignment records referred to in paragraph 5 and to the Early County Jail to determine whether the defendant remains in compliance with the June 27, 1968, order entered in Wilson v. Kelley, supra. Such inspections shall be at reasonable times and intervals. Nothing contained herein shall be deemed to nor shall prohibit the United States from investigating any complaints of violations of federal law involving the Early County Jail or its officials whenever such complaints are received.

Each party shall pay his own costs incurred to the date of this decree.

The Court retains jurisdiction of this action for all purposes.

A copy of this decree shall be served on the defendant Oree Thompson by the United States Marshal no later than five days after such decree has been entered by the Court.

