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IN THE CHANCERY COURT FOR WILSON COUNTY, TENNESSEE

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DONALD T. JENKINS, et al.,
Plaintiffs,

NO. 2832

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JUN 26 1980
NATIONAL CLEARINGHOUSE
FOR LEGAL SERVICES

vs.
GWIN KING, et al.,
Defendants

PARTIAL CONSENT DECREE

It appears to the Court that the parties have agreed that a partial consent decree be entered as resolution of certain issues raised in this cause concerning the detention of juveniles in the Wilson County Jail.

Upon review of this partial consent decree, the agreement of the parties as evidenced by the signatures of their respective counsel, and the entire record herein, it appears appropriate to the Court that the following Order be entered:

IT IS THEREFORE ORDERED as follows:

1. The defendants shall not permit any juvenile to be placed in detention in the Wilson County Jail without specific prior authorization of the Juvenile Court to detain the juvenile.
2. Prior to a detention hearing, the defendants shall not permit any juvenile to be placed in detention in the Wilson County Jail unless the public safety and protection reasonably require detention, and: (a) the juvenile is charged with having committed a delinquent act, he appears likely to abscond or be removed from the jurisdiction of the Court, and it is determined that no less restrictive alternative to detention in the jail is available to secure the juvenile's attendance at subsequent court proceedings; (b) the juvenile is charged with having committed a delinquent act, no parent, guardian, custodian, or other person can be found who is able to provide supervision of the juvenile, the juvenile cannot be released on his own recognizance, and it is determined that no less restrictive alternative to detention in the jail, such as emergency foster care, is available; or (c) the juvenile is charged with having

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JI-TN-003-001

committed a delinquent or unruly act, the juvenile poses an immediate physical danger to himself or others and it is determined that no less restrictive or more appropriate alternative to detention in the jail, such as emergency mental health placement, is available.

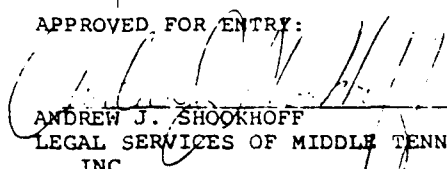
3. The defendants shall not permit the detention of a juvenile in the Wilson County Jail in excess of one (1) working day (whenever reasonably practicable) and in no event in excess of seventy-two (72) hours unless a petition has been filed and a detention hearing held, at which the juvenile was present and was represented by counsel, and at which the specific finding was made by the Juvenile Court judge that there was probable cause to believe that the juvenile committed the offense(s) with which he has been charged and that detention was and continues to be proper under the standards set forth in Paragraph 2 above. The defendants shall be deemed to have complied with this provision if the Sheriff has required the Juvenile Judge to submit a detention order stating that the requirements of this paragraph have been met.

4. In determining probable cause under Paragraph 3 above, all evidence helpful in determining the questions presented, including oral and written reports, may be received by the Court and relied upon to the extent of its probative value, even though not otherwise competent in the hearing on the petition.

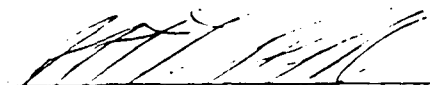
ENTER THIS THE 14th DAY OF May 1980.


EDWARD M. TURNER, CHANCELLOR

APPROVED FOR ENTRY:


ANDREW J. SHOOKHOFF
LEGAL SERVICES OF MIDDLE TENNESSEE,
INC.
1512 Parkway Towers
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Attorney for Plaintiffs


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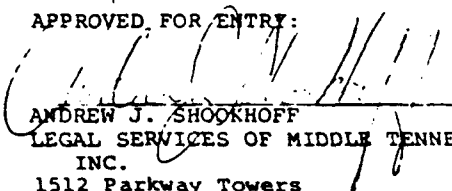
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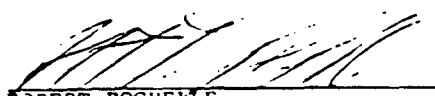
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