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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

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UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO

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CLERK - U.S. DISTRICT COURT

AMERICAN CIVIL LIBERTIES UNION OF NEW MEXICO,  
MONICA PIRO, BERNADINE MANTEROLA,  
MARTIN ESTRADA, KEVIN GIRON, ANDRES BARRAJAS,  
CHRIS PACHECO, ELIZAR LECHUGA, EDWIN GONZALES,  
MICHAEL PADILLA, MICHAEL MOUNTJOY, JOE VALENCIA,  
EUGENE GUTIERREZ, and JAMES IKO, individually,  
and on behalf of all other persons similarly situated,

Plaintiffs,

v.

CIV No. 97-1318 LH/WWD

BOARD OF COUNTY COMMISSIONERS OF THE COUNTY  
OF VALENCIA, NEW MEXICO, and VALENCIA COUNTY  
SHERIFF JUAN JULIAN, in his official capacity,

Defendants.

**FINAL JUDGMENT**

Defendants having served a Rule 68 offer to confess judgment as to all Plaintiffs and Plaintiffs having timely accepted the offer of judgment, judgment is hereby entered for Plaintiffs and against Defendants, as follows:

The Court finds:

1. On Wednesday, November 26, 1997, Defendant Board of County Commissioners of Valencia County passed Resolution Number 97-53, providing that:

a. The Board of County Commissioners will close the current Adult Detention Center on Monday, December 8, 1997.

b. The Board of County Commissioners will not open the current Adult Detention Center unless it meets appropriate minimum applicable standards as required by the County's experts and required government authorities.

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c. The Board of County Commissioners will direct the Administration to forthright [sic] execute all contracts necessary to train the Detention Officers in compliance with minimum applicable standards.

2. On Wednesday, November 26, 1997, Defendants served a Rule 68 offer to confess judgment as to all Plaintiffs which was timely accepted. The offer of judgment and Plaintiffs' acceptance of the offer are of record herein.

3. The terms of this judgment as of this date are narrowly drawn, extend no further than necessary to correct the violations of Federal rights alleged in the Complaint, are the least intrusive means necessary to correct those violations, and will not have an adverse impact on public safety or the operation of the criminal justice system.

5. This Final Judgment complies in all respects with the provisions of 18 U.S.C. Section 3626(a).

6. The Valencia County Adult Detention Center closed on Monday, December 8, 1997. This Final Judgment does not therefore constitute a prisoner release order directing the release or nonadmission of prisoners to a jail.

**WHEREFORE IT IS HEREBY ORDERED, ADJUDGED AND DECREED:**

1. Defendants shall comply with the provisions of their offer of judgment dated November 26, 1997.

2. The Board of County Commissioners will not open the current Adult Detention Center unless it meets appropriate minimum applicable standards as required by the County's experts and required government authorities.

3. The Board of County Commissioners will direct the Administration to forthwith execute all contracts necessary to train the Detention Officers in compliance with minimum applicable standards.

4. The current policies and procedures in effect on November 26, 1997 that govern the Adult Detention Center will be revised to meet all applicable standards and constitutional requirements as required by the County's expert, Jack Daly, or another expert acceptable to Plaintiffs and Defendants.

5. Defendants shall not prevent Plaintiffs' counsel or their agents from having reasonable access to the premises formerly utilized as the Valencia County Adult Detention Center to confirm compliance with the terms of this Final Judgment.

6. Defendants shall pay to Plaintiffs their reasonable costs, expenses and attorneys fees as provided in the offer of judgment and as permitted by law.

IT IS SO ORDERED.



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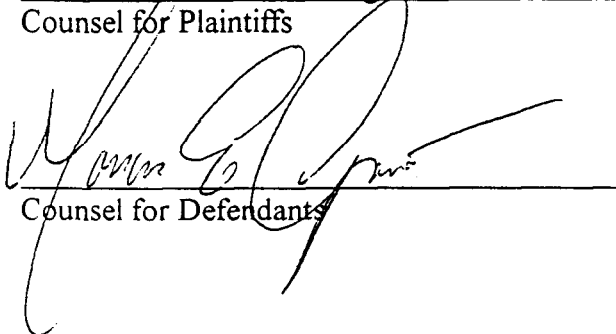
THE HONORABLE C. LEROY HANSEN  
UNITED STATES DISTRICT JUDGE

APPROVED:



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Counsel for Plaintiffs



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Counsel for Defendants

ACLU of N.M. v. Bd. of Cty. Comm'rs of Val. City



JC-NM-001-002