

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

INMATES OF OCCOQUAN, et al., :  
 :  
 Plaintiffs. :  
 v. : Civil Action No. 86-2128  
 : (JLG)  
 MARION S. BARRY, JR., et al., :  
 :  
 Defendants. :

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CONSENT MOTION TO ENTER PROPOSED ORDER

The Court's Order of November 20, 1997, required that the Special Officer assemble a team of experts to assist defendants in implementation of the Court's orders. This expert team was required to issue a report, by March 16, 1998, summarizing the status of their efforts. Thereafter, the parties were required to submit to the Court, no later than April 3, 1998, a proposed order addressing 1) whether the expert assistance should continue and 2) other issues raised in the Special Officer's September 29, 1997, Report on Defendants' Compliance with the Orders Related to Personal Safety ("Report") which were not addressed by the Court's November 20, 1997, Order. The attached Consent Order proposed by the parties and the Special Officer addresses the above-referenced issues and is submitted for the Court's consideration and approval.

JOHN M. FERREN  
Corporation Counsel, D.C.

Inmates of Occoquan v. Barry



PC-DC-003-020

*R. S. Love*

RICHARD S. LOVE (#340455)  
Special Counsel  
441 Fourth Street, N.W.  
6th Floor South  
Washington, D.C. 20001  
(202) 727-6295

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Filing was mailed postage prepaid to Ayesha Khan, Esquire, National Prison Project, 1875 Connecticut Avenue, N.W., #410, Washington, D.C. 20009 and Grace Lopes, Special Officer of the Court, 101 West Lombard Street, Chambers 7C, Baltimore, Maryland 21201, on this 3<sup>rd</sup> day of April, 1998.

*R. S. Love*  
RICHARD S. LOVE  
Special Counsel

UNITED STATES DISTRICT COURT  
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CONSENT ORDER

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## I. Interim Management Assistance

The Special Officer shall continue to utilize a security expert<sup>1</sup> and a sanitation/environmental expert to provide guidance, oversight, training and assistance to defendants and their staff and to help defendants continue to implement the reform initiatives already in progress. The Special Officer shall confer with the parties concerning an appropriate schedule for the use of these experts. The experts shall update the project compliance checklist monthly and shall issue within one hundred and twenty (120) days a report summarizing the status of the reform initiatives. Within thirty days following the issuance of this report, the parties, in consultation with the Special Officer, shall submit to the Court a proposed order which addresses whether any expert assistance should continue and any other issues raised in the Special Officer's report which have not been addressed.

Defendants shall cooperate with and bear the costs for these experts. The Court's experts shall be provided unrestricted access to all records of the Department of Corrections, office space, equipment and support as necessary to perform their duties as well as access to all areas of the Occoquan Facility.

## II. Population

Defendants shall maintain no more than 75 beds in dorms 2, 3, 4, 6, 7, 8, 9, 10, 12, 13, 14 and 15. Dorm 11 shall maintain no more than 92 beds; dorm 5 shall maintain no more than 58 beds;

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<sup>1</sup> Jim Henderson and Jerry O'Brien will share responsibility for this position and will alternate visits to the facility.

dorms 16, 17 and 18 shall maintain no more than 50 beds per dorm. It is acknowledged that defendants intend to move to modify the required correctional officer staffing and deployment plan as the population at Occoquan is further reduced.

### III. Classification

Defendants shall make every reasonable effort to ensure that inmates classified higher than medium security are not transferred to the Occoquan Facility.<sup>2</sup> Defendants shall continue to classify newly admitted Occoquan inmates using appropriate classification standards, consistent with the standards currently in use at Occoquan. In the event that a newly admitted inmate is classified higher than medium security, he shall be removed from the facility within 72 hours. The Special Officer and plaintiffs must be advised within one business day of any such inmate who can not be removed within 72 hours.

Defendants shall make on-going, reasonable and demonstrable efforts to remove all previously admitted Occoquan inmates who have been classified higher than medium security.

### IV. Maintenance Provisions

a. Defendants shall within seven (7) days maintain a blanket purchase order in the total amount of \$10,000, for use by the maintenance foreman at the Occoquan Facility, or his designee, for electrical, plumbing and other supplies needed to maintain Occoquan

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<sup>2</sup> The classification designation "higher than medium security" utilized in this section refers to the Bureau of Prisons classification standards (minimum, low, medium and high) currently utilized at Occoquan. This section may be revisited if different classification standards are utilized.

in a safe, sanitary and habitable condition.

b. Absent further substantial reductions in the population, defendants shall not detail or reassign the facilities maintenance staff currently assigned to the Occoquan Facility.<sup>3</sup>

V. Programs

Defendants shall continue to take reasonable steps to develop and maintain initiatives designed to reduce inmate idleness.

VI. Reporting

Defendants shall include in their monthly report the number and location of inmate on inmate, inmate on staff and staff on inmate assaults.

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UNITED STATES DISTRICT JUDGE

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Date

cc:

Richard S. Love  
Special Counsel  
Office of the Corporation Counsel  
441 Fourth Street, N.W.  
6th Floor South  
Washington, D.C. 20001

Ayesha Khan, Esquire  
National Prison Project  
1875 Connecticut Avenue, N.W.  
Suite 410  
Washington, D.C. 20009

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<sup>3</sup> The facility maintenance staff assigned to Occoquan are 1 building maintenance foreman, 2 steam pipe fitter foreman, 1 electrician foreman, 1 welder/metal worker foreman, 1 painter glazer, 1 laborer foreman, 1 refrigeration foreman, 1 plasterer foreman and 1 masonry foreman.

Grace M. Lopes  
Special Officer of the Court  
101 West Lombard Street  
Chambers 7C  
Baltimore, Maryland 21201