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15 Attorneys for Plaintiffs

16 UNITED STATES DISTRICT COURT

17 EASTERN DISTRICT OF CALIFORNIA

18 BARABARA DOTY, RHONDA JONES,)
 19 NICK CARLSEN, and all others)
 20 similarly situated)

21 Plaintiff,)

22 vs.)

23 THE COUNTY OF LASSEN /)
 24 and RONALD D. JARRELL as)
 25 Sheriff, and Individually,)

26 Defendants.)

27 CIVS- 89-1019 LKK-JFM
 28 CASE NO.

COMPLAINT FOR INJUNCTIVE
 RELIEF

CLASS ACTION

29 JURISDICTION

30 1. This is a class action brought by the prisoners in
 31 the Lassen County Jail to redress the deprivation by defendants,
 32 County of Lassen and Sheriff Ronald D. Jarrell, of plaintiffs
 33 rights, privileges and immunities arising under the Constitution
 34 and Laws of the United States and the deprivation under color
 35 of law by the individual defendants of these rights (First,
 36 Fourth, Eighth, and Fourteenth Amendments of the Constitution

1 of the United States) 42 USC Section 1983 through overcrowding,
2 inadequate staff and inadequate procedures, by failing to
3 provide beds, personal storage space, adequate food, clothes,
4 underwear, medical, dental, and mental health care, a decent,
5 clean, adequately lit jail, a safe jail, reasonable visitation,
6 mail not read or copied or taken by defendants, local police
7 or the D.A., access to attorneys, access to legal materials ,
8 inadequate grievance procedures, prompt probable cause and
9 detention and bail hearings, privacy for conversations with
10 attorneys, access to telephones, and unequal access for
11 women prisoners. Instead named plaintiffs Rhonda Jones, Barbara
12 Doty, and Nick Carlsen are prisoners in the Lassen County Jail
13 who were arrested without a warrant and taken to the Lassen
14 County Jail, located at 220 S. Lassen, Susanville, California
15 (hereinafter called "Lassen County Jail"). Many warrantless
16 arrestees, and sentenced prisoners, are detained in the Lassen
17 County Jail in such overcrowded conditions that they are denied
18 a constitutionally adequate place of detention, including
19 failure to provide a bed to sleep on.

20 2. The jurisdiction of this Court is invoked under 28
21 USC 1331, this being an action arising under the Constitution
22 and Laws of the United States and under 42 USC 1343, this being
23 an action authorized by law to redress the deprivation under
24 color of the State law, statute, ordinance, regulation, custom
25 and usage of a right, privilege, and immunity secured to
26 plaintiffs by the First, Fourth, Eighth, and Fourteenth
27 Amendments of the Constitution of the United States.

28 3. Defendant COUNTY OF LASSEN (hereinafter called

1 "County") is a unit of local government, duly formed and
2 authorized under the laws of the State of California. As part
3 of its duties, defendant County provides local jail facilities,
4 specifically the Lassen County Jail located in the City of
5 Susanville, County of Lassen. Through the Sheriff's Department
6 of the County of Lassen and other County agencies, defendant
7 County also provides supervision to persons in the Lassen
8 County Jail.

9 4. Individual Ronald D. Jarrell is the Sheriff of the
10 County of Lassen, responsible for the Lassen County Jail and
11 its inmates.

12 5. At all times pertinent to this complaint, the named
13 Individual Defendant was acting under the color of his official
14 capacity and the ordinances and regulations of Lassen County,
15 and the laws of the State of California.

16 6. The neamed plaintiffs are citizens or persons residing
17 in the United States.

18 7. During all times mentioned herein, the defendants, and
19 each of them separately and in concert, acted under color
20 and pretense of law, to wit, under color of the statues,
21 ordinances, regualtions, customs and usage of the State of
22 California and the County. Each of the defendants herein,
23 sepapately and in concert engaged and conspired in the illegal
24 conduct herein mentioned to the injury of plaintiffs, and
25 deprived the plaintiff of the rights, privileges and immunities
26 secured to plaintiff by the Fisrt, Fourth, Eighth and Fourteenth
27 Amendments to the Constitution of the United States and the
28 laws of the United States, pursuant to the practice and policy

1 of defendant County.

2 8. At all relevant times, the plaintiffs Barbara Doty,
3 Rhonda Jones, and Nick Carlsen were prisoners and held in
4 the Lassen County Jail.

5 9. The deprivations suffered by plaintiffs were and are
6 the result of ongoing patterns of conduct and practices of
7 defendants, including defendant COUNTY OF LASSEN and defendant
8 Ronald D. Jarrell, and unless and until ordered by this court,
9 overcrowded conditions resulting in inadequate food, clothing,
10 sleeping arrangements, medical and dental and mental health,
11 safety, access to attorneys and excessive detention of
12 warrantless arrestees before probable cause hearings and bail
13 hearings will continue to deprive inmates of the Lassen County
14 Jail of their constitutional rights.

15
16 CLASS ACTION ALLEGATIONS

17 10. The named plaintiffs are representatives of a class
18 within the meaning of Rule 23(a) and 23(b)(2) of the Federal
19 Rules of Civil Procedures.

20 11. The members of the class are so numerous that joinder
21 of all of them is impractical, there being more than 60
22 prisoners in the Lassen County Jail at any one time.

23 12. The members of the class are readily identifiable
24 from the defendants' records.

25 13. There are questions of law and fact common to the
26 class; their class claims predominate over any individual
27 claim.

28 14. The defendants have acted or refused to act on

1 grounds generally applicable to the class by failing to provide
2 constitutionally adequate facilities and hearings.

3 15. The named plaintiffs will fairly and adequately
4 protect the interests of the class; having no other intent then.

5 16. The class consists of all prisoners held in the Lassen
6 Lassen County Jail from July 17, 1989 to present, and all
7 future prisoners.

8 17. Plaintiffs do not propose notice at this time,
9 consistent with their practices in similar cases.

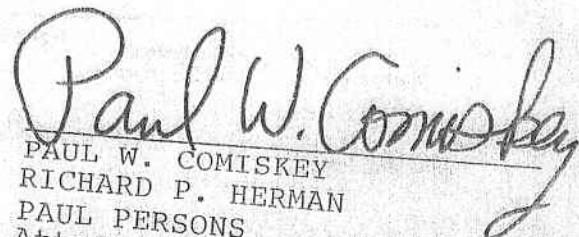
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11 WHEREFORE, plaintiffs pray:

12 1. For an order and judgement requiring defendants to
13 provide adequate conditions of confinement including a bed for
14 every prisoner, personal storage space, adequate food and
15 clothing, adequate medical, dental and mental health care,
16 cleanliness, adequate lighting, safety, access to attorneys,
17 access to legal materials, privacy of letters and correspondences,
18 adequate grievance procedures, to provide in-custody arrestees,
19 arrested without warrants, prompt probable cause determinations
20 and bail hearings, and equal access to facilities for women
21 prisoners;

22 2. For reasonable attorneys fees and costs of suit;

23 3. For such other relief as may be necessary and proper to
24 effect the purposes of this litigation.

25 DATED: July 24, 1989

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