

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANAIN RE CONSENT DECREES PERTAINING TO INMATE POPULATION
AND
PRISONER SUITS PERTAINING TO INMATE POPULATION**ORDER**

IT IS ORDERED that each and every consent decree entered by this Court pertaining to inmate population and guard to prisoner ratio at any facility operated by or under the authority of any Sheriff, appearing hereinbelow, however issued, filed or captioned, including, but not limited to, those decrees issued under the caption of or filed in the record of Hayes Williams v. John McKeithen, civil action number 71-89B on the docket of the United States District Court for the Middle District of Louisiana, Hamilton v. Morial, Fifth Circuit number 80-3392, In re Prisoner Suits Pertaining to Inmate Population on the docket of the United States District Court for the Middle District of Louisiana and decrees filed in the record of the United States District Court for the Middle District of Louisiana, under the caption of "In re" any jail or other facility are hereby VACATED, RESCINDED and are without further effect as of April 1, 1997.

IT IS FURTHER ORDERED that the Court's expert shall have the right, until April 1, 1997, to conduct an inspection of any facility which is subject to a consent decree to be vacated pursuant to this Order for the sole purpose of verifying, but not enforcing, that facility's compliance with the Basic Jail Guidelines. Findings, recommendations or other information resulting from these inspections will not be admissible in any suit filed by or on behalf of any inmate seeking monetary damages or any other relief under state or federal law, and will not prevent cancellation of any consent decree vacated pursuant to this Order nor affect the validity, finality, or enforceability of this Order.

IT IS FURTHER ORDERED that any claim or allegation pending as of April 1, 1997 or asserted thereafter that any Sheriff appearing hereinbelow has failed to comply with the terms of this Order and any other claim or allegation existing as of April 1, 1997 or asserted thereafter by or on behalf of anyone against any Sheriff appearing hereinbelow based upon inmate population, guard to

innate ratio, conditions of confinement, or asserting any state or federal law claims of inmates held in a facility governed by a consent decree vacated pursuant to this Order shall not be asserted in, or as a violation of any order issued in, Hayes Williams v. John McKeithen, supra, Hamilton v. Morial, supra, or in or as a violation of any consent decree vacated pursuant to this Order, but shall be initiated as a new action in a court of proper jurisdiction and venue. The determination of such proper jurisdiction and venue shall be made without reference to Hayes Williams v. John McKeithen, supra, Hamilton v. Morial, supra or any consent decree vacated pursuant to this Order, or to any jurisdiction arising out of, under, or conferred by those cases or consent decrees.

IT IS FURTHER ORDERED that based upon this Order, the Court will file in the United States Court of Appeals for the Fifth Circuit a request that the Fifth Circuit vacate and set aside its order of April 21, 1981 entered in Hamilton v. Morial, Fifth Circuit No. 80-3392, and consolidated cases, and take such other actions as may be necessary to vacate the special jurisdictional grant to this Court established therein and to enable this Court to enter this Order. No provision contained in this Order shall enlarge or enhance the jurisdiction granted to this Court by the Fifth Circuit pursuant to its order of April 21, 1981, any of its subsequent orders or decisions related thereto, or the consent decrees vacated pursuant to this Order.

Baton Rouge, Louisiana, this 26 day of ~~August~~ ^{September}, 1996.

James J. Deloach

UNITED STATES DISTRICT JUDGE

This Order is submitted this 23rd day of August 1996 by and on behalf of the Sheriffs appearing hereinbelow.

T. Allen Usry

T. ALLEN USRY, La. Bar #12988
2800 Veterans Blvd., Suite 180
Metairie, LA 70009-6645
(504) 833-4600
Attorney for the Sheriffs

SHERIFF

Charles G. J. [Signature]

PARISH

Curran Sheriff
Parish of Orleans

SHERIFF

PARISH

Raymond L. Linares

Urbemilion

Ken Gore

Acadia

Willie A. Noyes

St. Mary

Dan Beasley

Jackson

Howard A. Turner

Allen

J. B. P. P. / P. P.

Grant

Jas. C. B.

Bossier Parish

William T. Ross Jr

WEBSTER

Joseph J. King

Ascension

Madison J. Martin Jr

St. Tammany

Sid Herbert

Iberia

Kenneth J. Denton

Clayborne

Jack Stephens

St. Bernard

Sherry Howard Teranque

St. Landry

Accepting for Sheriff Martin Lopez ^{by Cheryl L. Linares} St. Helena

Greg Bennett

Desoto

Orlando H. K. K. K.

Red River

Joe Sterling

B.enville

James E. Jordan

Winn

Wayne Couch

Lincoln

Jeff Burt by J. B. P. P. P. P.

Tensas

Balwin Bishop by J. B. P. P. P. P.

Bezevegard

Henry C. P. P. P. P. P. P. P.

Madison

SHERIFF

PARISH

William L. Hite

Juane Blair

James W. Echen

Frank A. Howard

W. M. Brown

Wayne Sanders Proxy for Sheriff James L. ...

Wayne Morein

Charles ...

James ...

James ...

James ...

James ...

James ... for Sheriff Harry Lee, Jefferson Parish

William M. Lee, Jr. for Sheriff Boyd B. Durr, Natchitoches Parish

Charles W. Fite for Sheriff J. E. ...

Bob Buckley for Sheriff ...

J. Allen ... for Sheriff Dennis Warwick, La Salle

J. Allen ... for Sheriff Richard Edwards Jr., Jefferson Davis

J. Allen ... for Sheriff Ronnie ...

J. Allen ... for Sheriff Steve ...

J. Allen ... for Sheriff Dale S. ...

J. Allen ... for Sheriff L. F. "Juff" ...

J. Allen ... for Sheriff L. Lorell ...

Rapides - SHERIFF

Washington - SHERIFF

CALCASIEU - SHERIFF

Urnou Parish

West Feliciana - Sheriff

EVANGELINE PAR.

West Baton Rouge

IBERVILLE

Poite Coupe

Top of the

Sabine

SHERIFF

~~PARISH~~
PARISH

Charles B. [unclear]

Ouachita

Paul [unclear]

Morehouse

Larry Bennett

West Carroll

Charles A. [unclear] by [unclear] St. Martin

[unclear]

Chief of Staff St. Charles

Thomas [unclear]

Assumption

Randy Malone

East Feliciana

Wayne L. Jones

St. John

Willy J. [unclear], Jr

St. James

Donald E. [unclear]

Caddo

Charles B. [unclear]

Caldwell

J. Andy [unclear]

Concordia

J. Allen [unclear] for Sheriff James R. "Lou" [unclear] Cameron

J. Allen [unclear] for Sheriff Jerry J. [unclear] Terrelbone