

Tenny J — *litigant file*

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

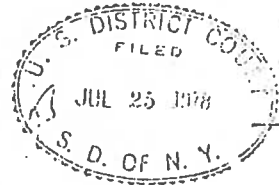
IOLA FORTS and FANNIE BRYANT, detainees of
the New York City Correctional Institution
for Women, individually and on behalf of all
other persons similarly situated,

Plaintiffs,

-against-

BENJAMIN J. MALCOLM, Commissioner of
Correction of the City of New York; ESSIE
MURPH, WARDEN, New York City Correctional
Institution for Women; and ABRAHAM D. BEAME,
Mayor of the City of New York, individually
and in their official capacities,

Defendants.



76 Civ. 101
(CHT)

Consent
Decree Order

Plaintiffs having brought this action on January 9, 1976, challenging certain conditions of confinement and practices at the New York City Correctional Institution For Women (NYCCIFW) as violative of their rights under the United States Constitution; and defendants having denied that plaintiffs' rights under the Constitution have been violated; and the Court having certified this case as a class action on February 1, 1977, the class consisting of all detainees who are or will be incarcerated at NYCCIFW; and the parties having agreed that it is in the best interests of all the parties that certain interim issues concerning the provision of contact visits to members of the plaintiff class be resolved without further litigation; and the attorneys for the plaintiffs and the defendants herein having entered into a Stipulation of Settlement for Proposed Consent Decree on Contact Visits, dated June 13, 1978, the original of which has been filed with this Court; and notice having been given to the plaintiff class as to the terms of the Proposed Consent Decree;

Now, upon the Stipulation of Settlement for Proposed Consent Decree on Contact Visits, it is hereby

ORDERED, that pending a final resolution of the visiting schedule at NYCCIFW, defendants shall, beginning July 1, 1978, permit each NYCCIFW detainee to have at least the following amount of weekday and weekend contact visiting:

a. Defendants shall permit each detainee at NYCCIFW to receive at least four one-hour contact visits each week, including

(1) at least one hour of contact visiting on a weekday evening each week, at an hour which is feasible for visitors who must travel to Rikers Island at the end of a workday; and

(2) at least one hour of contact visiting every weekend.

b. Defendants shall permit children to visit at any visiting session; and it is further

ORDERED, that this Court will retain jurisdiction over the terms of this decree, and that plaintiffs' counsel shall bring any matter to the attention of the defendants' counsel before instituting formal enforcement proceedings; and it is further

ORDERED, that nothing in this decree shall be construed to require defendants, for purposes of eliminating disparities among conditions in New York City jails, to provide detainees at other institutions with the same amount of contact visiting as they have herein agreed to provide for detainees at NYCCIFW; and it is further .

ORDERED, that the issues concerning the amount, schedule and conditions of visiting which must ultimately be provided to NYCCIFW detainees remain to be determined by the Court or resolved by agreement of the parties; and it is further

ORDERED that counsel for plaintiffs will prepare notice to the plaintiff class incorporating the terms of this decree and deliver a sufficient number of copies of the notice to the Superintendent of NYCCIFW for distribution. The Superintendent of NYCCIFW will cause a copy of this notice to be given by hand to each present detainee and to be kept posted in each day room and visiting room, the library, dining room and other common areas of NYCCIFW. The visiting schedule incorporating the terms of this agreement will be made known to each new admission. Copies of the visiting schedule for each month will be posted at least two weeks before the beginning of the month in each dayroom and visiting room, the library, dining room, and other common areas and included in any newsletter or publication regularly distributed to detainees at NYCCIFW.

Dated: New York, New York

✓ July 20 1978

Charles F. Conway
UNITED STATES DISTRICT JUDGE

~~DECLINENT ENTERED~~
~~CLERK~~