

DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF RHODE ISLAND

NICHOLAS A. PALMIGIANO, et al.,)	
v.)	C.A. No. 74-172
J. JOSEPH GARRAHY, et al.)	
)	
THOMAS R. ROSS, et al.,)	
v.)	C.A. No. 75-032
<u>J. JOSEPH GARRAHY, et al.</u>)	

ORDER

On Wednesday, October 28, 1987 the Court conducted a chambers conference to review the Defendants' Initiatives to Reduce the Inmate Population at the Intake Service Center submitted to the Court on October 20, 1987. The following parties were in attendance: J. Michael Keating, Jr., Esquire, Special Master; Alvin J. Bronstein, Esquire, for the Plaintiffs; John J. Moran, Director of Corrections, David W. Dugan, Esquire, Special Assistant Attorney General, John Biafore, Esquire, Legal Counsel to the Governor, Joseph J. Reilly, Deputy Director of Policy, Governor's Office, A.T. Wall, Assistant Director, Policy and Development, Jeffrey Laurie, Deputy Assistant Director, Rehabilitation Services, Joseph DiNitto, Assistant to the Director, George M. Cappello, Esquire, Associate Director, Legal Services for the Defendants.

The Court requested that the parties present respond to the Defendants' plan to reduce population at the Intake Service

Palmigiano v. Travisono



PC-RI-001-007

Center. The Court acknowledged that the problem of escalating inmate population was indeed a difficult one to address and correct and indicated its willingness to be realistic in light of the efforts of the Governor of the State of Rhode Island and Director of Corrections to correct the undesirable situation at the Intake Service Center. Thereupon and by and with the consent and agreement of all parties present, the Court

ORDERED

1. Effective Wednesday, October 28, 1987, and continuing until January 1, 1988, the present ceiling shall be lifted to permit double celling at the Intake Service Center to allow a total inmate population of 336 at this facility.

2. On January 1, 1988, Defendants shall make available sixty (60) beds at the Pinel Building (ISC Annex) at which time the inmate population ceiling at the Intake Service Center shall be reduced to 276.

3. On March 1, 1988, Defendants shall make available thirty (30) additional beds [for a total of ninety (90) beds] at the Pinel Building (ISC Annex) at which time the population ceiling at the Intake Service Center shall be reduced to 250.

4. Notwithstanding the population ceilings set forth in this order, the defendants shall make a good faith effort to keep the population as low as possible and limit double celling as much as possible.

5. On or before April 1, 1988, the State shall present to

the Court a concrete plan incorporating future initiatives to reduce the population level at the Intake Service Center.

6. The Court-appointed experts shall conduct a review of the conditions at the Intake Service Center after January 1, 1988 to determine if constitutional standards are being met for the population at that time.

7. After a review of the experts' reports, by all parties, the Court shall determine whether an evidentiary hearing will be required.

8. Failure to comply with this Order shall result in heavy and substantial monetary sanctions against the defendants.

By Order,

Annella P. Zivari
Deputy Clerk

Entered By Agreement: -

Raymond J. Pettie
Senior U.S. District Judge

Dec 16/87

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