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U. S. DISTRICT COURT
DISTRICT OF ARIZONA

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

EVAN ARTHUR HOOK, et al.,)
Plaintiffs-Petitioners,)
vs.)
STATE OF ARIZONA, ex rel.,)
et al.,)
Defendants-Respondents.)

No. CIV 73-97 PHX CAM

STIPULATION FOR AMENDMENTS
TO CONSENT DECREE AND
PROPOSED ORDER

The parties above-named, by and through their respective attorneys undersigned, hereby stipulate and agree that the Court may enter an order amending and adding to the Court's consent decree and judgment of October 19, 1973, and the mail regulations attached thereto of the Department of Corrections of the State of Arizona, said amendments and additions being set forth verbatim in the text of the attached proposed order.

Although the Court's Judgment of October 19, 1973, approving the then stipulated form of proposed mail regulations dismissed this action with prejudice, the parties have discovered as a result of intervening occurrences and experience, that the amendments and additions proposed herein are necessary in order

Hook v. Arizona



PC-AZ-006-003

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1 to adequately deal with and cover two specific problem areas that
2 were observed following implementation of the initial regulations.
3 The amendments deal with the problems peculiar to mail pick-up
4 in all restrictive security sections with the application for and processing of applications for money orders
5 by inmates.
6

7 Under the circumstances, counsel request the Court to
8 grant this request under Rule 60(b).

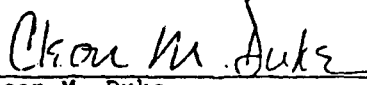
9 DATED this 6 day of May, 1974.

10 TREON, WARNICKE & DANN, P.A.
11 Attorneys for Plaintiffs

12 By 

13 B. Michael Dann

14
15 GARY K. NELSON
16 Arizona Attorney General
17 Attorneys for Defendants

18 By 

19 Cleon M. Duke

20 Assistant Attorney General

21
22
23 O R D E R

24 Pursuant to the foregoing stipulation of the parties,
25 and good cause appearing, it is hereby

26 ORDERED, ADJUDGED AND DECREED amending and adding to
27 this Court's earlier Judgment of October 19, 1973, and the
28 attached mail regulations of the Department of Corrections of the
29 State of Arizona, revised as of September 24, 1973, which regula-
30 tions were incorporated into said Judgment, as follows:

31 1. By deleting the second and third paragraphs of
32 Section VI (Packages and Money Orders (Outgoing)) and adding the

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1 following in lieu thereof:

2 "Inmates inside the Main Yard and I. E. R. should
3 complete their transfer slips in the Yard Offices.

4 O. T. inmates should complete their transfers in the
5 Operations office, and female inmates should complete
6 theirs in the main office at the Women's Division.

7 Transfer slips should be filled out in the presence
8 of an official, who would countersign the slip, attesting
9 to the validity of the inmate's signature. The completed
10 transfer slip would then be deposited in the Warden's
11 Mail Box in each of the above offices and would remain
12 under supervision. The Warden's Mail Box would be
13 emptied at least once each work day by an official. The
14 transfer slips would be taken to the Mail Office to be
15 sorted and checked against existing records to verify
16 the addressee as a member of the immediate family,
17 attorney of record, or other member of the State Bar of
18 Arizona as listed in the State Bar Directory.

19 Legitimate transfer slips to family and attorneys,
20 as well as those made payable to established business
21 firms, for the purpose of purchasing authorized goods
22 would be immediately forwarded to the Secretary's
23 Office to be converted to money orders.

24 All questionable transfer slips would be referred
25 to the office of the Deputy Superintendent - Programs
26 for investigation by a Screening Committee.

27 In any event, all nonquestioned transfer slips
28 shall be processed in no more than five (5) working
29 days, and questionable transfer slips shall be reviewed
30 and processed or returned to the inmate in no more
31 than ten (10) working days."

32 . . .

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2. Adding the following after the first paragraph of
Section VII (Mail Room):

"A Correctional Service Officer from the Prison Mail Room
will make daily calls in all restrictive security sections
Monday through Friday sometime after 8:30 A.M. The purpose
will be to collect all mail and money orders.

The cellblock officer will have a prepared list
of inmates that will require the Mail Room Officer's
services. This list will include the inmate's name,
number, and cell location. The Mail Room Officer will
then go to the specified cells that require his services
and search the legal mail and promptly seal it in the
presence of the inmate.

Money Orders will be collected by this officer
also and will be forwarded to the Secretary's Office for
proper processing."

DONE this 10 day of May, 1974.


C. A. Muecke, U.S. District Judge