



PC-CT-009-001

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF CONNECTICUT

MELVIN TAYLOR, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Civil No. H-75-37
	)	
JOHN MANSON, et al.,	)	
	)	
Defendants,	)	

STIPULATION OF DISMISSAL  
WITHOUT PREJUDICE

All parties to the above entitled action have agreed that upon the filing of this stipulation and agreement this case shall be dismissed without prejudice. All parties to this action agree and stipulate that:

1. The complaint in this lawsuit filed on January 31, 1975 alleged that the named plaintiffs were being subjected to coercion to enter a three-part behavior modification program which utilized faradic aversive conditioning, covert sensitization and group therapy at the Connecticut Correctional Institution, Somers. The answer filed by the defendants denied these allegations. Those portions of the program utilizing faradic aversive conditioning and covert sensitization have been discontinued from the time the personnel involved in the program left the employ of the Department.

2. The Department of Correction does not intend to reinstate the use of faradic aversive conditioning.

3. If in the future any program utilizing faradic aversive conditioning or covert sensitization is considered by the Connecticut Department of Correction, before any such program is initiated, the Court and all counsel of record in this litigation will be notified by the Connecticut Department of Correction. All counsel of record will be given 60 days within which to file comments with the Department. This notice will include a detailed description of the program and the procedures to be utilized for obtaining a voluntary, informed consent. Nothing in this agreement

shall be read to deprive the Commissioner of Correction of his statutory duty and responsibility to approve or disapprove the initiation of programs within the Connecticut Department of Correction.

4. It is the policy of the Connecticut Department of Correction not to approve prison programs using faradic aversive conditioning and/or covert sensitization in which prisoner participation is not voluntary. Non-participation in a particular treatment program conducted by the Department will not be grounds for automatic denial of furlough or work release. Participation in programs is a consideration in parole, work release and furlough decisions.

5. The named plaintiffs have been scheduled for and will be given a new parole hearing as soon as possible, but in any case no later than January 25, 1976.

6. The new parole hearings will be before an impartial parole board panel as is the policy of the parole board. To the extent possible no parole board member who has previously voted to deny parole to the particular named plaintiff will be on the panel. Parole Board Members McNamara and Smith will not be on any of these three panels.

7. At these new parole hearings all mention of the behavior modification program which is described in the complaint and the plaintiffs' failure to participate in that particular program will be omitted from the records and evaluation reports given to the members of the panel. Any records containing recommendations that a particular named plaintiff participate in this particular program will also be omitted. If a member of one of the panels is aware of the previous existence of this particular program that member will be informed through a memorandum signed by the Chairman of the Connecticut Board of Parole that they may not consider the plaintiffs' participation or non-participation in the no longer existing behavior modification program described in the complaint

as a ground for denying them parole. Nothing in this agreement shall be read to deny the Connecticut Board of Parole its statutory duties or responsibilities.

8. Counsel for the plaintiffs will be permitted to present to the parole board panel members his views on why these men should be granted parole. This will be done either by letter, affidavit or by a summary prepared by counsel for the plaintiffs of conversations between him and the Chairman of the Board of Parole. The views of an expert on behalf of the plaintiffs may be presented to the Parole Board panel by the same procedure.



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Dated: \_\_\_\_\_

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FOR THE DISTRICT OF CONNECTICUT

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                                  )  
                                  ) Plaintiffs,            )  
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v.                                    ) Civil No. H-75-37  
                                  )                                    )  
JOHN MANSON, et al.,     )  
                                  )                                    )  
                                  ) Defendants.            )

ORDER OF DISMISSAL  
WITHOUT PREJUDICE

The parties having agreed upon the attached stipulation and agreement, it is ordered that the above entitled action be and hereby is

DISMISSED without prejudice.

UNITED STATES DISTRICT JUDGE

Dated:

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FOR THE DISTRICT OF CONNECTICUT

MELVIN TAYLOR, et al., )  
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                                  )  
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                                  )  
                                  ) Defendants. )

MOTION TO DISMISS  
WITHOUT PREJUDICE

The parties having agreed upon the attached stipulation and agreement, all parties to the above entitled action move to dismiss the action without prejudice.

Respectfully submitted,

*Matthew L. Myers*  
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