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Court Approves Settlement of ACLU Lawsuit to Improve Conditions at County Jail in Washington State January 28, 2004

TACOMA, WA -- Judge Ronald Leighton of U.S. District Court has approved a settlement agreement between the American Civil Liberties Union and Jefferson County officials to improve conditions for inmates at the Jefferson County Jail in Port Hadlock on the Olympic Peninsula, the ACLU announced today.

FOR IMMEDIATE RELEASE

TACOMA, WA -- Judge Ronald Leighton of U.S. District Court has approved a settlement agreement between the American Civil Liberties Union and Jefferson County officials to improve conditions for inmates at the Jefferson County Jail in Port Hadlock on the Olympic Peninsula, the ACLU announced today.

The agreement resolves a class-action lawsuit over inhumane conditions for prisoners filed by the ACLU of Washington and the ACLU's National Prison Project in February 2002.

"The settlement will mean substantial improvements to what had been inhumane treatment of inmates. We congratulate County officials for their commitment to upgrade conditions at the Jail," said ACLU of Washington Legal Program Director Julya Hampton.

The terms of the settlement address a range of deficiencies in the jail's treatment of the people it houses, including the following:

Health Care: The jail's health care program was disorganized and understaffed. Prisoners who requested medical help were often not seen by licensed health care professionals, and untrained jail staff often made medical decisions for the prisoners. Jail staff frequently denied necessary medication, leading to seizures or hospitalization that could have been avoided.

Under the settlement, the jail will implement health care policies and practices that will enable it to qualify for accreditation by the National Council on Correctional Health Care, a nonprofit organization that sets standards in the area.

Sanitation: Prisoners were not provided enough basic hygiene supplies, such as toilet paper and feminine hygiene products. Prisoners have been forced to use makeshift replacements, such as pages from telephone books, towels, or paper bags.

Under the settlement, the jail will keep an adequate supply of toilet paper and sanitary napkins on hand and will deliver them to inmates whenever needed.

Use of Crisis Cell: Some of the worst abuses in the jail involved use of the "crisis cell," a bare concrete room with a hole in the floor for a toilet. Although such cells are designed only for prisoners who pose a danger to themselves or others, the jail used it for discipline for routine infractions and to terrorize prisoners. The cell was not adequately monitored, leading to a prisoner death in the cell in March 2001.

Under the settlement, the crisis cell will not be used as discipline for infractions or misbehavior. The crisis cell may only be used to house: (1) inmates who show evidence of being a risk of harm to themselves, to others, or to jail

property; (2) inmates who require medical or psychiatric supervision; or (3) inmates who are intoxicated. Health care providers will be called when an inmate is placed in the crisis cell for medical or psychiatric reasons.

Temperature: Climate control had been inadequate, often leading to extreme cold conditions in winter and extreme heat conditions in the summer. The jail did not provide adequate blankets or cold-weather clothing.

Under the settlement, all inmate areas of the jail will be kept between 60 and 80 degrees Fahrenheit. Inmates in cells with exterior walls will be entitled to receive up to two extra blankets.

Grievances: The jail had no functioning grievance policy to allow prisoners to seek internal corrections. Prisoners had to request grievance forms from guards, who would refuse to provide them if the prisoner intended to complain about the guard. All written communication between prisoners and guards was on scraps of paper that guards sometimes threw away without response.

Under the settlement, grievance forms, medical request forms, and regular request forms will be made available in each cell block. All written grievances will receive written replies within seven days. Jail staff will not retaliate against or deny privileges to any inmate for expressing grievances.

Mail: Under the settlement, mail may not be delayed or denied as a disciplinary measure. The rules forbidding receipt of outside books, magazines, or material printed from the Internet are rescinded.

The agreement will be enforced by independent outside monitors who will visit the jail at six-month intervals for three years and report on the Jail's compliance with the agreement.

In the 1990s, the ACLU successfully pursued litigation over substandard conditions at the King County Jail, Pierce County Jail, and Washington Corrections Center for Women at Purdy. Staff attorney Aaron Caplan of the ACLU of Washington and staff attorney David Fathi of the ACLU's National Prison Project handled the case.

The county will pay \$82,500 in attorneys' fees and costs to the ACLU for its work leading up to the settlement in today's case.

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JC-WA-002-004