



JI-IN-003-004

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

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|-------------------------------------|---|----------------------|
| W. C., <u>et. al.</u> , |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| vs. |) | CAUSE NO. IP 90-40-C |
| |) | |
| CHRISTIAN DeBRUYN, <u>et. al.</u> , |) | |
| |) | |
| Defendants. |) | |

ORDER

Having this day convened a hearing on Plaintiffs' Petition for Contempt, and being duly advised by the parties, the Court hereby modifies its prior orders and decrees in the following particulars:

- 1) The existing population at the Indiana Boys School is imputed to be 490 as of the date of this Order;
- 2) That population level (490) constitutes a cap on total population and serves as the absolute ceiling on persons designated to and housed at the Boys School; no further admissions in excess of 490 cap are permitted;
- 3) Beginning July 7, 1994, Defendants are ordered to reduce the existing population by one person each day until the total population of the institution reaches 400;
- 4) When the population level reaches 400, the previous consent decree with its cap, time frame, and procedures shall take effect unless modified by the Court during the interim period;

5) The Court anticipates that a new juvenile facility at Logansport will be ready for occupancy within 120 days from the date of this Order. Should the date of the opening of the Logansport juvenile facility exceed 120 days, the parties are ordered to report back to this Court at the earliest time feasible prior to that deadline;

6) Defendants are ordered to provide Plaintiffs' counsel and the Court with a weekly report reflecting the current population count to verify that the reductions in population of seven per week as ordered herein have occurred;

7) Should the population not decrease by the weekly rate of seven persons, the Indiana Department of Corrections shall be assessed a fine of \$ 1,000 per day for each day in which the population is not in compliance with population limits set in this Order;

8) The parties are ordered to confer towards the goal of structuring a feasible and appropriate schedule for further population reduction at the Boy's School following the point at which the Boy's School reaches the population ceiling of 400 and up to and including the December, 1995 deadline, at which point the total population is not to exceed 255. If the parties are not unable to reach agreement as to the schedule, they should promptly notify the Court.

9) Plaintiffs' Contempt Petition for Violation of Consent Decree is taken under advisement pending Defendants' compliance with this Order.

It is so ORDERED this 6th day of July, 1994.

Sarah Evans Barker
SARAH EVANS BARKER, CHIEF JUDGE
United States District Court
Southern District of Indiana

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