

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

FILED

1991

U.S. DISTRICT COURT

1991

UNITED STATES OF AMERICA,

Plaintiff,

v.

CITY OF CORINTH, MISSISSIPPI, et al.,

Defendants.

Civil Action No.

1:94cv-311-S-D

CONSENT ORDER

U.S. v. Corinth City



JC-MS-008-003

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I. INTRODUCTION

1. This Court has jurisdiction over this action pursuant to 28 U.S.C. § 1345.

2. Venue in the Northern District of Mississippi is appropriate pursuant to 28 U.S.C. § 1391(b).

3. The United States has met all pre-filing requirements stated in the Civil Rights of Institutionalized Persons Act, 42 U.S.C. § 1997 et seq.

II. DEFINITIONS

4. "Plaintiff" shall refer to the United States of America.

5. "Defendants" shall refer to City of Corinth, Mississippi, the Mayor of the City of Corinth, and his agents and successors in office, the members of the City of Corinth Board of Aldermen, the Chief of Police for the City of Corinth and the Chief Correctional Officer of the City of Corinth Jail along with their agents and successors in office.

6. The terms "inmate" or "inmates" shall refer to one or more individuals sentenced to, incarcerated in, detained at, or otherwise confined at either the existing City of Corinth Jail ("the Jail") or any facility that is built to replace the Jail.

7. The term "suicide cell" shall refer to the newly renovated cell that the City of Corinth Jail has established for suicidal, mentally ill, violent inmates and those inmates suffering from acute alcohol/drug withdrawal.

8. The term "special needs inmates" shall refer to those inmates who are suicidal, mentally ill, mentally retarded,

intoxicated, under the influence of alcohol or other substances, or any inmates who are a danger to themselves or others. The term "special needs cell" shall refer to those cells in the Jail that are suicide resistant.

III. BACKGROUND

9. The Defendant City of Corinth owns and funds the operation of the City of Corinth Jail located in Corinth, Mississippi.

10. In their official capacity, the Defendants Chief of Police of the City of Corinth and Chief Correctional Officer of the City of Corinth Jail are responsible for the day-to-day operation of the Jail and have custody of the Jail and its inmates.

11. Pursuant to the Civil Rights of Institutionalized Persons Act ("CRIPA"), 42 U.S.C. § 1997 et seq., on June 15-16, 1993, the United States toured the Jail with experts in the fields of penology, correctional health care and environmental sanitation. On September 9, 1993, the United States issued a findings letter based on its investigative tours by experts regarding the conditions of confinement at the Jail.

12. The parties to this Consent Decree recognize the constitutional rights of the inmates confined at the Jail. The parties agree that this case is particularly appropriate for settlement rather than litigation. After discussions and in order to avoid litigation regarding the constitutionality of the

care and confinement of inmates at the Jail, the parties agree upon this Consent Order covering the following provisions.

IV. NEW JAIL CONSTRUCTION

13. If the City of Corinth decides either alone or jointly with Alcorn County to construct a new Jail to replace the existing Jail, the Defendants agree to consult with the United States regarding the construction of the new Jail.

14. The Defendants agree to construct any new Jail in accordance with the American Correctional Association's (hereinafter "ACA") standards in effect at the time of the construction.

15. The Defendants agree to construct any new Jail in accordance with the Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 and 47 U.S.C. §§ 225 and 611, and the regulations thereunder.

16. If the Defendants decide to build a new Jail, the Defendants agree to establish a schedule for construction of the new Jail with specific deadlines to accomplish the following tasks: (1) finalize plans and specifications, (2) advertise for construction bids, (3) award contracts, (3) issue notice to proceed to contractor(s), (4) complete construction, and (5) occupy the new facility.

V. SUBSTANTIVE PROVISIONS

A. Policies and Procedures

17. The Defendants shall draft a staff manual delineating the general policies and procedures of the Jail. The Defendants

shall ensure that the Jail is strictly operated according to such policies and procedures. The staff manual shall include, but not be limited to, all policies and procedures described in this Order.

18. The Defendants shall distribute the staff manual to every staff member having contact with inmates at the Jail. All staff members must sign a statement indicating that they have read and understand the manual. The Defendants shall review and update the staff manual annually.

19. The Defendants shall draft an inmate handbook delineating the general policies and procedures of the Jail. The Defendants shall distribute the inmate handbook to every inmate within twenty-four hours of arrival.

B. Staffing, Operational, and Security Procedures

20. To maintain safety and security within the Jail and to implement the terms of this Order, the Defendants shall hire three full-time jailers in order to provide continual around-the-clock supervision of inmates.

21. In order to maintain the above listed staffing levels, Defendants must also hire sufficient extra staff to cover absences due to illness, vacation or other reasons. The extra staff may consist of either full-time or part-time officers. Whether full- or part-time, Defendants must adequately train all staff in accordance with the terms of this Order.

22. When female inmates are housed at the Jail, a female jailer or dispatcher must be available to provide adequate supervision of women inmates.

23. All staff shall be dedicated solely to administering the Jail, except for a female dispatcher if used to monitor female inmates.

24. Defendants shall establish a jail officer's station on the top floor of the Jail. The station shall have an officer present and on duty at all times with two-way audio communication capability with the dispatcher on the first floor.

25. The Defendants shall ensure that the Jail has sufficient staff to implement all terms of this Order.

26. The Defendants shall ensure that current and new Jail staff members are sufficiently well-trained to implement the terms of this Order. Such training shall include, but not be limited to, appropriate training and certification in CPR (cardiopulmonary resuscitation), training by the City of Corinth or Alcorn County mental health professionals to recognize and deal with special needs inmates, and training by a local medical professional on administering medicine along with recognizing the side-effects of medications commonly administered at the Jail.

27. In order to ensure that current and new Jail staff members are sufficiently well-trained, Defendants shall implement an adequate training program. All employees must complete 40 hours of in-service training every year. In addition to the 40 hour in-service training, new staff shall complete an additional

40 hours of pre-service or orientation training before beginning active duty at the Jail. The Defendants may satisfy this pre-service or orientation training through the Correspondence Course for Jailers developed by the United States Department of Justice National Institute of Corrections and instituted by the National Sheriffs' Association in Alexandria, Virginia.

28. The Chief Correctional Officer shall be sent, at the City of Corinth expense, to the training courses offered to jail managers by the United States Department of Justice National Institute of Corrections ("NIC").

29. At regular intervals not less than every thirty minutes, the Jail staff shall conduct an inspection of the Jail. The inspection shall include direct, visual, logged inspection of every area in the Jail.

30. The Defendants shall develop and implement written policies and procedures governing checks of the living quarters. The Jail shall maintain records indicating that staff has made the required checks.

31. The Defendants shall develop and implement written policies and procedures for selecting inmates as trustees. These policies and procedures shall include, at a minimum, the following: (a) under no circumstances shall trustees have authority over or supervise other inmates; (b) trustees shall not book-in inmates; (c) trustees shall not be permitted to leave the building without supervision; (d) trustees shall not distribute

medications; and (e) male trusties shall not have unsupervised access to female inmates.

32. The Defendants shall develop and implement written policies and procedures concerning the use of chemical agents. All uses of mace shall be documented. Chemical agents may only be used in situations in which an inmate is in imminent danger of harming others and all other reasonable alternative means of control have been tried. The Defendants shall identify all persons for whom chemical agents pose a danger to health and chemical agents shall not be used on such persons. Persons subjected to chemical agents shall be afforded the opportunity to cleanse themselves of the chemical agent and shall be provided with immediate medical attention, if necessary.

33. Defendants shall develop and implement policies and procedures concerning the use of restraints that comport with professional standards. The Defendants shall ensure that physical restraints are only used as a last resort, that they are used only for periods in which the inmate is engaged in self-destructive behavior, and that mental health staff is immediately notified when a decision has been made to utilize physical restraints.

34. To prevent a dangerous security breach, the storage closet adjacent to the trusties' quarters must be adequately secured or the contents moved to another location in the building away from the Jail's living quarters.

C. Inmate Classification

35. Defendants shall develop and implement an elementary classification plan that separates inmates based on such factors as bond and charge (felon/misdemeanor), known behavioral problems, and known history of escape attempts and/or violence. Such procedures shall ensure, at a minimum, that Defendants shall not house any inmate awaiting trial or serving time on misdemeanor charges with any inmate awaiting trial or serving time on felony charges. For the purposes of this paragraph, any inmate awaiting trial or serving time on both felony and misdemeanor charges should be considered in the felony category.

36. To the extent possible given the physical structure of the Jail, Defendants shall not house inmates awaiting trial with inmates already convicted or serving sentences.

37. In order to determine whether the classification system prevents harm and/or violence to the inmates, the Defendants shall develop and implement a documented incident reporting system and policies and procedures governing its implementation.

D. Fire Safety

38. In order to properly equip and swiftly evacuate the Jail in the event of a fire or other emergency, the Defendants shall provide a sufficient number of keys, color coded and notched or otherwise readily identifiable. The Defendants shall also store a backup set of emergency keys at a place accessible at all times to officers on duty on all shifts.

39. Defendants shall maintain in operating condition all smoke detectors in the Jail.

40. Defendants shall maintain an adequate number of properly working fire extinguishers throughout the facility.

41. Defendants shall maintain signs indicating exits and the location of fire extinguishers and maintain existing emergency lights within the Jail so that exits are illuminated at all times in case of emergency.

42. Defendants shall maintain the emergency generator system in working order to provide essential lights, power and communication during emergencies.

43. Defendants shall develop, maintain and implement a written policy and procedure for fire prevention at the Jail that shall include, but not be limited to, the following:

- a) a weekly fire and safety inspection of the Jail by an administrative staff member properly trained by local and/or state fire officials;
- b) inspection and testing of equipment at least every three months by local and state fire officials including smoke detectors, and fire extinguishers. State fire officials shall inspect and test the equipment at least twice during the year;
- c) inspection of the Jail every three months by local and state fire officials. State fire officials shall conduct at least two of the inspections;

- d) an adequate fire evacuation plan approved by the Mississippi State Fire Marshall and posted where correctional officers may use it in the event of a fire;
- e) an emergency plan for natural disasters, power outages, or chemical releases with appropriate periodic drills to determine if the plan works;
- f) a plan to test and adequately maintain the emergency generator system;
- g) a plan for storing and using all flammable, toxic, and caustic materials according to all applicable laws and regulations.

44. The Defendants shall train Jail staff in fire prevention and emergency procedures, including the fire evacuation plan and the use of fire extinguishers. Such training shall be properly documented.

45. Fire drills shall be conducted every three (3) months and properly documented.

46. Defendants shall ensure that the Mississippi State Fire Marshal reviews and approves all fire and safety policies and procedures.

47. The Defendants agree that the Jail will comply with Mississippi state fire codes and regulations. The Defendants must correct any fire safety citations as directed by state and/or local fire officials. Copies of any reports by state and/or local fire officials along with a description of the

corrective action taken, if any, shall be sent to the United States with the status report described in Part VI, ¶ 100 of this Consent Order.

E. Medical and Mental Health Care

48. Defendants must either hire or develop a contractual relationship with the following medical and mental health personnel: (1) a part-time physician or a registered nurse under the supervision of a licensed physician (e.g., a retired registered nurse) to serve as the central health care authority responsible for all aspects of health care at the Jail, including (a) conducting sick call services on a weekly basis, (b) providing on-call medical coverage, (c) arranging for admission when necessary to a local hospital and (d) providing for hospitalized inmates; (2) a local psychiatrist, psychologist or psychiatric RN to provide mental health sick call services as needed in addition to other routine and emergency services; and (3) a local dentist to provide dental care services to inmates. The Defendants shall ensure that inmates who are referred to subspecialty medical providers by a physician or registered nurse shall receive medical evaluation and medical care from such specialists.

49. Defendants shall develop and implement adequate written policies and procedures governing access to and delivery of medical services and mental health care.

50. The written policies and procedures governing medical and mental health services shall include an adequately detailed

admission screening form. In consultation with a qualified health professional and in accordance with accepted corrections standards, the Defendants shall revise and update the health screening form to record, at a minimum, the following information upon intake: (1) past medical, surgical, mental health, and dental history; (2) current injuries and illness; (3) current medications; (4) allergy information; (5) personal physician(s), dentist(s), mental health provider(s); (6) questions regarding recent fever, cough, weight loss, night sweats, chest pain, abdominal pain, bleeding episodes, changes in urination or bowel habits including bleeding from either site, and skin rash; (7) mental health screening to include suicide attempt history as well as questions designed to uncover significant depression and or hallucinations; (8) history of substance abuse; (9) history of tuberculosis to include date and result of last TB skin test; and (10) any other communicable disease.

51. Defendants must provide inservice training to all appropriate staff in how to complete the screening form.

52. Defendants shall use medically trained Jail personnel or a medical professional to conduct medical screening.

53. A nurse or physician must review all medical screening forms with positive responses and must file such screening forms in the inmate's medical record or chart.

54. Defendants shall identify and properly equip an area of the Jail to use as the medical triage, examination, and treatment area. Such area shall have adequate lighting and shall include,

but shall not be limited to, an examining table, blood pressure cuff, stethoscope, thermometer, Ambu bag, portable jump kit containing emergency supplies to be carried to the site of inmate or staff injury or illness, bandages and first aid supplies, ophthalmoscope and otoscope. In the existing facility, this area may be used for other purposes when not in use for medical triage, examination, or treatment of inmates.

55. Within two weeks of intake, Defendants must also give each inmate a health assessment including initial history, to include any known allergies, and physical examination consisting of blood pressure, pulse, temperature, and respiration and record the examination on a standardized form that is placed in the inmate's medical record along with the inmate's intake screening form.

56. Defendants shall develop a sick call policy and procedure that includes, at a minimum, the following:

(1) written sick call request slips; (2) a collection method with no inmate trusty involvement where the request slips go directly to a nurse or physician; (3) logging procedures to record each request for sick call services; (4) review of inmate requests by qualified medical personnel on a daily basis to determine urgency of need to be seen; (5) a sick call clinic held at least once per week conducted by a physician or a registered nurse under the supervision of a physician (e.g., a retired registered nurse); and (6) a recording of the results of sick call which shall be placed in an inmate's record in a generally accepted professional

format such as the standard subjective, objective, assessment, and plan format.

57. Defendants shall permit illiterate inmates to orally access the system by requesting access through a correctional officer who must fill out a request slip for the inmate within a reasonable time after the oral request.

58. If the health care professional recommends that any inmate needs further medical treatment or review, the Defendants shall promptly arrange and transport the inmate for such treatment.

59. The Defendants shall ensure that the dentist referred to above in § 48 of this subsection provides dental care services for inmates with serious dental problems. Such services shall not be limited only to extractions.

60. The Defendants shall provide adequate mental health services to the inmates. To this end, Defendants shall ensure that the local mental health professional referred to above in § 48 of this section shall provide 24 hour on-call consultation as well as in-person intervention and evaluation. Furthermore, mentally ill inmates shall be housed in an appropriate environment that facilitates staff supervision and personal safety.

61. Defendants must develop and implement an emergency response policy and procedure that specifies the plan for (1) activating an emergency medical system and (2) responding to identified medical or psychiatric emergencies in the Jail.

62. Defendants must plan, implement, and document semi-annually emergency medical response drills for all shifts to test medical emergency response preparedness. A physician must observe and critique such drills.

63. Defendants must train and certify all personnel in Basic Life Support Cardiopulmonary Resuscitation (BLS-CPR) with re-certification on an annual basis.

64. Defendants must develop and implement a policy and procedure to specify minimum follow-up frequency and minimum evaluation for inmates identified with chronic illness (e.g. asthma, diabetes, hypertension, positive PPD status, AIDS, seizure disorder, etc.).

65. In all cases of inmates confined at the Jail for seven days or more, Defendants shall administer a PPD test for tuberculosis (TB) with the results of the test forwarded immediately to the facility physician. If the test result is positive, the Defendants shall immediately schedule the inmate for a chest x-ray, with appropriate medical care and attention, including isolation, if required.

66. Defendants shall develop and implement policies and procedures regarding HIV and AIDS in conjunction with the local public health department or a physician. In addition:

- a) Defendants shall ensure that voluntary HIV testing and counseling is available on a confidential basis to inmates who request testing. Without the written informed consent of the inmate, an

inmate's HIV test or HIV status shall not be released to other inmates;

- b) For the purpose of obtaining any necessary medical care and counseling, Defendants shall ensure that a physician shall examine any inmate identified as HIV+;
- c) Defendants shall ensure that all correctional staff receive adequate training in HIV related issues. The Defendants shall also ensure that all inmates receive structured HIV education.
- d) Defendants shall ensure that inmates who are HIV+ and symptomatic shall be housed in a medical area appropriate for the acuity of their symptoms such as an infirmary, hospice, or hospital. In some cases, HIV+ inmates with minor symptoms may be appropriately housed in general population based on a case by case evaluation of a physician. Asymptomatic persons with HIV+ shall be housed in general population unless they exhibit behavior that creates a risk of HIV transmission to other inmates or staff (e.g., rape, biting, throwing feces) or unless the HIV+ inmate is at risk of physical harm from other inmates; and
- e) any inmate who is HIV+ and has active tuberculosis shall be segregated from all other inmates until such time that he or she is no longer infectious.

67. The Defendants must ensure that essential prenatal care is provided.

68. In order to ensure that medications inmates bring with them to the Jail are currently valid and correspond to the prescription label, Defendants must develop a method for a registered pharmacist or physician to review such medications at the earliest opportunity but no later than the next scheduled sick call following an inmate's incarceration.

69. Defendants must develop a system to store individual medications that includes a master log of all inmates with physician orders for prescriptions or over the counter medications. Medicine and food shall not be stored in the same refrigerator.

70. Defendants must develop a written procedure for their medication delivery system that includes a medication administration record system that allows appropriate staff to document the dispersal and receipt of each dose of medication with the inmate's signature. Defendants shall make all reasonable efforts to have an inmate sign a refusal form when an inmate refuses medications.

71. Officers that dispense medication must be trained in the side effects of frequently prescribed drugs and what actions to take if such side effects are noticed.

72. Defendants shall develop and implement written policies for blood and body fluid spills, medical waste disposal, and outdated drug disposal.

73. Defendants shall establish and implement written procedures for an adequate detoxification program, including access to medical supervision of an intoxicated inmate. Officers shall be adequately trained in the detoxification program.

74. At no time shall trustees have access to medical records, medication, or control access to medical services.

75. Defendants agree not to house civilly committed mentally ill persons in the Jail.

76. No inmate shall be disciplined for or otherwise discouraged from accessing the health care delivery system.

F. Suicide Prevention

77. The Defendants shall continue to maintain a suicide prevention area with appropriate monitoring equipment.

78. The Defendants shall screen all inmates for suicide risk and other special needs prior to their admission to the Jail. Such screening shall thoroughly assess an inmate's mental health and shall comport with current mental health professional and correctional standards.

79. All Jail officers and other police officers who come into contact with inmates shall be trained by a jail suicide prevention expert or licensed mental health professional. Such training shall include, but not be limited to, training in the proper response to a suicide or suicide attempt, including how to cut down a hanging victim and other first-aid measures, identifying and screening inmates, and training concerning high-risk groups and periods for suicide and suicide attempts.

80. The Defendants shall purchase and maintain in an area easily accessible to the living quarters appropriate rescue equipment, to include a rescue tool for rapid cutting of fibrous materials utilized in attempted hangings, disposable rubber gloves (to clear obstructions from mouths), a C.P.R. pocket mask, and any other equipment Defendants deem appropriate to ensure that staff are able to effectively intervene in an attempted suicide.

81. The Defendants shall develop and implement written policies and procedures on suicide prevention and the treatment of inmates, which shall include, but not be limited to, the following:

- a) placing all suicide suspected inmates in appropriate housing;
- b) establishing two levels of supervision of suicide suspected inmates - "Constant Watch" and "Close Watch." Constant Watch is reserved for the inmate who is actively suicidal, either by threatening or engaging in the act of suicide. The inmate shall be observed on a continuous, uninterrupted basis (i.e. one-on-one) by an officer who has a clear unobstructed view of the inmate at all times. The officer shall document the Constant Watch check every 15 minutes in a suicide watch log. Closed circuit television and/or inmate trustees may supplement but never substitute for the physical

observation of the officer. Close Watch is reserved for the inmate who has expressed thoughts of suicide and/or has a prior history of suicidal behavior, but is not considered actively suicidal. The inmate shall be observed by an officer at staggered intervals not to exceed 15 minutes. The officer shall document the Close Watch check when the check occurs. .

- c) communicating information relating to suicide suspected inmates between and among all Jail staff members, between arresting and transporting officers and Jail staff, and between Jail staff and the inmate;
- d) notification by Jail staff to local or state mental health authorities that a suicide suspected inmate has been admitted to the Jail;
- e) to the extent possible, notifying the inmate's family that the inmate has been admitted to the Jail;
- f) assessing all suicide suspected inmates as soon as reasonably possible by a qualified mental health professional to assess the inmate's level of suicide risk;
- g) establishing a mechanism by which Jail staff will communicate with health care providers regarding

the status of potentially suicidal inmates or inmates who have recently attempted suicide;

- h) establishing a mechanism by which Jail staff will refer potentially suicidal inmates and inmates who have recently attempted suicide to mental health care providers or facilities for placement;
- i) documenting all attempted and completed suicides and notifying Jail administrators, outside authorities and family members of all attempted and completed suicides;
- j) establishing follow-up and administrative review procedures for all attempted and completed suicides, including determining what changes, if any, are needed in the Suicide Prevention Program.

G. Food and Water Service

82. The Defendants shall serve three (3) meals a day to all inmates. Two of the three meals must be hot. A trained dietician shall review the menus of all meals served at the Jail.

83. The Defendants shall provide special diets to inmates with medical conditions that require them.

84. The Defendants shall provide inmates with sanitary and potable drinking water at all times.

H. Exercise

85. Defendants shall develop and implement written policies and procedures to ensure that inmates held at the Jail for a

period of two or more weeks are provided access to adequate space for exercise for a minimum of two (2) hours per day, five (5) days per week. If an inmate is transferred to the Jail from the Alcorn County Jail, the time spent in the Alcorn County Jail shall count toward the two week total.

86. Weather permitting, at least one (1) hour of the above two hours of exercise shall be dedicated to outdoor exercise or recreation.

I. Hygiene and Personal Items

87. The Defendants shall provide inmates with a fire retardant mattress, mattress cover, blankets and/or sheets, a pillow with a fire retardant cover, and a towel. The Defendants shall purchase enough uniforms to provide inmates with clean clothes if such is not otherwise available. All mattress covers, towels, inmate clothes and uniforms shall be cleaned at least once per week.

88. The Defendants shall provide all inmates confined or expected to be confined in the Jail for twenty-four (24) or more hours with an adequate supply of soap, hair shampoo, toothbrushes, toothpaste, toilet paper, a comb, and shaving equipment.

89. The Defendants shall provide all female inmates with a reasonable supply of sanitary napkins upon request.

J. Disciplinary System

90. The Defendants shall include the rules of the Jail in the inmate handbook with a complete list of possible punishments

for violations. Written notice of any rules violation, a hearing before a Jail officer not involved in the investigation of the rules violation and an appeal to the Chief Correctional Officer shall be provided to an inmate prior to any punishment being imposed, except that the Defendants may administratively segregate an inmate in emergency or life-threatening situations.

91. No corporal punishment shall be imposed on any inmate at the Jail. There shall also be no group discipline for the actions of inmates.

92. The terms of this Order relating to safety, crowding, health, hygiene, food, and access to courts shall not be revoked or limited for any inmate for disciplinary reasons.

K. Access to Courts

93. The Defendants shall provide inmates access to a reasonable amount of paper, envelopes, writing implements, and postage for legal correspondence with attorneys, legal services or assistance organizations, and courts. The Defendants shall provide, free of charge for indigent inmates and at not more than \$.10 per page for others, sufficient photocopying of legal documents to satisfy court procedural requirements and to permit the inmate to retain a single copy of each document.

94. Within forty-eight hours after their initial appearance in court, the Defendants shall provide every inmate reasonable telephone contact free of charge with the inmate's local attorney.

95. At no cost to the Defendants, inmates shall be permitted to purchase and receive whatever law books and other legal research materials that they wish. Inmates shall be permitted to keep these materials in their cells or bullpens consistent with security and fire safety requirements.

96. The Defendants shall provide inmates with timely and meaningful access to legal materials consisting of at least the following materials:

- a. a leading law dictionary;
- b. a simple book on criminal procedure, and a simple book on civil procedure;
- c. a simple treatise on evidence or trial techniques or practices;
- d. a general guide to legal research;
- e. current civil and criminal procedures rules, including local rules, and mailing addresses of the United States District Court for the Northern and Southern Districts of Mississippi, the Mississippi Supreme Court, and all local courts which have jurisdiction over inmates at the Jail;
- f. a current copy of the Mississippi Code Provisions, and an index of the Code to assist inmates in specifying the Code sections they need to review;
- g. a current copy of the Mississippi Digest and the West's Federal Practice Digest, with supplementary pocket parts and volumes;
- h. a number of self-help "how to" guides for legal issues in the state of Mississippi;
- i. the business address and phone number of the City of Corinth and Alcorn County Public Defender's Office;
- j. five copies of this Order.

97. The above listed legal materials shall be available for use by inmates between, at a minimum, 8:00 a.m. and 5:00 p.m. The Defendants may, at their option, establish a room where inmates can be taken to use the legal materials, or may keep the materials in a Jail office and allow inmates to request that

materials be delivered to their cells. Inmate requests for access to legal materials shall be met promptly.

98. The Defendants shall develop and implement policies and procedures governing inmate access to legal materials. Such procedures shall either provide inmates with physical access to a law library or provide inmates with up to five (5) legal books a week. Such procedures shall ensure that inmates are provided with sufficient time in the library or provided with sufficient time with the books for meaningful legal research. In the event that an inmate is facing a specific court deadline or statute of limitations, the Defendants shall make reasonable efforts to allow the inmate additional access to requested legal materials.

VI. CONSTRUCTION, IMPLEMENTATION AND TIMING OF COMPLIANCE

99. Except where otherwise specifically indicated, the Defendants shall implement all provisions of this Order within 120 days of the signing of the Order.

100. Defendants shall, every ninety (90) days following the signing of this Order and until this Order is terminated, file with the Court and the United States a status report stating whether and how the Defendants are complying with the terms of this Order.

101. The status reports, at a minimum, shall describe the actions that the Defendants have taken up to and including the current reporting period to implement this Consent Order and shall specifically refer to the provisions of this Consent Order upon which they report.

102. The Defendants shall maintain sufficient records to document their compliance with all the terms of this Consent Order. Defendants shall also maintain any and all records required by or developed under this Consent Order.

103. The United States shall have access to all documents that relate to implementing this Order. Upon reasonable notice to Defendants' counsel, the United States shall have access to all staff and facilities as necessary to address issues affected by this Order.

104. The Defendants shall immediately explain the terms of this Order to all persons connected with the Jail, including Jail staff and other police officers. All Jail staff members and other individuals providing services required by this Order shall sign a statement indicating that they have read and understand this Order. Such statement shall be retained by the Defendants. The Defendants shall require compliance with this Order by their respective employees, agencies, assigns, or successors.

105. The Defendants shall provide continuous notice of this Order's terms to all inmates by posting, within ten (10) days of the signing of this Order and continuously thereafter, one (1) copy in a place within easy access to all inmates, such as a common dayroom area. In addition to the general posting of this Order, the inmate handbook described herein shall advise inmates that the Jail is being operated under the terms and conditions of an Order entered by the United States District Court for the

Northern District of Mississippi, and that upon request, any inmate will be afforded a copy of the complete Order.

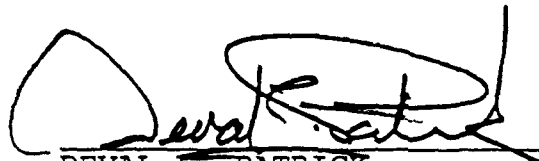
106. The parties recognize that at the time of the signing of this Consent Order, the City of Corinth is reviewing the option of constructing a new Jail facility with Alcorn County. Nothing in this Consent Order shall be interpreted to prohibit or otherwise limit the construction of such a facility.

107. For a minimum of one year after entry of this Order, the Court shall retain jurisdiction in this case to ensure that the plans and provisions in this Order are fully implemented. The Court shall dismiss this Consent Order only upon a finding by the Court that the Defendants have fully and faithfully implemented all terms of this Order.

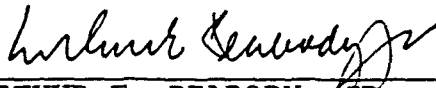
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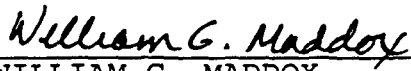
COUNSEL FOR UNITED STATES:

Date: September __, 1994


DEVAL L. PATRICK
Assistant Attorney General
Civil Rights Division

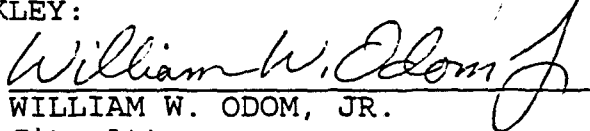
AL MORETON
Acting United States Attorney
Northern District of
Mississippi


ARTHUR E. PEABODY, JR.
Chief
Special Litigation Section


WILLIAM G. MADDOX
Senior Trial Attorney
Civil Rights Division
Special Litigation Section
Post Office Box 66400
Washington, D.C. 20035-6400

COUNSEL FOR DEFENDANTS
THE CITY OF CORINTH, THE MAYOR OF
THE CITY OF CORINTH, THE BOARD OF
ALDERMEN OF THE CITY OF CORINTH,
AND CHIEF OF POLICE LARRY BRINKLEY:

Date: September 2, 1994


WILLIAM W. ODOM, JR.
City Attorney
404 Waldron St.
Corinth, MS 38834

It is hereby Ordered, this the _____ day _____, 1994.

UNITED STATES DISTRICT JUDGE