

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN**

LAWRENCE CARTY, et al.,	:	
	:	
Plaintiffs,	:	Civil No. 94-78
	:	
v.	:	
	:	
JOHN DEJONGH, et al.,	:	
	:	
Defendants.	:	

ORDER

This Court, having reviewed Plaintiffs’ Motion for the Appointment of James Austin as the Court’s Population Management and Classification Expert, and for good cause shown, hereby **ORDERS** that Plaintiffs’ Motion is **GRANTED**.

This Court **FURTHER ORDERS** that James Austin, Ph.D., is hereby appointed the Court’s population management and classification expert pursuant to Fed. R. Evid. 706 and the Court’s inherent powers. Within 180 days of the date of this Order, Dr. Austin shall file a report with the parties and this Court that

(1) analyzes the Territory’s criminal justice processes and policies that affect the population level at the Criminal Justice Complex (CJC) and CJC Annex [collectively, “the Jail”],

(2) includes strategies and remedies to address those processes and policies so that the population level at the Jail can be reduced without significantly affecting public safety,

(3) includes a baseline population forecast that would advise the territory on the impact of current criminal justice trends,

(4) identifies realistic options that have been successfully implemented in other jurisdictions

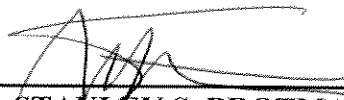
that will reduce the need for future beds, and

(5) assesses the existing classification and disciplinary systems at the Jail and provides technical assistance to Defendants so they can make the best use of existing bed space to safely and appropriately house the prisoner population.

This Court **FURTHER ORDERS** that Dr. Austin shall complete this work according to the schedule he has proposed in the Declaration of James Austin, Ph.D., dated March 4, 2011, which is incorporated by reference herein.

This Court **FURTHER ORDERS** that Defendants shall provide Dr. Austin with access to any records and personnel with their control that he deems necessary to complete his work, and that they and this Court shall use their best efforts to ensure that Dr. Austin has access to any other documents or personnel that are not within Defendants' control that he deems necessary to complete his work. Dr. Austin shall be compensated by Plaintiffs, who shall have the right to be reimbursed for these costs by Defendants.

SO ORDERED this 21st day of June, 2011.



Hon. STANLEY S. BROTMAN
UNITED STATES DISTRICT JUDGE
(Sitting by Designation)

ATTEST:
WILFREDO MORALES
Clerk of the Court

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