

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

2016 JUN 27 PM 3:46

FIRST AMENDMENT TO SETTLEMENT AGREEMENT
CLERK'S OFFICE
AT BALTIMORE

WHEREAS, the Men's Detention Center was closed in September 2015;

WHEREAS Defendants currently plan to close the Women's Detention Center and the Annex, likely before the end of 2016, and the Wyatt Building, likely in 2017; and

WHEREAS the parties have agreed to extend the coverage of certain provisions of the Settlement Agreement to pretrial detainees confined to the Baltimore Central Booking and Intake Center;

NOW, THEREFORE, the parties hereby agree to amend the Settlement Agreement, as follows:

1. Paragraph 3 of the Settlement Agreement is hereby struck in its entirety, and replaced by:

"BCDC" shall mean the Baltimore City Detention Center and shall include, as of the Effective Date, the Women's Detention Center ("WDC"), the Jail Industries Building ("JI"), the Wyatt Building ("Wyatt"), and the Annex. The Men's Detention Center, which was previously part of BCDC, was closed in September 2015. The Defendants anticipate that WDC, Wyatt, and the Annex will all close within the next year, after which they will no longer be covered by this Settlement Agreement, unless any of them is reopened, in which case all persons confined in such building(s) shall be covered by this Settlement Agreement.

2. Paragraph 16 of the Settlement Agreement shall read, in its entirety:

The provisions of Section III.B. of the Settlement Agreement apply only to BCDC. Unless otherwise stated, the other provisions of the Settlement Agreement apply to: (1) BCDC; (2) those portions of other facilities managed by DPDS that provide medical or mental health services to plaintiffs confined at BCDC, or to plaintiffs who would be confined at BCDC but for their need for those medical or mental health services, but only to the extent that such other facilities provide such medical or mental health services (as required under Section III.A.) to those plaintiffs; (3) solely for the purpose of temperature monitoring from May 1 through September 30, those portions of other facilities managed by DPDS, if any, in which plaintiffs designated H1 are housed, if those plaintiffs would be housed at BCDC but for the H1 designation; (4) the Baltimore Central Booking and Intake Center ("BCBIC"), with respect to all pretrial detainees confined

First Amendment to Settlement Agreement

Page 2

there; and (5) medical and mental health intake screening at BCBIC, solely for the purpose of complying with the provisions of this Settlement Agreement relating to medical and mental health intake screening. At the time this Settlement Agreement is entered, the only non-BCDC facilities covered under any part of the Settlement Agreement are:

- pursuant to categories (2), (3), and (5) above, and solely for the purposes covered by categories (2), (3), and (5) above: (a) the infirmary at the Metropolitan Transition Center; (b) the Inmate Mental Health Unit at BCBIC; (c) housing for persons with disabilities at BCBIC; (d) solely for the purpose of temperature monitoring from May 1 through September 30, areas of BCBIC housing plaintiffs designated H1; (e) the Special Needs Unit at BCBIC; (f) medical and mental health intake screening at BCBIC; and
- pursuant to category (4) above, only with respect to pretrial detainees, BCBIC.

The Settlement Agreement does not apply to any other portion of the Metropolitan Transition Center, nor does it apply to any other facility unless such facility becomes covered under the terms of category (2) or (3) above.

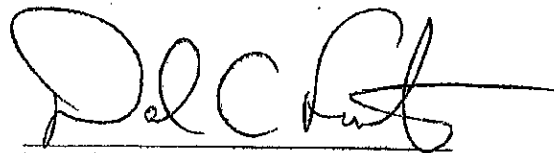
Except to the extent expressly stated in this Amendment, the Settlement Agreement remains unchanged and, once executed by the Court, in full force and effect.

For the Plaintiffs

Elizabeth Alexander
Law Offices of Elizabeth Alexander
1416 Holly St., NW
Washington, DC 20012

Counsel for Plaintiff Class

Date: _____

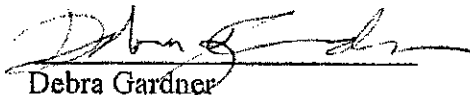


David C. Fathi*
Gabriel Eber
National Prison Project of the ACLU
915 15th St. NW, 7th Floor
Washington, DC 20005
*Not admitted in DC; practice limited
to federal courts

Counsel for Plaintiff Class

Date: June 23, 2016

First Amendment to Settlement Agreement
Page 3

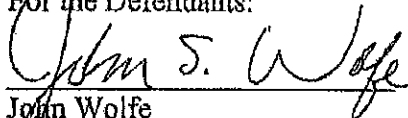


Debra Gardner
Public Justice Center
One North Charles St., Ste. 200
Baltimore, MD 21201

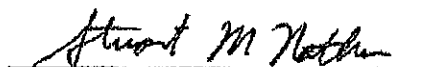
Counsel for Plaintiff Class

Date: 6/23/16

For the Defendants:



John Wolfe
Commissioner
Division of Pretrial Detention and Services



Stuart Nathan
Assistant Attorney General and
Principal Counsel
Department of Public Safety and
Correctional Services
Attorney for Defendants

Date: 6/20/16

Date: June 20, 2016