



IN THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
 WYANDOTTE COUNTY, KANSAS, et al.)
)
 Defendants.)

CIVIL ACTION NO. KC-3163

FILED

JAN 29 1974

FINAL ORDER

ARTHUR G. JOHNSON, Clerk
By *[Signature]* Deputy

Upon the basis of the opinion and order of the United States Court of Appeals for the Tenth Circuit entered in the above cause on June 21, 1973 (No. 72-1633) and pursuant to the mandate of the court of appeals filed with this court on July 16, 1973,

IT IS ORDERED, ADJUDGED AND DECREED:

- (1) That the defendants, their successors in office, agents, servants, and employees, be permanently enjoined from engaging in any act or practice which has the purpose or effect of discriminating against any prisoner in the operation of the Wyandotte County Jail and any other penal facility or operation in their custody and control, on account of race, color, religion or national origin.

(2) That the defendants, their successors in office, agents, servants and employees, design and implement a standard system of prisoner classification and assignment not related to race, color, religion or national origin, so that no prisoner in the Wyandotte County Jail or in any other penal facility or operation under the defendants' control will be assigned to cells, tanks or any other area of the jail or other facilities on the basis of race, color, religion or national origin.

(3) That the defendants, their successors in office, agents, servants and employees, take the necessary and appropriate steps to completely desegregate the county jail and any other penal facility or operation in their custody and control within a period of thirty days from the date of this order.

(4) That the defendant Bert Cantwell, as Sheriff of Wyandotte County, Kansas, or his successor in office, within thirty days from the date that complete desegregation of the Wyandotte County Jail has been ordered, furnish the Court a report showing the current cell assignment of all prisoners in the jail. Such report shall list the name, age, race, sex and cell location, i.e., East Tank, West Tank, Northeast Tank, Northwest

Tank, juvenile and female areas, etc., for each prisoner. In addition, the report should show the status of each prisoner including the charge, whether felony or misdemeanor, whether pre-trial detainee or convicted prisoner and whether federal or state prisoner. A copy of such report shall be furnished to the plaintiff United States.

(5) That the defendant Bert Cantwell, as Sheriff of Wyandotte County, Kansas, his successors in office, agents, servants and employees shall prepare and maintain in their files records of all prisoners subsequently incarcerated in the county jail containing the information required in paragraph (4) above, until the further order of this court.

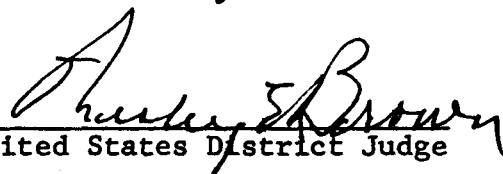
(6) That the plaintiff United States through its agents and employees shall have access to all of the facilities of the county jail at any reasonable time for the purpose of inspecting the facilities and the records required to be maintained by the defendants.

It is further ORDERED that the costs incurred in this proceeding be and they are hereby taxed against the defendants.

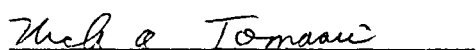
The court specifically retains jurisdiction of this case for all purposes.

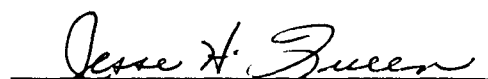
The clerk is directed to forward copies of this order to the plaintiff and to the following defendants: James P. Davis, Chairman of the Board of Commissioners of Wyandotte County, Kansas; Robert Hart and Matthew Podrebarac, Members of the Board of Commissioners of Wyandotte County, Kansas; Bert Cantwell, Sheriff of Wyandotte County, Kansas; and Grover Patton, Deputy Sheriff and Warden of the Wyandotte County Jail.

At Wichita, Kansas, this 29 day of June, 1974.


United States District Judge

The undersigned agree to the entry of this order:


Nick A. Tomasic
Attorney for the Defendants


Jesse H. Queen
Attorney
Department of Justice
Washington, D. C. 20530