

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
HATTIESBURG DIVISION

BRUCE L. CROSBY, et al.,

Plaintiffs,

UNITED STATES OF AMERICA,

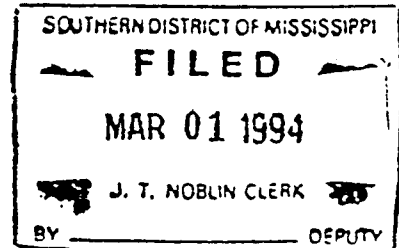
Plaintiff-Intervenor,

v.

JONES COUNTY, MISSISSIPPI, et al.,

Defendants.

Civil Action No.
H92-0235 (P)(N)



CONSENT ORDER

Crosby & U.S. v. Jones Co.



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- A December 16, 1992 Stipulations
- B Preliminary Plan of New Jail Facility

I. DEFINITIONS

1. "Plaintiffs" shall refer to the class of all individuals who are now, or in the future will be, incarcerated at the Jones County Jail (hereinafter "Jail") in Laurel, Mississippi.

2. "Defendants-Jones County" shall refer to Jones County, Mississippi, the members of the Jones County Board of Supervisors, and their agents and successors in office. "Defendants-Sheriff" shall refer to the Sheriff of Jones County, the Chief Correctional Officer of Jones County, and their agents and successors in office. Whenever "Defendants" is used in this document, it shall refer to both the Defendants-Jones County and the Defendants-Sheriff.

3. "Plaintiff-Intervenor" shall refer to the United States of America.

4. The terms "inmate" or "inmates" shall refer to one or more individuals sentenced to, incarcerated in, detained at, or otherwise confined at either the existing Jail or any facility that is built to replace the Jail.

5. When referring to the existing Jail, the term "cell" shall refer to the inmate living areas on the second floor of the Jail that currently contain four beds each. The term "bullpen" shall refer to the inmate living areas on the second floor of the Jail that currently contain three areas of six beds and a dayroom each. The term "special needs cell" shall refer to the cells on the first floor of the Jail that are suicide resistant and contain one bed each. The term "trustee cells" shall refer to the

inmate living areas on the first floor of the Jail that currently contain eight beds and are used to house trusty inmates and inmates on the road crew. The term "special needs inmates" shall refer to those inmates who are suicidal, mentally ill, mentally retarded, intoxicated or otherwise a danger to themselves or others.

II. BACKGROUND

6. This action was filed on October 20, 1992, as a class action by three inmates of the Jail. The Complaint challenged conditions and treatment of inmates at the Jail and sought declaratory and injunctive relief. On October 19, 1993, pursuant to Federal Rules of Civil Procedure 23(a) and (b)(2), the Court certified this action as a class action. The certified class consists of "all persons who are now, or in the future will be, incarcerated at the Jones County Jail."

7. On November 19, 1992, a status conference was held. The Court, pursuant to Rule 19 of the Federal Rules of Civil Procedure, added the Jones County Property Owners Association as a party Defendant. The parties, including the Jones County Property Owners Association, agreed that Jones County should make provisions for the construction of a new jail. On November 23, 1992, the parties were ordered to attempt to stipulate to non-contested facts concerning the issues in this case. In addition, the parties were to submit nominees for a committee, comprised of citizens of Jones County, that would attempt to

resolve the issue of a new jail. Discovery and all other proceedings were stayed until April 1, 1993.

8. On December 16, 1992, the parties submitted their stipulations of non-contested facts. The stipulations are attached as Appendix A.

9. On April 1, 1993, the Court accepted the committee's report and found that all parties agreed with its finding that Jones County should construct a new jail facility. The Court ordered Jones County to issue expeditiously general obligation bonds, secure suitable property and otherwise carry out the committee's recommendation that Jones County build a new jail.

10. On May 17-18, 1993, pursuant to the Civil Rights of Institutionalized Persons Act, 42 U.S.C. § 1997 et seq., and independent of the Complaint filed by Plaintiffs, the United States toured the Jail with experts in the fields of penology, correctional health care and environmental sanitation. On June 4, 1993, the United States issued a findings letter notifying the appropriate Jones County officials of the results of its investigation and tour of the Jail. On September 20, 1993, the United States filed a Motion to Intervene and Complaint in Intervention. On September 29, 1993, the Court granted the United States' Motion to Intervene.

11. The parties agree that this case is particularly appropriate for settlement rather than litigation. After discussions among the parties, this Consent Order covering the following provisions was agreed upon.

III. NEW JAIL CONSTRUCTION

12. The Defendants shall make appropriate arrangements for the financing, design and construction of a new jail facility to replace the existing Jail. The Defendants have selected a site for the new jail and secured funds, through the issuance of general obligation bonds in the amount of \$3,000,000, to finance its construction. A preliminary plan of the new jail is attached as Appendix B. The Defendants shall accomplish the following tasks within the following time frames:

<u>Task</u>	<u>Date of Completion</u>
Final plans and specifications	December 28, 1993
Advertise for construction bids	January 31, 1994
Awarding of contracts	February 7, 1994
Notice to proceed issued to contractor	March 1, 1994
Completion of construction	February 28, 1995
Occupancy	March 14, 1995

13. The specific levels of inmate services and privileges discussed below have been agreed upon in light of the physical limitations of the existing Jail facility. The parties agree to consult during the design of the new jail facility as to the appropriate levels of services at the new jail, and as to the levels of staffing necessary to implement the services.

IV. ADDITIONAL SUBSTANTIVE PROVISIONS

A. Policies and Procedures

14. The Defendants-Sheriff shall draft a staff manual delineating the general policies and procedures of the Jail. The

Defendants-Sheriff shall ensure that the Jail is strictly operated according to such policies and procedures. The staff manual shall include, but not be limited to, all policies and procedures described in this Order.

15. The manual set out in the above provision shall be distributed to every staff member having contact with inmates at the Jail. All staff members must sign a statement indicating that they have read and understand the manual. The manual shall be reviewed annually by the Defendants-Sheriff and updated.

16. The Defendants-Sheriff shall draft an inmate handbook delineating the general policies and procedures of the Jail. The handbook shall include, but not be limited to, all policies and procedures described in this Order which relate to inmates, the rules of the Jail, schedules for visitation, exercise and recreation at the Jail, reference to this Order, a description of the process for obtaining bond and an attorney, a description of the disciplinary procedure, a list of the legal materials available to the inmates and a description of the process by which inmates may obtain use of such materials, a description of the emergency procedures at the Jail, a list of the requirements and procedures for becoming a trusty and participation in any work privileges program. Counsel for the Plaintiffs and Plaintiff-Intervenors shall work with the Defendants in the preparation of the handbook.

17. The inmate handbook shall be distributed to every inmate within twenty-four hours of arrival.

B. Fire Safety

18. The Defendants shall make the following renovations to the Jail:

- a) build a second means of egress and fire escape on the north side of the Jail, with a fenced, secured area on the ground floor outside of the Jail;
- b) provide a sufficient number of keys, color coded or otherwise readily identifiable during emergencies, so as to ensure swift evacuation in case of emergency;
- c) remove all chains and padlocks from all doors;
- d) repair or replace all non-functioning cell doors to ensure that such doors are fully operational and inmates can be promptly released in case of fire;
- e) install, repair or replace all smoke detectors in the Jail so that all are operational and that all have two power sources, one of which shall be auxiliary to ensure that the smoke detectors operate even during electrical power failures;
- f) install emergency lights within the Jail to ensure that means of egress are illuminated in case of emergency;

- g) provide fire hoses or extinguishers throughout the facility;
- h) provide equipment necessary to maintain essential lights, power and communication in emergencies;
- i) install an additional electrical outlet in each cell and cease the use of any extension cords and electrical outlet adapters;
- j) discard all polyurethane mattresses and replace same with fire retardant mattresses approved for use in correctional institutions;
- k) provide adequate space for storage of inmate property;
- l) ensure that any fans brought in by inmates are in good working order and do not create fire hazards and cease the use of portable heaters. This provision does not relieve the Defendants from providing adequate temperature control at the Jail.

19. Defendants-Sheriff shall develop and implement a written policy and procedure for fire prevention at the Jail which shall include, but not be limited to, the following:

- a) inspection and testing of equipment at least quarterly by local or state fire officials;

- b) inspection of the Jail every six (6) months by local or state fire officials;
- c) an evacuation plan which shall be certified by an independent outside inspector trained in the application of fire safety codes; and
- d) a plan for the storage and use of all flammable, toxic, and caustic materials in accordance with all applicable laws and regulation.

20. Jail staff shall be trained in fire prevention and emergency procedures.

21. Fire drills shall be conducted every three (3) months. Fire drills shall include all inmates, except when removal of extremely dangerous inmates would compromise the safety of the facility. In such event, actual evacuation of such inmates is not required, although staff relevant to supervising such inmates shall be required to execute their roles in the drills.

C. Bedspace, Overcrowding, and Inmate Classification

22. The Defendants shall not house any inmate in the special needs cells in excess of forty-eight (48) hours, except for good cause shown. The special needs cells shall be used exclusively to house special needs inmates temporarily, as such inmates are defined in this Order. In addition, the Defendants shall not house more than one (1) inmate in each individual special needs cell and the special needs cell beds shall not be

counted toward the total bedspace and population capacity of the Jail.

23. The current population capacity of the Jail is seventy-two (72). Beginning January 15, 1994, the Defendants shall reduce the population capacity by one (1) inmate per month. The schedule for the population capacity shall be:

<u>Date</u>	<u>Population Capacity</u>
1/15/94	seventy-one (71)
2/15/94	seventy (70)
3/15/94	sixty-nine (69)
4/15/94	sixty-eight (68)
5/15/94	sixty-seven (67)
6/15/94	sixty-six (66)
7/15/94	sixty-five (65)
8/15/94	sixty-four (64)
9/15/94	sixty-three (63)
10/15/94	sixty-two (62)
11/15/94	sixty-one (61)
12/15/94	sixty (60)
1/15/95	fifty-nine (59)
2/15/95	fifty-eight (58)

24. No inmates shall be housed in cells, bullpens or other areas where there are fewer beds than inmates in the area, and no inmates shall be made to sleep on the floor or in any place other than a bed.

25. In the event of the Defendants' housing more inmates in the Jail than the population capacity set out above, the Defendants shall make all efforts to reduce the population to the capacities set out above. If the Jail's population exceeds the population capacity twelve (12) days or more in any thirty (30) day period, the Defendants shall retain the services of an expert to evaluate alternatives to incarceration for the Jones County criminal justice system. If, after the expert's evaluation of the alternatives to incarceration for the Jones County criminal justice system, the Jail's population exceeds the population capacity twelve (12) days or more in another thirty (30) day period, the Defendants shall implement the reasonable recommendations of the expert on alternatives to incarceration.

D. Staffing and Operational Procedures

26. To maintain safety and security within the Jail and to implement the terms of this Order, the Defendants shall ensure that there are at least three (3) officers on duty for the day shift and that there are at least two (2) officers on duty for the night shift. There shall be at least one (1) female officer on duty at all times when one or more females are housed in the Jail.

27. The Defendants shall establish a jail officer's station on the second floor of the Jail. The station shall have an officer present and on duty at all times and shall have two-way audio communication capability with the control room on the first floor of the Jail.

28. The Defendants shall ensure that the Jail has sufficient staff to implement all terms of this Order. In addition, sufficient staff shall be hired and trained such that the required staffing levels can be maintained even during periods of staff illness or vacation.

29. The Defendants shall ensure that current and new jail staff members are sufficiently well-trained to be able to implement the terms of this Order. Such training shall include, but not be limited to, appropriate training to become certified in CPR (cardiopulmonary resuscitation), training by Jones County mental health professionals to recognize special needs inmates and training on how to deal with such inmates, and training by a local medical professional on the administration of medicine and on the side-effects of medications commonly administered at the Jail. Any new jail staff members shall be trained within sixty (60) days of their hiring. In addition, the Chief Correctional Officer shall be sent, at county expense, to the jail manager's training program at the National Institute of Corrections' National Jail Center.

30. At regular intervals no less frequent than every thirty minutes, the Jail staff shall conduct an inspection of the Jail. The inspection shall include direct, visual, logged inspection of every cell and bullpen area in the Jail.

31. The Defendants shall develop and implement written policies and procedures to classify inmates appropriately. Such procedures shall ensure, at a minimum, that, as much as possible

given the physical plant of the Jail, no inmates awaiting trial or serving time on misdemeanor charges shall be housed with any inmate awaiting trial or serving time on felony charges. For the purposes of this paragraph, any inmate awaiting trial or serving time on both felony and misdemeanor charges should be considered in the felony category.

32. No juveniles shall be housed in the Jail in a manner contrary to the law.

33. As much as possible given the physical plant of the Jail, no inmate awaiting trial shall be housed with any inmate already convicted or serving a sentence.

34. The Defendants shall develop and implement written policies and procedures prohibiting law enforcement officers from bringing firearms into the Jail. Any law enforcement officer violating the procedures shall be subject to disciplinary action.

35. The Defendants shall develop and implement written policies and procedures prohibiting inmates from having money in their possession while in the Jail. The Defendants shall establish an inmate commissary, through which inmates may purchase personal items, the profits of which shall be used according to state law. An inmate account system shall be established and maintained whereby inmates may obtain items from the Jail commissary and have the cost debited directly from their account. The Defendants shall ensure that inmate financial accounts are maintained using accepted accounting practices, and that inmate receipts and disbursements are fully documented.

be repaired and maintained so that they can be opened and completely closed.

F. Plumbing and Lighting

41. The Defendants shall repair and maintain all leaking or inoperative toilets, showers, and sinks in the Jail.

42. The Defendants shall repair or replace any inoperative existing lighting fixtures in the cells and bullpens, and shall maintain them in working order.

G. Maintenance and Sanitation

43. The Defendants shall, within sixty (60) days of the entry of this Order, thoroughly clean, fumigate, and paint the interior of the Jail.

44. The Defendants shall at least once a month remove old stains and scale/shower film and sanitize each bullpen and cell area. This cleaning may be done by inmates or trusty-inmates, under direct staff supervision, or may be done by outside cleaning personnel. This cleaning shall be in addition to ongoing daily maintenance and sanitation, discussed below.

45. The Defendants shall ensure that all inmate living areas are cleaned on a daily basis. The Defendants shall develop and implement written policies and procedures to ensure the daily cleaning of all inmate living areas. The Defendants shall have available adequate scrub brushes to ensure the cleanliness of toilets, wash basins, showers and floors in each cell area. While inmates may perform the daily cleaning work, it shall be

the responsibility of the Jail staff to inspect the cells and bullpens regularly to maintain sanitary conditions.

46. The Defendants shall contract with a pest control service to spray the Jail monthly. The Defendants shall recall the service whenever needed.

47. The Defendants shall replace and maintain all shower curtains in the Jail.

H. Food and Water Service

48. The Defendants shall immediately begin serving three (3) meals a day to all inmates; two of the three meals must be hot. The menus of all meals served at the Jail shall be created by a trained dietician and shall be followed carefully.

49. In order to ensure that inmates do not strong-arm weaker inmates for their food, Jail staff shall monitor inmate living areas immediately after serving meals.

50. The Defendants shall provide inmates with sanitary or potable drinking water. The recently adopted method of providing fresh ice water in coolers in each cell and two coolers in each bullpen is sufficient to satisfy this provision.

I. Medical Care

51. In consultation with a qualified health professional and in accordance with accepted corrections standards, the Defendants shall revise and update as necessary the health screening form used to evaluate all inmates upon their admission to the Jail.

52. The Defendants shall maintain adequate and appropriate medical records on all inmates at the Jail.

53. The Defendants shall implement regular sick calls at the Jail at least three times a week where a qualified health care professional shall be available to examine any inmates who have indicated that they are experiencing health problems. If the health care professional recommends that any inmate needs further medical treatment or review, the Defendants shall promptly arrange for such treatment and shall promptly transport the inmate to obtain such treatment. Inmates shall be permitted to access the regular sick calls through a written request system; illiterate inmates shall be permitted to orally access the system by requesting access through a Jail officer, who must, as soon as reasonably possible after the oral request, fill out a request slip for the inmate. In addition, the Defendants agree that the medical examining room shall be adequately equipped in accordance with professional standards.

54. The Defendants shall continue their recently adopted system of using Emergency Medical Technician Paramedics to perform initial screening of medical emergencies at the Jail to determine if an injured or ill inmate should be taken to the hospital.

55. The Defendants shall provide emergency dental health care to inmates at the Jail. Such services shall not be limited to extractions.

56. No inmate shall be disciplined for or otherwise be discouraged from accessing the health care delivery system.

J. Exercise and Recreation

57. The Defendants-Sheriff shall make all reasonable efforts to provide outdoor recreation to inmates held at the Jail for thirty (30) consecutive days or longer.

58. The Defendants shall purchase exercise equipment designed for use in correctional facilities and install such equipment in the dayroom on the second floor of the Jail.

59. The Defendants shall develop and implement written policies and procedures to ensure that inmates are provided access to the indoor exercise equipment and adequate space for exercise for a minimum of two (2) hours per day, five (5) days per week.

60. At their own expense, inmates may receive by mail direct from the publisher, and keep for a limited period of time, a reasonable number of periodicals, newspapers, books and reading material, so long as such materials do not create a fire hazard.

K. Visitation and Outside Contact

61. The Defendants shall expand visitation hours to permit each inmate to receive at least two (2) hours of visitation time per week, the time divided into two visitation periods. The visitation periods shall include one visitation period on a non-weekend day.

62. The Defendants shall make reasonable efforts to allow visitors from outside of the local area visitation time in situa-

tions where the visitor cannot often travel to Jones County and cannot visit during the regularly scheduled visitation hours.

63. Visits by persons providing services or assistance such as ministers, physicians, mental health or addiction therapists, probation officers, attorneys and legal assistants providing inmate legal services shall not count against general visitation opportunities.

64. Persons described in the preceding paragraph shall be allowed to visit inmates any reasonable time between 9 a.m. and 5 p.m. for a reasonable length of time. In emergency cases, such persons shall also be allowed to visit at other times.

65. If an inmate or an inmate's spouse, parent, or child is hard of hearing, elderly, infirm, or otherwise unable to visit through the standard visiting procedures, the Defendants-Sheriff shall make reasonable efforts to provide the inmate with contact visits with the disabled visitor.

66. The Defendants shall install two (2) additional telephones in the dayroom on the second floor; bringing the total number of telephones in that dayroom to three (3). The telephones currently in the bullpens shall be maintained.

L. Hygiene and Personal Items

67. The Defendants shall provide inmates with a mattress, mattress cover and a towel. The Defendants shall purchase enough uniforms to provide inmates with clean clothes if such is not otherwise available. All mattress covers, towels, inmate clothes and uniforms shall be cleaned at least once per week.

68. All inmates confined or expected to be confined in the Jail for twenty-four (24) or more hours shall be provided with an adequate supply of soap, hair shampoo, toothbrushes, toothpaste, toilet paper, a comb, and shaving equipment.

69. All female inmates shall be provided a reasonable supply of sanitary napkins upon request.

M. Access to Courts

70. The Defendants shall provide to any inmate a reasonable amount of paper, envelopes, writing implements, and postage for legal correspondence with attorneys, legal services or assistance organizations, and courts. The Defendants shall provide, free of charge for indigent inmates and at not more than \$.10 per page for others, sufficient photocopying of legal documents to satisfy court procedural requirements and to permit the inmate to retain a single copy of each document.

71. The Defendants shall provide to every inmate, not more than forty-eight hours after their initial appearance, reasonable telephone contact, free of charge, with the inmate's local attorney.

72. At no cost to the Defendants, inmates shall be permitted to purchase and receive whatever law books and other legal research materials that they wish. Inmates shall be permitted to keep these materials in their cells or bullpens consistent with security and fire safety requirements.

73. The Defendants shall provide inmates with immediate access to legal materials consisting of at least the following materials:

- a. a leading law dictionary;
- b. a simple book on criminal procedure, and a simple book on civil procedure;
- c. a simple treatise on evidence or trial techniques or practices;
- d. a general guide to legal research;
- e. current civil and criminal procedures rules, including local rules, and mailing addresses of the United States District Court for the Northern and Southern Districts of Mississippi, the Mississippi Supreme Court, and all local courts which have jurisdiction over inmates at the Jail;
- f. a current copy of the Mississippi Code Provisions, and an index of the Code to assist inmates in specifying the Code sections they need to review;
- g. a current copy of the Mississippi Digest and the West's Federal Practice Digest, with supplementary pocket parts and volumes;
- h. a number of self-help "how to" guides for legal issues in the state of Mississippi;
- i. the business address and phone number of the Jones County Public Defender's Office;
- j. a complete listing of the holdings of the law library in the Jones County Courthouse;
- k. five copies of this Order.

74. The above listed legal materials shall be available for use by inmates between, at a minimum, 8:00 a.m. and 5:00 p.m. The Defendants may, at their option, establish a room where inmates can be taken to use the legal materials, or may keep the materials in a Jail office and allow inmates to request that materials be delivered to their cells. Inmate requests for access to legal materials shall be met promptly.

75. The Defendants shall develop and implement policies and procedures to provide inmates with access to the legal materials

contained in the law library located in the Jones County Court-house. Such procedures shall either provide inmates with physical access to the law library or provide inmates with up to five (5) of the library's legal books a week. Such procedures shall ensure that inmates are provided with sufficient time in the library or provided with sufficient time with the books for meaningful legal research. In the event that an inmate is facing a specific court deadline or statute of limitation, the Defendants shall make reasonable efforts to allow the inmate additional access to legal materials if it is requested.

76. At the Defendants' option, a law library may be created for the exclusive use of the inmates, thereby eliminating the need for inmates to use the already existing law library in the building. In such an event, the parties shall confer to agree on what current and back volumes shall be purchased for the inmate law library.

N. Disciplinary System

77. The Defendants shall include the rules of the Jail, with a complete list of possible punishments for violations thereof, in the inmate handbook. Written notice of any rules violation, a hearing before a Jail officer not involved in the investigation of the rules violation and an appeal to the Chief Correctional Officer shall be provided to an inmate prior to any punishment being imposed, except that the Defendants may administratively segregate an inmate in emergency or life-threatening situations.

78. No corporal punishment shall be imposed on any inmate at the Jail.

79. The terms of this Order relating to safety, crowding, health, temperature, hygiene, food, and access to courts shall not be revoked or limited for any inmate for disciplinary reasons.

O. Special Needs Inmates

80. The Defendants shall develop and implement a Suicide Prevention Program at the Jail. The program shall include, at a minimum, all provisions set out in paragraphs eighty-one (81) through eighty-four (84) of this Order.

81. The Defendants shall construct and maintain two (2) suicide prevention cells, known as the special needs cells, which shall be used for persons identified as special needs inmates. The special needs cells shall be inspected by a jail suicide prevention expert. All reasonable changes recommended by the expert shall be completed within ninety (90) days after the expert issues his or her report.

82. The Defendants shall screen all inmates for suicide risk and other special needs prior to their admission to the Jail. Such screening shall thoroughly assess a potential inmate's mental health and shall comport with current mental health professional and correctional standards.

83. All Jail officers and other Jones County Sheriff's Department officers who come into contact with inmates shall be trained by a jail suicide prevention expert or licensed mental

health professional. Such training shall include, but not be limited to, the proper response to a suicide or suicide attempt, including how to cut down a hanging victim and other first-aid measures, the identification and screening of special needs inmates and training about the high-risk groups and periods for suicides and suicide attempts.

84. The Defendants shall develop and implement written policies and procedures on suicide prevention and the treatment of special needs inmates, which shall include, but not be limited to, the following:

- a) the placement of all special needs inmates in a special needs cell;
- b) the establishment of two levels of supervision of special needs inmates--"active" and "constant." Special needs inmates who are not currently suicidal shall be assigned to active supervision and visually monitored by Jail staff at irregular intervals no less frequent than fifteen minutes; special needs inmates who are currently suicidal shall be assigned to constant supervision and visually monitored at all times by a Jail officer. All monitoring shall be logged in a separate suicide watch book;
- c) the communication of information relating to special needs inmates between and among all

Jail staff members, between arresting and transporting officers and Jail staff, between Jail staff and Jail administration and between Jail staff and the special needs inmate;

- d) the notification by Jail staff to local or state mental health authorities that a special needs inmate (except intoxicated) has been admitted to the Jail;
- e) the notification to the special needs inmate's family that he or she has been admitted to the Jail;
- f) the assessment of all special needs inmates (except intoxicated) as soon as reasonably possible by a qualified mental health professional to assess the inmate's level of suicide risk;
- g) the establishment of a mechanism by which Jail staff will communicate with health care providers regarding the status of potentially suicidal inmates or inmates who have recently attempted suicide;
- h) the establishment of a mechanism by which Jail staff will refer potentially suicidal inmates and inmates who have recently

attempted suicide to mental health care providers or facilities for placement;

- i) the documentation of all attempted and completed suicides and notification to Jail administrators, outside authorities and family members of all attempted and completed suicides;
- j) the establishment of follow-up and administrative review procedures for all attempted and completed suicides, including the determination of what changes, if any, are needed in the Suicide Prevention Program.

V. TIMING OF COMPLIANCE

85. Except where otherwise specifically indicated, the Defendants shall implement all provisions of this Order within sixty (60) days of the entry of this Order.

86. Until such time that the new jail facility is completed, the Defendants shall, every thirty (30) days following the signing of the Order, file with the Court a status report stating the daily population of the Jail. The population status report shall detail how many men and how many women were incarcerated each day, and the number of inmates in each cell and bullpen.

87. Until such time as the new jail facility is complete, the Defendants shall, every ninety (90) days following the signing of this Order, file with the Court a status report stating

with specificity whether the Defendants are complying with each of the terms of this Order.

88. If the completion of the new jail facility is significantly delayed for any reason, the Plaintiffs and Plaintiff-, Intervenor shall have the right to seek additional relief from the Court.

VI. GENERAL PROVISIONS

89. The Defendants shall maintain sufficient records to document their compliance with all terms of this Order. Counsel for Plaintiffs and Plaintiff-Intervenors shall receive and have access to copies of all such documentation and all others which relate to the implementation of this Order. Counsel for Plaintiffs and Plaintiff-Intervenors shall be allowed access to any inmates who contact said counsel directly or indirectly, or who express their desire to meet with said counsel. Upon reasonable notice to the Defendants' counsel, counsel for Plaintiffs and Plaintiff-Intervenors shall have access to all staff and facilities as necessary to address issues affected by this Order. The Defendants' counsel may be present, if requested by the staff member, at any meeting between Plaintiffs' and Plaintiff-Intervenors' counsel and a staff member.

90. The Defendants shall immediately explain the terms of this Order to all persons connected with the Jail, including Jail staff and Sheriff's deputies, in order to ensure their understanding of the requirements of this Order and the necessity for strict compliance therewith. All Jail staff members and other

individuals providing services required by this Order shall sign a statement indicating that they have read and understand this Order; such statements shall be retained by the Defendants. The Defendants shall require strict compliance with this Order by, their respective employees, agents, assigns, or successors.

91. The Defendants shall provide continuous notice of this Order's terms to all members of the Plaintiff class by posting, within ten (10) days of the signing of this Order and continuously thereafter, one (1) copy near the "control room" on the first floor and two (2) copies in the dayroom on the second floor. In addition to the general posting of this Order, the inmate handbook described herein shall advise inmates of the fact that the Jail is being operated under the terms and conditions of an Order entered by the United States District Court for the Southern District of Mississippi and that upon request, any inmate shall be afforded a copy of the complete Order.

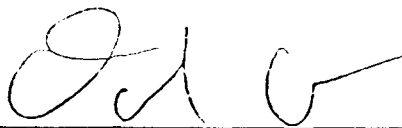
92. The Court shall retain jurisdiction in this case to ensure that this Order and all plans incorporated herein are fully implemented until one year after the new jail facility is occupied and with a finding by the Court that the Defendants have fully and faithfully implemented all terms of this Order. Such

jurisdiction includes the power to delineate the respective duties and responsibilities of the individual Defendants.

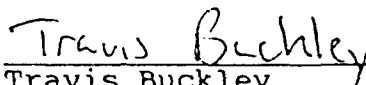
Agreed to by:

COUNSEL FOR PLAINTIFFS:

Date: January 8, 1994



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(504) 558-9867



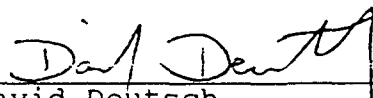
Travis Buckley
201 Front Street
Ellisville, MS 39437
(601) 477-8455

COUNSEL FOR PLAINTIFF-INTERVENOR:

Date: January 31, 1994



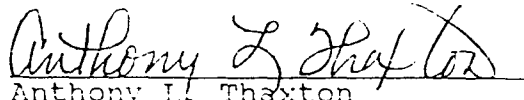
James P. Turner,
Acting Assistant Attorney General
Civil Rights Division
United States Department of Justice



David Deutsch
United States Department of Justice
Civil Rights Division
Special Litigation Section
Post Office Box 66400
Washington, D.C. 20035
(202) 514-6270

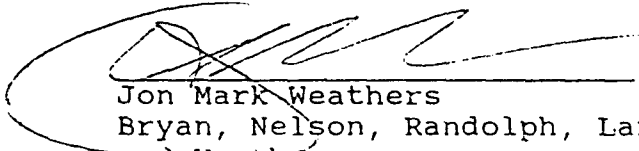
COUNSEL FOR DEFENDANTS-JONES COUNTY
AND JONES COUNTY BOARD OF SUPERVISORS:

Date: February 4, 1994
~~January 1~~


Anthony L. Thaxton
Douglas S. Boone
Trustmark National Bank Bldg.
415 Magnolia Street
Laurel, MS 39440
(601) 649-3351

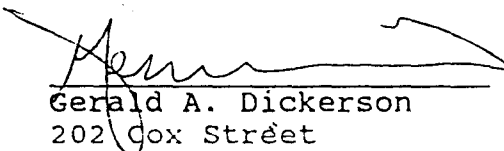
COUNSEL FOR DEFENDANTS-SHERIFF
MAURICE HOOKS AND CHIEF CORRECTIONAL OFFICER
LAFAYETTE NELSON:

Date: January 6, 1994

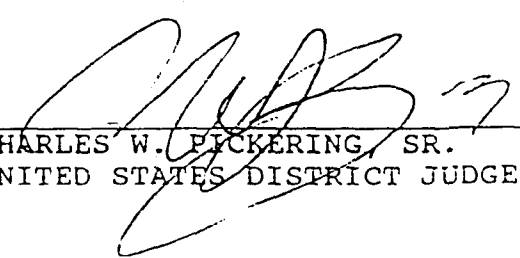

Jon Mark Weathers
Bryan, Nelson, Randolph, Land
and Weathers
Post Office Drawer 1857
Hattiesburg, MS 39403-1857
(601) 545-3550

COUNSEL FOR DEFENDANTS-JONES COUNTY
PROPERTY OWNERS ASSOCIATION:

Date: February 17, 1994
~~January 17~~


Gerald A. Dickerson
202 Cox Street
Lucedale, MS 39452
(601) 947-8127

It is hereby Ordered, this 15 day of March, 1994.


CHARLES W. PICKERING, SR.
UNITED STATES DISTRICT JUDGE