



JC-LA-003-016

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

LOUIS HAMILTON

CIVIL ACTION

VERSUS

NO. 69-2443

ERNEST N. MORIAL

SECTION "LLM"

CONSENT DECREE

On April 20, 1992, plaintiffs filed a Motion for a Preliminary Injunction seeking to enjoin certain alleged disciplinary conditions and practices regarding the confinement of juveniles at the Orleans Parish Prison. An order prohibiting corporal punishment was rendered by Minute Entry dated April 29, 1992, and is incorporated into this decree by reference. In lieu of proceeding to trial, the parties have agreed to the following terms which shall be entered as the order of the Court:

1. The Sheriff will not confine individuals under the jurisdiction of the juvenile court in adult facilities of the Orleans Parish Criminal Sheriff's Office, except for booking purposes up to twelve (12) hours. During this period, the individual shall be sight and sound separated from adult prisoners;

2. Disciplinary sentences will not exceed fifteen (15) days for a single incident.

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3. The Sheriff will not confine juveniles for consecutive disciplinary sentences for conduct arising out of the same incident. (The individual shall serve his sentence, return to population, and only return to lock-down if there is a new incident resulting in a disciplinary hearing and finding.);

4. The Sheriff shall provide each individual in disciplinary lock-down one (1) hour per day of out-of-cell time and one (1) hour per week of outdoor exercise. This activity shall occur between the hours of 6:00 a.m. and 10:00 p.m.;

5. The Sheriff shall provide security-appropriate furniture in the juvenile disciplinary unit for individuals to sit on during the day; (in two-man cells, this can be satisfied by allowing inmates to sit on their beds during the day);

6. The Sheriff shall provide individuals in the juvenile disciplinary unit with a toothbrush, tooth paste, soap and toilet paper. In addition, while uniforms are being laundered, suitable clothing shall be issued until the laundry is returned.

[] The entry of this consent decree shall not be deemed as an admission by defendant of any of plaintiffs' allegations or of fault or liability with respect thereto. The defendants still deny plaintiffs' allegations and deny fault and liability. Plaintiffs reserve the right to seek attorneys' fees and other appropriate relief. All parties reserve all rights to seek modification of this decree if circumstances change and either party believes

modification is justified.

Agreed this 18th day of May, 1992.

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^{As to form}
Approved this 20th day of July, 1992.
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Alma H. Piner
UNITED STATES MAGISTRATE JUDGE

Approved this 7th day of August, 1992.

Laurie L. Mitchell
UNITED STATES SENIOR DISTRICT JUDGE