



PC-CO-006-002

Important notice to inmates concerning settlement in the pending prison litigation while involving Colorado Women's Correctional Facility (Renalde, et al. v. Riveland, et al., Civil Action No. 84 CV 906)

READ THIS NOTICE CAREFULLY. YOU MAY HAVE RIGHTS AFFECTED BY THIS SETTLEMENT.

DISTRICT COURT, COUNTY OF EL PASO, STATE OF COLORADO

Civil Action No. 84 CV 906, Division 8

NOTICE

JUDY RENALDE,  
et al.,

Plaintiffs,

v.

CHASE RIVELAND,  
et al.,

Defendants.

0-3-89

Pursuant to Rules 23(c) and 23(e), Colorado Rules of Civil Procedure, and the Order of the District Court for the Fourth Judicial District, State of Colorado PLEASE TAKE NOTICE:

I. THE LAWSUIT

On or about April 5, 1984, an action was filed challenging the conditions of confinement at the Colorado Women's Correctional Facility at Canon City, Colorado. The plaintiff class was defined as all women inmates sentenced to the custody of the Department of Corrections and housed at Colorado Women's Correctional Facility as of the date of the filing of the Complaint and thereafter until the termination of the Court's jurisdiction. The Court's jurisdiction will terminate one year after the Stipulation and Consent Decree has been adopted by the Court and may be extended or terminated for good cause shown.

During the pendency of this action, attorneys for the plaintiff class, David Miller of the American Civil Liberties' Union, and Glenn Myers of the Colorado Rural Legal Services, have been negotiating with attorneys for the Colorado Department of Corrections. This matter has not gone to hearing and the parties

now anticipate that all issues raised by this lawsuit will be resolved by virtue of the Court's Order adopting the Stipulation and Consent Decree.

## II. THE CONSENT ORDER

All issues raised in this lawsuit will be resolved in the manner described below. This description is only a summary of the terms set out in the attached Stipulation and Consent Decree. If you have questions about this summary, you should read the attached Stipulation and Consent Decree for more information or contact either of your attorneys.

A. Inmates assigned to the infirmary. Healthy inmates will be kept separated from inmates recovering from surgery and new arrivals who have not yet been medically screened. Two cells are located in the infirmary for medical segregation use. No more than eight inmates (for a total of ten) inmates will be assigned to the remainder of the infirmary wing at any one time. Under emergency conditions, this limitation can be changed.

B. Secure storage. All inmates regardless of their housing assignment shall be afforded secure storage for their property.

C. Medical services. Women inmates will be afforded medical, dental and mental health treatment and services equal to that afforded male inmates. Medical complaints and requests for medical attention will be documented in each inmate's file. The recommendations of outside medical professionals shall also be documented in each inmate's file. Emergency care shall be available on a twenty-four hour basis through a physician's assistant with sixteen hour onsite nursing care. Beds at the Colorado State Hospital will be made available to female inmates who need twenty-four hour nursing services.

D. Activities. Female inmates shall be provided with substantially the same levels of activities as are made available to male inmates. Defendants will establish a trades council advisory board for vocational education which will make recommendations regarding the placement of female inmates into the community.

E. Handicapped Access. Disabled women inmates will not be excluded from activities involving nondisabled women except on the basis of bona fide qualifications or instructions of medical staff. A door will be constructed to the handicapped access area and keys to the door will be provided to inmates housed in that area. An intercom will be installed in the

handicapped access room and a difuser will be installed on the present ventilation system leading to that room.

F. Physical Conditions.

1. Codes. All existing buildings at CWCF shall meet the provisions of the Uniform Building Code, the Colorado Technical Plumbing Code and the National Electrical Code which were in effect at the time that the building was constructed, if applicable. New buildings will likewise comply. Defendants will have all appropriate state and local officials inspect the buildings at CWCF within ninety days from the date this Stipulation is signed. If any deficiencies are revealed by the inspections, they will be corrected within six months from the date of notice of the deficiency.

2. Food Service. CWCF will be inspected every six months to ensure compliance with state law and rules and regulations governing sanitation of food service establishments.

3. Fire Safety. All buildings at CWCF, in which inmates are housed, will meet applicable fire safety and prevention standards. Defendants will request that these buildings shall be inspected every six months and follow the recommendations of the fire marshall who makes the inspection.

4. Code Compliance. Whenever an inspection reveals a code violation or whenever Plaintiffs notify Defendants in writing of an alleged code violation, the Defendants will have thirty days after learning of the alleged violation to seek a Court Order excusing them from rectifying the violation. The court may excuse the violation if the Defendants establish that it does not affect the health, safety and general welfare of the inmates and does not otherwise violate provisions of the United States Constitution.

5. Heating. Defendants will provide adequate heating to inmates housed at CWCF.

6. Lighting. Defendants will provide an adequate supply of desk lamps purchased at the inmate canteen and provide lamps to all inmates who are indigent under the regulations of the Department of Corrections.

G. Grievance Procedure. The grievance procedure at CWCF will conform with the grievance procedure which is in effect at the rest of the Department of Corrections' penal facilities.

H. State's Equal Rights Amendment Claims. All medical, dental, mental health services, vocational, work and prison industries programs claims which could have been made

under the Equal Rights Amendment to the Colorado Constitution have been resolved by means of the Stipulation and Consent Decree.

I. Monetary Damages. The monetary damage claims of all individual plaintiffs represented by the Colorado Rural Legal Services and/or the American Civil Liberties Union are dismissed with prejudice.

J. Attorneys Fees and Costs. Attorneys fees and costs will be resolved by means of a payment of \$13,500.00 to plaintiffs' counsel.

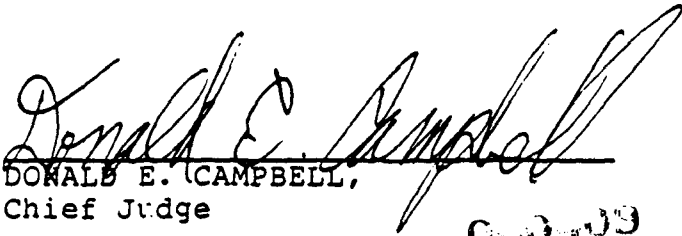
K. Monitoring. Defendants will furnish the Plaintiffs with a report detailing the steps taken to ensure that the terms of this agreement are being carried out within six months from the date of Court approval. The parties will also meet at six month and one year intervals after the Court's approval of the Stipulation and Consent Decree.

### III. COMMENTS OR OBJECTIONS

A hearing will be held to determine whether the Court will approve the Consent Order on March 6, 1986. Any class member wishing to make comments or objections to the fairness or reasonableness of this Consent Order must file a written statement of his comments with the Clerk of the Court at Judicial Building, 20 East Vermijo, Colorado Springs, Colorado 80903, attention: Chief Judge, Donald E. Campbell, postmarked no later than February 28, 1986. Any class member who does not make her objection in this manner shall be forever barred from making such objection to the Court's approval of the Consent Order.

If you have any questions which you want to raise concerning matters in this Notice, please address your questions in writing to the Clerk of the Court, Judicial Building, 20 East Vermijo, Colorado Springs, Colorado 80903, attention: Chief Judge, Donald E. Campbell. All correspondence should refer to the name and number of this action, which is "Renalde v. Riveland, 84 CV 906, Division 8."

DATED: February 14<sup>th</sup>, 1986.

  
DONALD E. CAMPBELL,  
Chief Judge

603-03