

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

THURMAN WILLIAMS and

RONALD IAN BOATRIGHT

each individually and on behalf of all
others similarly situated,

PLAINTIFFS,

v.

FEDERAL BUREAU OF PRISONS

MICHAEL CARVAJAL, in his official
capacity as Director, Federal Bureau of
Prisons

DISTRICT OF COLUMBIA

QUINCY BOOTH, in his official
capacity as Director, D.C. Department of
Corrections

HOPE VILLAGE, INC.,

DEFENDANTS.

Civil No. 1:20-cv-890

PLAINTIFFS' MOTION FOR A TEMPORARY RESTRAINING ORDER

EXPEDITED ORAL HEARING REQUESTED

Plaintiffs Thurman Williams and Ronald Boatright respectfully move for the entry of a temporary restraining order to require that Defendants Federal Bureau of Prisons, Michael Carvajal, District of Columbia, Quincy Booth, and Hope Village, Inc. create conditions that will minimize and mitigate the spread of COVID-19 within Hope Village. Specifically, the Court should:

1. Certify the class of all current and future residents of Hope Village.

2. Issue a declaration that the conditions to which Plaintiffs are subjected at Hope Village place Plaintiffs at an unreasonable risk of contracting serious illness.
3. Issue a Temporary Restraining Order requiring that Defendants address the inadequate conditions at Hope Village. The Temporary Restraining Order should require:
 - a. That Defendants release enough residents such that the remaining residents can be housed safely and in compliance with CDC guidance at Hope Village;
 - b. That Defendants take appropriate sanitary measures, including, *inter alia*:
 - i. Clean the residents' rooms daily;
 - ii. Reduce the number of residents at each meal time to facilitate social distancing pursuant to CDC guidelines;
 - iii. Reduce the number of residents sharing bedrooms to facilitate social distancing pursuant to CDC guidelines;
 - iv. Reduce the number of residents sharing bathrooms to ensure good hygiene;
 - v. Provide products for residents to maintain a clean space and ensure good personal hygiene; and
 - vi. Ensure food safety, including ensuring that persons handling the food have been tested or screened for COVID-19 symptoms.
 - c. That Defendants stop admitting new residents to Hope Village;
 - d. That Defendants provide an on-site medical team;
 - e. That Defendants screen staff and any person for COVID-19 symptoms upon every entry into the facility;

- f. That Defendants screen any and every resident who complains of COVID-19 symptoms for the virus. Defendants should also implement isolations and quarantines when necessary; and
 - g. That Defendants follow CDC and BOP guidelines and post signage to alert residents to the symptoms of COVID-19, and ways to prevent the spread of the virus.
- 4. Issue a Writ of Habeas Corpus and order the immediate release of Plaintiffs and sufficient members of the Plaintiff Class to ensure that the remaining residents can effectively practice social distancing and safe sanitation measures, with appropriate precautionary public health measures, on the ground that their continued detention violates their constitutional rights;
- 5. In the alternative, issue injunctive relief ordering all Defendants to immediately release Plaintiffs, with appropriate precautionary public health measures, on the grounds that their continued detention violates their constitutional rights;
- 6. Award Plaintiffs their costs and reasonable attorneys' fees in this action under the Equal Access to Justice Act ("EAJA"), as amended, 5 U.S.C. § 504 and 28 U.S.C. § 2412, The Civil Rights Attorney's Fees Award Act of 1976, 42 U.S.C. § 1988, and on any other basis justified under law; and
- 7. Grant any and all other such relief that this Court deems just and equitable.

For the reasons set forth in the Memorandum Of Law In Support Of Plaintiffs' Motion For Temporary Restraining Order And Preliminary Injunction and the Request For A TRO Hearing, Plaintiffs request that an oral hearing be held on an expedited basis pursuant to Local Civil Rules 7(f) and 65.1(a). A proposed order accompanies this motion.

Dated: April 2, 2020

Respectfully submitted,

/s/ Kevin Metz

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