



JC-AL-002-004

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE
DISTRICT OF ALABAMA, SOUTHERN DIVISION

FILED

FEB 28 1978

RONALD PAUL ADAMS; et al.,

Plaintiffs,

UNITED STATES OF AMERICA,

Plaintiff-Intervenor,

v.

NATHAN MATHIS; et al.,

Defendants.

JANE P. GORDON, CLERK
BY DEPUTY CLERK

CIVIL ACTION NO. 74-70-S

O R D E R

Upon consideration of the findings of fact and conclusions of law made and entered in the above-captioned case as of this date, and pursuant thereto, it is the ORDER, JUDGMENT, and DECREE of this Court that the State Board of Corrections and the individual members thereof, their agents, employees, successors in office, and all those acting in concert or participation with them be and they are hereby ENJOINED from:

- ✓ 1. Failing or refusing to properly evaluate and monitor conditions under which members of the plaintiff class, as inmates of the Houston County Jail, are incarcerated.
- ✓ 2. Failing or refusing to enforce Alabama laws and regulations relating to conditions of confinement for members of the plaintiff class.
- ✓ 3. Failing or refusing to take or assist in taking steps necessary to eliminate unconstitutional conditions of confinement at the Houston County Jail.
- ✓ 4. Failing or refusing to forthwith transfer state prisoners from the Houston County Jail into the State Penal System.
5. Depriving any member of the plaintiff class of his or her constitutional rights.

- ✓ 1. Submit detailed rules and regulations applicable to the Houston County Jail containing such revisions of the State Board's 1967 rules as are necessary to reflect minimum constitutional standards.

EXHIBIT 1

- ✓ 2. Submit detailed plans for the enforcement of said rules and for taking all other steps necessary to protect the constitutional rights of the plaintiff class. These steps shall include detailed reports to the county officials involved following said inspections, assistance in remedying any deficiencies found, a training program for Houston County Jail guards and matrons, and the development of a classification program for use in classifying at the Houston County Jail.

✓ It is further ORDERED that the State Board of Corrections defendants within six months of this date report to this Court, with copies to counsel for plaintiff and plaintiff-intervenor, concerning the steps taken to comply with this order.

As to the Houston County Health Officer and the members of the Houston County Board of Health, it is the ORDER, JUDGMENT, and DECREE of this Court that said County Health defendants, their agents, employees, and all those acting in concert or participation with any of them be and they are hereby ENJOINED from:

1. Failing or refusing to properly evaluate and monitor environmental and health-related conditions under which the members of the plaintiff class are incarcerated.
2. Failing or refusing to enforce Alabama laws and regulations relating to environmental and health conditions at the Houston County Jail.
3. Failing or refusing to take or assist in taking steps necessary to eliminate substandard conditions related to environment and health at the Houston County Jail.
4. Depriving any member of the plaintiff class of his or her constitutional rights.

It is further ORDERED that the County Health defendants:

1. Inspect the Houston County Jail at least monthly through the use of a licensed or registered public health professional.

2. After each inspection, specify in writing to the Houston County Sheriff and the Houston County Commission any and all deficiencies.
3. Provide assistance to Houston County officials in correcting deficiencies noted during each inspection.
4. Assist the Houston County officials in formulating a program of maintenance, cleaning, and routine housekeeping for the Houston County Jail.
5. Within 48 hours of each inmate's admission to the Houston County Jail, test said inmate for venereal disease and, if necessary, promptly refer the inmate to a physician for treatment.
6. Within 60 days from the entry of this order, promulgate detailed rules and regulations for the Houston County Jail with respect to environment and public health, including, but not limited to, drinking water, food, clothing, bedding, ventilation, air space, heating and bathing facilities.
7. Within six months from this date, report to this Court, with copies to counsel for plaintiffs and plaintiff-intervenor, concerning their activities with respect to this order.

It is further the ORDER, JUDGMENT and DECREE of this Court that the State Fire Marshal, his agents and employees and all those acting in concert or participation be and are hereby ENJOINED from:

1. Failing or refusing to properly evaluate and monitor conditions relating to fire safety at the Houston County Jail.
2. Failing or refusing to enforce Alabama laws and regulations relating to fire safety at the Houston County Jail.
3. Failing or refusing to take or assist in taking steps necessary to eliminate substandard conditions relating to fire safety at the Houston County Jail.

4. Depriving any member of the plaintiff class of his or her constitutional rights.

It is further ORDERED that the State Fire Marshal:

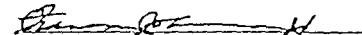
1. Inspect the Houston County Jail every 30 days until all deficiencies are corrected.
2. File with the Sheriff of Houston County detailed written reports stating the deficiencies observed and the steps needed to correct these deficiencies.
3. Provide assistance to the Houston County officials in correcting deficiencies noted during each inspection.
4. Provide all jail employees with training in fire safety measures and evacuation techniques.
5. Promulgate such additional rules and regulations with respect to the Houston County Jail as are necessary to ensure that adequate fire safety standards are maintained.
6. Report to the Court, with copies to counsel for plaintiffs and plaintiff-intervenor, concerning his activities with respect to this decree within six months from the date thereof.

It is further ORDERED that the Honorable Joel Nomberg be and he is hereby awarded a fee in the amount of \$10,000, one-half to be taxed against the county defendants and one-half to be taxed against the State Board of Corrections and the State Fire Marshal. It is further ORDERED that the Honorable Joel Nomberg be and is hereby awarded the sum of \$641.73 for his expenses necessarily and reasonably incurred in connection with his representation of the class plaintiffs in this case.

It is further ORDERED that this case be and the same is hereby dismissed as to the State Health Officer and the other State Health defendants.

It is further ORDERED that all other costs be and are hereby taxed one-half against the county, one-half against the State Board of Corrections and the State Fire Marshal.

Done, this the 28th day of February, 1978.


UNITED STATES DISTRICT JUDGE