

4. On July 26, 2018, the Parties also consented to proceed in all future litigation before the Honorable Magistrate Judge. Dkt. 451.

Schedule of Settlement Requirements

5. The following schedule outlines IDOC’s deadlines for certain settlement requirements. This schedule is meant to summarize, not replace or modify in any way, IDOC’s obligations required by the Settlement. Further, because many dates outlined herein are triggered by another Settlement requirement, and because it is unknown the exact date when IDOC will complete certain actions, some of these deadlines are not tied to specific calendar dates.

6. The Parties are in discussions concerning an issue that they have identified about one deadline—namely, the deadline for IDOC to perform Auxiliary Aids and Services Assessments for all inmates identified as Deaf/HoH as of the Effective Date of the Agreement. As a result, this requirement is not reflected in this chart below.

IDOC Deadline	Settlement Requirements
7/26/2018 Effective Date	
Preliminary Accommodations	<ul style="list-style-type: none"> • Take sufficient action so that inmates receive preliminary accommodations if (a) the inmate has requested the accommodation; (b) it is apparent to IDOC staff that an inmate requires assistance due to being Deaf/HoH; and (c) it is feasible for IDOC to provide the accommodation (§§54-56) • Designate at least one employee at each intake facility to serve as the Facility ADA Coordinator responsible for ensuring that necessary preliminary accommodations are provided (§57) • Take sufficient action so that if an inmate’s hearing aid is broken, IDOC evaluates whether any additional Auxiliary Aids and Services are needed during the time the inmate is without a hearing aid (§63)
Hearing Aids	<ul style="list-style-type: none"> • Keep an adequate supply of readily available hearing aid batteries so that hearing aid batteries can be replaced promptly upon a need for new batteries; hearing aid batteries shall be replaced within 48 hours after an inmate notifies IDOC of a need for new batteries (§62) • Adopt and implement a policy/procedure whereby, if an inmate’s hearing aid is broken, IDOC will exercise reasonable efforts to repair the hearing aid in a timely manner (§63)

IDOC Deadline	Settlement Requirements
Cost of Communications and Access to Communications	<ul style="list-style-type: none"> • Take sufficient action so that Deaf/HoH inmates pay no more than other inmates in the making and receiving of telephone calls, regardless of the means of the call (§70(e)) • Take sufficient action so that Deaf/HoH inmates have access to technological equipment during the same times of day and with no greater restrictions, limitations, or access than those placed on non-Deaf/HoH inmates, consistent with the terms of the Agreement (§72)
Technological Equipment	<ul style="list-style-type: none"> • Keep abreast of evolving technology and add additional equipment/services (beyond VRI, TTY, videophones and amplified phones) to reflect technological advances, as warranted and subject to financial considerations (§71) • Deaf/HoH individuals shall be permitted to use TTY machines and Video Phones without hand restraints (§81)
Audio-Visual Media Closed Captioning	<ul style="list-style-type: none"> • New televisions purchased for inmate use shall support open or closed captioning (§74) • Movies shown through the IDOC system will include either open or closed captioning (§75) • Any television in a common area of a facility that houses Deaf/HoH inmates must be set so that the captioning is turned on at all times (§75) • Deaf/HoH inmates shall be permitted to purchase televisions which support open or closed captioning with the inmates own funds to the same extent that non-Deaf/HoH inmates are allowed to purchase televisions (§76)
Tactile Notification System	<ul style="list-style-type: none"> • Begin making reasonable efforts to provide a safe and effective tactile notification system consistent with the terms of the Agreement (§78)
Equal Opportunity to Prison Employment	<ul style="list-style-type: none"> • Take sufficient action so that qualified Deaf/HoH inmates are not denied employment opportunities unless, after conducting an individualized assessment, including consultation with the inmate, it is determined that the Deaf/HoH inmate cannot perform the functions of the employment opportunity with or without reasonable accommodation (§79)
Transfers/Housing	<ul style="list-style-type: none"> • Take sufficient action so that Deaf/HoH inmates are not transferred, solely because of being Deaf/HoH, to a higher security prison or a prison which does not offer comparable programming to the inmates current facility (§82) • Take sufficient action so that if a Deaf/HoH inmate requests to be housed with another Deaf/HoH inmate, IDOC shall consider such request (§83)
8/25/2018 30 days from Effective Date	
Identification Cards	<ul style="list-style-type: none"> • Offer ID cards to those already identified as Deaf/HoH (§§43-44) • Offer ID cards to any newly identified Deaf/HoH inmates within 30 days of the inmates being so identified (§§43-44)

IDOC Deadline	Settlement Requirements
9/24/2018 60 days from Effective Date	
Auxiliary Aids & Services Assessment (AASA)	<ul style="list-style-type: none"> • Enter into contract with Chicago Hearing Society to retain one or more Qualified Specialists (QS) to perform AASAs (¶45) • Retain Certified Deaf Interpreter (CDI) for AASAs when necessary (¶46)
Hand Restraint Policy	<ul style="list-style-type: none"> • Implement a policy/procedure relating to removal of handcuffs for when communicating through ASL, consistent with the Agreement (¶80)
10/24/2018 90 days from Effective Date	
Hearing Screenings (HS)	<ul style="list-style-type: none"> • Adopt policy and procedure requiring a HS as part of Intake Physical Exams for all inmates and Periodic Physical Exams for inmates who self-report or found to have hearing loss (¶32) • Implement procedure where can request a HS and receive within 30 days (¶34) • Prominently display notice of right to request a HS and provide notice to inmates who do not have access to the notice (¶35)
Audiological Evaluation (AE)	<ul style="list-style-type: none"> • Adopt policy and procedure whereby inmates whose HS indicates may be Deaf/HoH must be referred for an AE and must receive an AE within certain specified periods (¶36) • Maintain results of all AE in the inmates' medical files (¶38)
Centralized Database	<ul style="list-style-type: none"> • Maintain a centralized database to include specific requirements on Deaf/HoH inmates, as set forth in Agreement (¶¶38-42) • Promptly and regularly update the centralized database and make it accessible to all IDOC personnel who are responsible for IDOC's ADA compliance (¶¶38-42)
Telephones and Video Remote Interpreting (VRI)	<ul style="list-style-type: none"> • Comply with VRI requirements in the Agreement, including VRIs for medical issues at facilities that house Deaf/HoH inmate (¶70a) • Have at least two TTY units or equivalent technology at facilities that house Deaf/HoH Inmates, and comply with other TTY requirements in Agreement, including TTYs enabled to access Relay (¶70b) • Any VRI, TTY, VP, amplified phones shall be kept in good working order (¶70)
11/23/2018 120 days from Effective Date	
Hearing Screenings	<ul style="list-style-type: none"> • Provide Hearing Screenings as part of (a) all Intake Examinations and (b) Periodic Physical Exams for inmates who self-report or have been found to have hearing loss during Intake (¶33) • Maintain results of all HS in the inmates' medical files (¶38)

IDOC Deadline	Settlement Requirements
<p align="center">Auxiliary Aids & Services Assessment (AASA)</p>	<ul style="list-style-type: none"> • Take sufficient action so that inmates identified as Deaf/HoH in AE will receive an AASA from a QS within 30 days of the AE Report, and the QS will consult with the inmate and the Agency ADA Coordinator and/or the Facility ADA Coordinator in the facility where the inmate is housed (§§48-49) • Take sufficient action so that the QS follows certain principles in making the AASA (§52) • Take sufficient action so that the QS memorializes the AASA determinations per the requirements of the Agreement (§§50, 53) • Take sufficient action so that AASA determinations are implemented promptly following the ASSA, at no cost to the inmate, consistent with the Agreement (§§51, 60, 65, 77) • Take sufficient action so that information concerning the AASs identified in the AASA as required for the inmate to communicate effectively is made available to whoever is providing the inmate AASs (§64) • By this date, all IDOC personnel who interface with inmates during the Intake process must have received training on responding to requests for Auxiliary Aids and Services (§58)
<p align="center">Hearing Aids</p>	<ul style="list-style-type: none"> • Take sufficient action so that reasonable efforts will be made to secure, in a timely manner, hearing aids for inmates whose AASA indicate they should be provided a hearing aid or hearing aids (§61)
<p align="center">Staff Training</p>	<ul style="list-style-type: none"> • Develop materials for annual ADA training (§66)
<p align="center">Orientation & Rights Materials</p>	<ul style="list-style-type: none"> • Ensure all written orientation materials are in plain written English (§69) • Ensure all orientation videos have closed captioning and ASL, which has been reviewed by IDHHC or Qualified Interpreter (§69) • Separate orientation for those identified as Deaf/HoH with interpreter if necessary (§69) • Front row of seats in orientation sessions reserved for disabled inmates (§69) • Update each orientation manual with “rights materials” and distribute updated materials to current inmates (§84) • Provide current Deaf/HoH inmates and future Deaf/HoH inmates new Orientation manual (§85)
<p align="center">Monitoring</p>	<ul style="list-style-type: none"> • IDOC Report Due (§89)
<p>12/23/2018 150 days from Effective Date</p>	
<p align="center">Staff Training</p>	<ul style="list-style-type: none"> • Conduct ADA training and related training (§§67, 68)
<p align="center">Monitoring</p>	<ul style="list-style-type: none"> • Court shall conduct hearing with IDOC and class counsel (§91)

IDOC Deadline	Settlement Requirements
1/22/2019 180 days from Effective Date	
Audio-Visual Media Closed Captioning	<ul style="list-style-type: none"> • Pre-owned audio visual equipment should display open/closed captioning (§73) • Only purchase products that can support open/closed captioning (§73)
Tactile Notification System	<ul style="list-style-type: none"> • Provide tactile notification system, visual/tactile notification for events (visitors, meals, showers, etc) (§78) • Ensure visual/tactile notification for “warning shots” (§78) • Deaf/HoH inmates will be notified/trained on systems (§78)
1/26/2019 6 months from Effective Date	
Video Phones	<ul style="list-style-type: none"> • Have at least one Videophone (VP) at all facilities that house a Deaf/HoH inmate (§70) • Access to VRS/1-800 numbers (§70)
3/23/2019 240 days from Effective Date	
Monitoring	<ul style="list-style-type: none"> • IDOC Report Due (§89)
4/26/2019 9 months from Effective Date	
Amplified Telephones	<ul style="list-style-type: none"> • Have two or more amplified phones with amplification to at least 55 decibels at all facilities where Deaf/HoH inmates are housed, and comply with other requirements for amplified phones (§70)
Monitoring	<ul style="list-style-type: none"> • Court shall conduct hearing with IDOC and class counsel (§91)
Approximate Dates for Monitoring Reports and Hearings (first two years of agreement)	
7/21/2019	<ul style="list-style-type: none"> • IDOC Report Due (§89)
8/20/2019	<ul style="list-style-type: none"> • Court shall conduct hearing with IDOC and class counsel (§91)
11/18/2019	<ul style="list-style-type: none"> • IDOC Report Due (§89)
12/18/2019	<ul style="list-style-type: none"> • Court shall conduct hearing with IDOC and class counsel (§91)
3/17/2020	<ul style="list-style-type: none"> • IDOC Report Due (§89)
4/16/2020	<ul style="list-style-type: none"> • Court shall conduct hearing with IDOC and class counsel (§91)
7/15/2020	<ul style="list-style-type: none"> • IDOC Report Due (§89)
7/26/2020	<ul style="list-style-type: none"> • First date in which IDOC may petition for Termination (§§104, 107)

30 days of when Illinois General Assembly fully appropriates a budget and Governor authorizes funds to IDOC for payment	
Fees	<ul style="list-style-type: none">• IDOC to voucher the entire amount of attorneys' fees within 30 days (¶97)

Dated: August 6, 2018

RESPECTFULLY SUBMITTED,

By: /s/ Robert L. Michels
One of the attorneys for Plaintiffs

Barry C. Taylor
Amy F. Peterson
Laura J. Miller
Rachel M. Weisberg
Equip for Equality
20 North Michigan Avenue, Suite 300
Chicago, IL 60602
Telephone: (312) 341-0022
rachelw@equipforequality.org

Robert L. Michels
Kate Watson Moss
Jennifer James
Winston & Strawn LLP
35 W. Wacker Dr.
Chicago, IL 60601-9703
Telephone: (312) 558-5600
rmichels@winston.com

Howard A. Rosenblum
National Association of the Deaf
8630 Fenton Street, Suite 820
Silver Spring, MD 20910
Telephone: (301) 587-1788
howard.rosenblum@nad.org

Alan S. Mills
Elizabeth N. Mazur
Nicole Schult
Uptown People's Law Center
4413 North Sheridan
Chicago, IL 60640
Telephone: (773) 769-1411
alanmills@comcast.net

Counsel for Plaintiffs

/s/ Michael Arnold
Michael Arnold
Assistant Attorney General
General Law Bureau
100 W. Randolph, 13th Floor
Chicago, IL 60601
Telephone: (312) 814-3720
marnold@atg.state.il.us

Counsel for Defendant

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that on August 6, 2018, a copy of the foregoing was served via CM/ECF on all counsel of record.

/s/ Robert L. Michels
One of the Attorneys for Plaintiffs