

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

NICHOLAS A. PALMIGIANO, et al.	:	C.A. No. 74-0172
	:	
v.	:	
	:	
BRUCE SUNDLUN, et al.	:	
	:	
THOMAS R. ROSS, et al.	:	C.A. No. 75-0032
	:	
v.	:	
	:	
BRUCE SUNDLUN, et al.	:	

STIPULATION

WHEREAS, the parties entered into a Final Settlement Agreement dated March 18, 1994 and approved by the United States District Court For the District of Rhode Island on July 15, 1994 (a copy is attached);

WHEREAS, Defendants have submitted a plan to increase the capacities in the Medium II facility¹ by reconfiguring certain usage in said facilities;

Now, the parties agree to the following amendments of the Final Settlement Agreement which was dated March 18, 1994, approved by the Court on July 15, 1994, and subsequently amended in June, 1995. (A copy of the June 1995 Modification is attached.)

Palmigiano v. Travisono



PC-RI-001-022

¹ Medium II facility was previously known as the Special Needs Facility in the Final Settlement Agreement.

The Final Settlement Agreement, dated March 18, 1994, in Section III, ¶ D.2 provided that this facility's population capacity shall be two hundred fifty (250). The Defendants seek to increase this population capacity in the Medium II facility by forty-two (42), as set forth:

- A Dorm - increase to sixty-eight (68),
- B Dorm - increase to sixty-eight (68),
- C Dorm - increase to sixty-eight (68).

Therefore, the total capacity for Medium II shall be two hundred ninety-two (292).

Furthermore, the Settlement Agreement provided in Section III, ¶ D.2 that "If F Dorm is constructed, capacity can be increased to Three Hundred and Four (304) (fifty-four (54) inmates in F Dorm)".² The defendants seek to increase this population capacity in F Dorm by fourteen inmates as set forth:

- F Dorm -- increase to sixty-eight (68).

Therefore once F Dorm is constructed, the total capacity for Medium II shall be three hundred sixty (360).

The Defendants have now verified that the aforementioned increases would not be detrimental to the infrastructure of the facilities and would improve prison management. Plaintiffs' counsel has inspected the facilities and confirmed that the requested population increases would not impair or infringe upon inmates' rights.

Accordingly, it is stipulated and agreed that Section III, ¶ D. 2 is modified to the extent that the population capacity at the Medium II facility shall hereinafter be two hundred ninety-two (292) and that after F Dorm is constructed the population capacity at the Medium II facility shall be three

²The dormitory referred to as "F Dorm" in the Settlement Agreement and in this Stipulation is now known as E Dorm on the Department's operational rosters.

hundred sixty (360).

All other provisions of the Agreement remain in full force and effect.

Dated: March 4, 1998

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Approved and So Ordered:

Ronald R. Faguen

Chief United States District Judge

Date: 3/27/98

Lincoln C. Almond is now Governor of the State of Rhode Island