

1987 WL 11422

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United States District Court, District of Columbia.

John DOE, et al., Plaintiffs,
v.
DISTRICT OF COLUMBIA, et al., Defendants.
Twelve John DOES, et al., Plaintiffs,
v.
DISTRICT OF COLUMBIA, et al., Defendants.
INMATES OF OCCOQUAN, et al., Plaintiffs,
v.
Marion S. BARRY, et al., Defendants.

Nos. 79-1726, 80-2136, 86-2128. | May 20, 1987.

Opinion

ORDER

JUNE L. GREENE, District Judge.

*1 Upon consideration of defendants’ motion for a stay of the Court’s Order of December 22, 1986, of the memorandum in support thereof, of plaintiffs’ memorandum in opposition to the motion, and of the suggestion of plaintiffs John Doe, et al. and Twelve John Does, et al. regarding the motion, it is hereby

ORDERED that the Court’s order of December 22, 1986 is stayed until July 1, 1987, or until further order of the Court. It is

FURTHER ORDERED that, effective immediately, the Honorable John D. Fauntleroy (retired), is appointed as a special officer of this Court, pursuant to Federal Rule of Civil Procedure 53, to assist the Court in the finding of fact and devising appropriate measures to effect compliance with this Court’s Orders. Judge Fauntleroy’s term of appointment shall be two months from the date of this Order, subject to extension of the term at the request of the parties. Judge Fauntleroy’s tenure as Special Assistant to the Mayor shall be terminated during the

period that he is serving as special officer of the Court. His compensation for service as special officer of the Court shall be paid by Defendants. Judge Fauntleroy shall advise and assist the parties to fullest extent possible. It is

FURTHER ORDERED that Judge Fauntleroy shall submit a report to the Court by June 19, 1987. Such report shall identify factors that affect defendants’ compliance with the Orders of this Court limiting the population at the Occoquan, Maximum and Central facilities, and shall provide recommendations to the Court concerning further Orders and other means by which this Court may effectuate compliance by defendants with its population orders. In preparing this report, Judge Fauntleroy may employ such experts and consultants as he finds necessary, the reasonable expenses and fees of such experts to be paid by defendants. Defendants shall continue to provide Judge Fauntleroy with office space and clerical assistance during his service as special officer of the Court. Judge Fauntleroy shall have unlimited access to any Department of Corrections (“Department”) records, files or papers. Defendants shall grant Judge Fauntleroy such access at any time and no advance notice shall be required. Judge Fauntleroy shall be authorized to conduct interviews and discussions, on a confidential basis or otherwise, with counsel for plaintiffs, any Department official or employee, with any Department inmate, and with any other person. Judge Fauntleroy shall be permitted to attend any institutional or Departmental meetings or proceedings. He may require written reports from any Department official or employee with respect to compliance with this Court’s population orders, and may require such reports from plaintiffs’ counsel as well. It is

FURTHER ORDERED that the parties may file comments on Judge Fauntleroy’s report by June 25, 1987. It is

FURTHER ORDERED that a hearing shall be held on June 29, 1987, to consider such further measures as may be appropriate to promote compliance with the Court’s Orders regarding population limits.

*2 SO ORDERED.