

LEGAL NOTICE

**IF YOU ARE IN ORLEANS
PARISH PRISON OR WILL BE
IN THE FUTURE, THIS NOTICE
MAY AFFECT YOUR RIGHTS.**

If you are in Orleans Parish Prison (“OPP”) now or in the future, you may be affected by a proposed settlement of a lawsuit about conditions at the jail. If you are a member of the public who does not fit this description, you should read through to the end of this notice.

What is this case about?

The lawsuit is *LaShawn Jones et al. v. Gusman et al.*, No. 12-859 in the United States District Court for the Eastern District of Louisiana. The lawsuit was filed against Sheriff Marlin Gusman in April 2012 by ten people on behalf of incarcerated individuals and individuals who will be jailed in OPP. The lawsuit claims that conditions in OPP violate the law because people in the jail are subject to dangerous conditions including stabbings and sexual assaults. The lawsuit also claims that people living with mental illness are held in unsafe conditions, are untreated and often get sicker. The lawsuit sought to improve conditions at the jail on behalf of the ten plaintiffs, and on behalf of everyone else who will be in the jail. It is a “proposed class action.” The Department of Justice joined the lawsuit and added additional claims regarding access to medical care, sanitation and fire safety, and Spanish language services for incarcerated individuals. Although the Plaintiffs and DOJ did not sue the City of New Orleans, Sheriff Gusman has sued the City, asserting that the City must provide additional funds for the jail.

The Plaintiffs, Department of Justice, and the Sheriff have agreed to a detailed settlement of the lawsuit that requires changes to the

operations of the jail. The settlement will involve changes to safety and security, staffing, and many other aspects of jail operations.

These parties have also agreed to a settlement class made up of all people in OPP, or who will be incarcerated there in the future. If the Court approves the class agreement, and the settlement, and you are a member of the class, this settlement will affect your rights. It affects your rights because the settlement requires changes to the conditions at the jail.

You will not get any money as a result of this case. The plaintiffs did not seek money. They only sought to change conditions at the jail. Any claims for money damages that you may have are not affected by this class action.

How can I see the whole settlement?

If you want to review the proposed settlement, you can find it online at <http://www.laed.uscourts.gov/>. You also can call the Southern Poverty Law Center, which is counsel for the proposed class, and request a copy of the proposed decree, at (877) 752-5203, or email OPPSettlement@splcenter.org. You also can write to: SPLC, Jones v. Gusman, 1055 St. Charles Avenue, Suite 505, New Orleans, LA 70130. A copy is also available for inspection in the Office of the Clerk of Court, 500 Poydras St., C151, New Orleans, Louisiana 70130.

What if I am a class member, and I wish to object or otherwise comment?

If you are a class member (a person in OPP, or who will be in OPP in the future), you have a right to object to the proposed settlement. You can tell the Judge why you think the settlement should or should not be entered. If you want to object or otherwise comment, your letter must be postmarked by March 8, 2013. You can write to the Court at: Clerk, Attn. *Jones v. Gusman*, 500 Poydras, New Orleans, LA 70130. It is important to let the Court know if you are a class member because class members are entitled to

rights not available to the general public. If you are writing from the jail, you can mark your letter as “legal mail.”

On April 1, 2013 at 8:30 a.m., Judge Lance Africk will hold a hearing to decide whether the proposed settlement is fair, adequate, and reasonable. He may also, at or before that hearing, issue an order finding that class certification is appropriate. You may attend that hearing at the federal courthouse located at 500 Poydras Street.

What if I am *not* a class member, but I still wish to comment?

The proposed class action settlement is in the form of a proposed consent judgment. You may review it through the process described above. Any member of the public may submit written comments, not to exceed 20 pages in length, to the Court at: Clerk, Attn. *Jones v. Gusman*, 500 Poydras, New Orleans, LA 70130 no later than March 8, 2013. You may also attend the hearing scheduled for April 1, 2013.