

REC- 571/40  
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APR 30 1990  
ROBERT M. MAHA  
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S.D. OF FLA. W.P.B.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 82-8196-CIV-PAINE

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3 ANTHONY LaMARCA, MARTIN  
4 SAUNDERS, and EDWIN JOHNSON,  
5 individually and on behalf of  
6 all others similarly situated,  
and DAVID ALDRED, STEVE H. BRONSON, JR.,  
EDDIE COBB, RON DURRANCE, WAYNE EPPRECHT,  
MICHAEL GORDON, and BILLY JOE HARPER,  
individually,

7 Plaintiffs,

8 vs.

9 R.V. TURNER, individually in his  
10 former capacity as Superintendent of Glades  
11 Correctional Institution, CHESTER LAMBDIN, in  
his official capacity as Superintendent of  
Glades Correctional Institution,

12 Defendants.

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14 FINAL JUDGMENT

15 This action came on before the Honorable James C. Paine,  
16 United States District Judge, presiding. On this day the  
17 Court has entered its Findings of Fact and Conclusions of Law  
18 regarding injunctive relief in favor of the Plaintiffs and  
19 against the Defendant. Therefore, in accordance with this  
20 court's previous Order on Report and Recommendation of  
21 Magistrate reprinted in Lamarca v. Turner, 662 F. Supp. 647,  
22 650-667, and the Order of April 29, 1990, it is hereby

23 ORDERED and ADJUDGED that the Court's previous judgment  
24 entered on June 4, 1987, Lamarca, supra, 662 F. Supp. at 666-

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67 is readopted and in continuing effect except as modified  
or rejected by the court's Order of June 4, 1987, Lamarca,  
supra, 662 F. Supp. 650-666 and the April 29, 1990 order.  
Additionally, it is

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ORDERED and ADJUDGED that judgment shall be entered  
effective on June 4, 1987 for Plaintiffs Lamarca, Saunders,  
Johnson, Aldred, Bronson, Cobb, Durrance, and Harper and  
against Defendant Turner in accordance with the following  
award of compensatory damages for Turner's violation of  
Plaintiff's constitutional rights:

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(1) ANTHONY LAMARCA \$9,000.00  
(2) MARTIN SAUNDERS \$30,000.00  
(3) EDWIN JOHNSON \$13,000.00  
(4) DAVID ALDRED \$30,000.00  
(5) STEVE H. BRONSON, JR. \$30,000.00  
(6) EDDIE COBB \$6,500.00  
(7) RON DURRANCE \$30,000.00  
(8) BILLY JOE HARPER \$30,000.00

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Interest on the Judgment shall run from the date of the first  
Judgment of June 4, 1987 until paid, at the rate of 7.02  
percent. Further, it is

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ORDERED and ADJUDGED that regarding the claims of  
Plaintiffs Epprecht and Gordon, judgment is entered against  
for Defendants and against Plaintiffs, the Plaintiffs to have  
nothing. Finally, regarding the claim for injunctive relief,  
it is

1 ORDERED and ADJUDGED that the Defendant Chester Lambdin,  
2 Superintendent of GCI, is affirmatively enjoined to carry out  
the following required courses of action:

3 Regarding the Security staff patrol in the dormitory areas:

4 1. Any opaque glass panes in the shower area which impede  
5 visibility of the wicket officer must be replaced with clear  
6 glass. These panes are to be cleaned and maintained clear;  
7 when same again become opaque from grime, they must be  
8 promptly replaced.

9 2. An official policy regarding the frequency of the roving  
10 patrols must be promulgated and enforced. Guards should be  
11 warned that the failure to patrol will result in some sort of  
12 disciplinary action against them; repeated failure to comply  
13 with the roving patrol policy could result in the termination  
14 of the guard.

15 Regarding the control of movement of inmates from the North  
16 Compound to the Main Compound:

17 1. The metal detector located between the North and Main  
18 Compound must be kept operative and in good repair. Frequent  
19 inspections of same should be conducted to assure it is  
operating correctly.

20 Regarding Conditions in protective confinement:

21 1. There shall be no double-bunking in protective  
22 confinement.

23 2. There shall be no prolonged stays in protective  
24 confinement; any stay in excess of 30 days is a prolonged  
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stay.

1 3. There shall be swift transfer of any inmate who is in  
2 protective confinement and for whom it has been determined  
3 that return to the general prison population would be unsafe.

4 4. The lighting in protective confinement must meet the ACA  
5 requirement.

6 5. The roving patrol by the officer guarding protective  
7 confinement must be enforced. Any violation should be  
8 sanctioned in the same manner as noted above, that is,  
9 disciplinary action and/or termination for repeated failure  
10 to patrol.

11 Regarding Control of contraband within the prison:

12 1. The Superintendent must promulgate and publish to all  
13 guards and inmates an official policy on the handling and  
14 severity of a violation involving all contraband, including  
15 drugs, alcohol, weapons.

16 2. Additionally, he must institute a consistently harsh,  
17 standard penalty for those prisoners found in possession of  
18 contraband.

19 3. The staff must perform regular "shake-downs" of the  
20 dormitories to detect the presence of contraband.  
21 Additionally, the guards must be warned that the repeated  
22 discovery of contraband in the area for which they are  
23 responsible will result in disciplinary action against them.  
24 Continuous discovery of same could result in termination.

25 4. The staff must conduct thorough searches for contraband  
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of all those entering the compound, including the guards reporting for work each day.

5. The metal detector at the entrance to the compound must be operative at all times; regular inspections must be conducted to assure same.

Regarding Homosexual Rape and the acceptance by staff of overt homosexual activity among inmates:

1. The Superintendent must institute an official procedure for the prompt investigation of all alleged sexual assaults; he must see that same is enforced.

2. He must see that all alleged cases of sexual assault are referred to the state attorneys office for possible prosecution.

Regarding the lack of psychological counseling for inmates who have been sexually assaulted:

1. The Superintendent must provide training for all prison guards in the handling of rape complaints. This should include education regarding the seriousness of a homosexual assault in prison.

2. The Superintendent must require the staff psychiatrist and the staff psychologist to acquire special training in the form of a course or seminar on rape crisis management.

3. He must promulgate an official referral procedure of all rape victims to the resident psychiatrist or psychologist for evaluation. Finally, it is

ORDERED and ADJUDGED that the Plaintiffs, as prevailing

1 parties, are required to submit affidavits in support of an  
2 award of fees and costs within 20 days of the date of the  
3 court's final order; the Defendant shall have 10 days  
4 thereafter to respond to same. The court will then enter a  
5 post-judgment order regarding the award of attorneys fees and  
6 costs.

7 Dated at West Palm Beach, Florida on this 30<sup>th</sup> day of  
8 April, 1990.

9 ROBERT M. MARCH, CLERK

10 *Svava Ringheim*  
11 Svava Ringheim, Deputy Clerk

12 cc:  
13 David M. Lipman, Esq.  
14 James A. Tucker, Esq.  
15 William R. Amlong, Esq.  
16 Michael Davis, Esq.  
17 Walter Meginnis, Esq.

18 Certified to be a true and  
19 correct copy of the original.  
20 Robert M. March, Clerk  
21 U.S. District Court  
22 Southern District of Florida

23 By: *Svava Ringheim*  
24 Date: 4/30/90