

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

MAY 29 1973

JANE P. GORDON, CLERK
BY _____
DEPUTY CLERK

CALIPH WASHINGTON, et al.,)
)
 Plaintiffs,)
)
 v.)
)
 FRANK LEE, et al.,)
)
 Defendants.)

Civil Action No. 2350-N

Washington v. Lee



PC-AL-020-027

Plaintiffs' Response In Opposition To Defendants'
Motion For Modification Of The Court's Order

Plaintiffs by counsel oppose defendants' motion for modification of the court's Order entered herein on December 12, 1966, to allow them to cease making visits to jails in towns with less than 10,000 population in supervising racial discrimination and show that:

1. Plaintiffs deny that the supervision of racial discrimination in jails of cities and towns of less than 10,000 population can be more effectively done through investigations of individual complaints of racial discrimination in such facilities than the manner provided for by this court., i.e., periodic inspection of such facilities by state officials. Local jails are primarily pre-trial detention facilities. It is less likely that those temporarily held there after arrest and prior to release on bail will make complaints about segregation or other forms of racial discrimination than, for example, inmates held for longer periods of time in facilities designed for service of active sentences. The need for inspection of local jails is thus at least as great as that for inspection of the other facilities covered by the court's Order.

2. By stating that visits to jails in towns with less than 10,000 population "are frequently of little benefit; and provide little information as to racial discrimination" defendants concede that such visits often are of some benefit and do in fact provide some information as to racial discrimination. Periodic visits to such facilities therefore do effectuate the Order of this Court of December 12, 1966, and should be continued.

WHEREFORE plaintiffs pray that the court deny defendants motion for modification of the Order entered on December 12, 1966.

Respectfully submitted

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