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THE HONORABLE ROBERT J. BRYAN

ENTERED  
ON DOCKET  
AUG - 2 1995  
By Deputy *JM*

FILED  
JUL 26 1995  
RECEIVED

CLERK OF DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT TACOMA

AUG 01 1995  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT TACOMA  
DEPUTY

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JAMES HORTON, et al.,	)	
	)	CLASS ACTION
Plaintiffs,	)	
	)	No. C94-5428 RJB
vs.	)	
	)	NOTICE OF PROPOSED SETTLEMENT
BOB WILLIAMS, et al.,	)	OF CLASS ACTION LAWSUIT
	)	
Defendants.	)	
_____	)	

IMPORTANT NOTICE TO ALL RESIDENTS OF GREEN HILL SCHOOL:

On July 26, 1995, a proposed settlement of plaintiffs' claims for declaratory and injunctive relief brought in this lawsuit was filed with this Court. The proposed settlement is called a "Stipulation and Judgment." This Notice is to advise you about the terms of the Stipulation and Judgment and to explain how to file written objections to it, if you have any. Final approval of the settlement by the Court is required and will be subject to the Court's review of objections filed by residents of Green Hill School (GHS).

This Notice only summarizes the terms of the proposed settlement. A complete copy of the proposed settlement is available upon request in all of the living units at GHS and in the school library.

1           **I.     WHO IS AFFECTED BY THIS NOTICE**

2           The lawsuit and the proposed agreed court order affect all youth housed at GHS, now  
3 or in the future.

4           **II.    HOW TO FILE OBJECTIONS WITH THE COURT**

5           Any resident may file objections to the proposed settlement by mailing written  
6 objections to Clerk of the Court at: U.S. Courthouse, Union Station, 1717 Pacific Avenue,  
7 Room 3100, Tacoma, WA 98402-3200. These objections must be mailed by August 31,  
8 1995, and should reference the case number, USDC-WD No. 5428 RJB. After reviewing  
9 any objections filed by residents, the Court will determine whether to accept the proposed  
10 settlement.  
11

12           **III.   SUMMARY OF THE PROPOSED SETTLEMENT**

13           1.     The legislature has directed, and made appropriations for, the redevelopment  
14 of GHS. Under the agreement, the State defendants will implement said legislative  
15 appropriation, subject to any future legislative determinations. Any such redevelopment of  
16 the physical plant at GHS will meet at least minimum constitutional standards. The State  
17 defendants have further agreed to quarterly brief plaintiffs' attorneys on the progress of any  
18 such development.  
19

20           2.     The agreement requires the State defendants to implement new policies  
21 governing the use of restraints, pepper spray, transfers to IMU and sentence reductions.  
22

23           3.     The settlement states that the State defendants shall not use pepper spray  
24 except in emergency situations to control a truly dangerous youth.  
25

26           4.     It requires the State to hold due process hearings concerning transfers to IMU  
27 and whenever a youth is denied good conduct credit to reduce his maximum sentence.

28           5.     The settlement requires the Chehalis School District to provide individualized

1 educational services and special education to eligible youth.

2 6. It requires GHS to give all youth, including those in lock-up, access to  
3 educational services, although it allows GHS to keep a youth out of school for up to 72 hours  
4 when first placed in IMU. Youth cannot otherwise be denied access to educational services  
5 unless suspended or expelled after the legally required hearings and process.  
6

7 7. Under the agreement the State defendants shall permit only qualified medical  
8 personnel to administer medications to youth, as required by law.  
9

10 8. It also requires the State to provide language translation services to youth  
11 unable to understand English and to translate policies governing youth behavior, activities  
12 and services into Spanish.

13 9. Under the agreement the State defendants are required to implement changes in  
14 the following programs: intake and orientation procedures; individual treatment plans; use of  
15 intensive management unit; individual counseling; vocational opportunities; de-escalation  
16 skills; treatment of violent offenders; life skills programs, and health care services.  
17

18 10. An independent monitor will help the plaintiffs' attorneys make sure that the  
19 defendants do what they are supposed to do under the terms of the settlement.

20 11. The court will maintain jurisdiction over the case for four years to make sure  
21 the defendants meet their obligations under the Stipulation.

22 12. The settlement provides that the amount of attorneys fees to be awarded  
23 plaintiffs' counsel will be determined by separate agreement or court order.  
24

25 \* \* \* \* \*

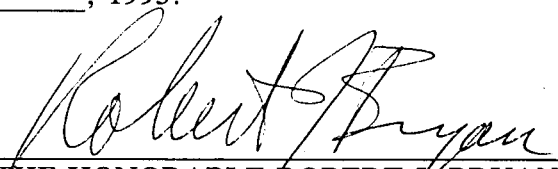
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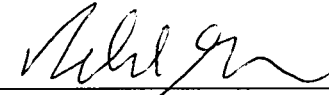
1 YOU MAY DIRECT QUESTIONS ABOUT THIS CASE TO PLAINTIFFS' COUNSEL  
2 PATRICIA ARTHUR AT: EVERGREEN LEGAL SERVICES, INSTITUTIONAL LEGAL  
3 SERVICES PROJECT, 101 YESLER WAY, SUITE 301, SEATTLE, WA 98104;  
4  
5 (206)382-3399 (COLLECT LINE).

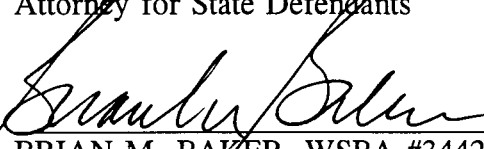
6 DATED this 1st day of Aug, 1995.

7  
8   
9 THE HONORABLE ROBERT J. BRYAN  
10 United States District Court Judge

11 Agreed To By:

12   
13 PATRICIA J. ARTHUR, WSBA #13769  
14 ROBERT A. STALKER, JR., WSBA #13650  
15 Of Attorneys for Plaintiffs

16   
17 RICHARD A. McCARTAN, WSBA #8323  
18 Assistant Attorney General  
19 Attorney for State Defendants

20   
21 BRIAN M. BAKER, WSBA #3442  
22 Attorney for Defendant  
23 Chehalis School District