

**U.S. Department of Justice**

Civil Rights Division

*Special Litigation Section - PHB  
950 Pennsylvania Avenue, NW  
Washington, DC 20530*

JMS:LC:CMS:KKD:MJD:BJ:PJ  
DJ 168-32-71

August 20, 2013

**Via Electronic and First Class Mail**

The Honorable Lance M. Africk  
500 Poydras Street  
Room C405  
New Orleans, LA 70130

Re: *Jones v. Gusman*, 12-cv-859

Dear Judge Africk:

In response to the Court's request for the parties to advise the Court about whether the new jail facility being constructed by the Orleans Parish Sheriff's Office should be modified at this juncture, we respectfully provide the Court with the following proposal, agreed upon by all parties.

In an attempt to amicably resolve the issue underlying the September 30, 2013 hearing scheduled before this Court, the City of New Orleans ("City"), the Orleans Parish Sheriff's Office ("OPSO"), and the Plaintiffs can advise the Court that Mayor Landrieu will recommend to the City Council that Ordinance 24282 should be amended to permit the continued construction of the 1438-bed facility without requiring it to house all classifications of inmates. It also will be recommended by the Mayor that the amendment will further permit Templeman V to remain open to house special needs prisoners until a Phase 3 facility can be opened to house special

populations. This Phase 3 facility will be subject to City Council approval, including with regard to bed space. The Mayor will not seek to enforce Ordinance No. 24282 against the Sheriff.

The parties have further agreed that OPSO will seek FEMA approval to use its FEMA funds to renovate/retrofit Templeman V as needed and to build the Phase 3 jail facility subject to City Council approval as to scope, cost, and need.

The parties will meet on Thursday, August 22, 2013, and will discuss a plan, with timelines, for (1) the classifications of prisoners to be housed in each jail building upon the opening of the Phase 2 and Phase 3 jail facilities, (2) development and implementation of policies and procedures for the Phase 2 jail facility, and (3) staff training for the opening of the Phase 2 jail facility, including direct supervision training. The parties will submit either a joint position or separate positions to the Court by August 23, 2013, per the Court's Order [ECF No. 529].

Finally, the parties request a status conference to obtain the Court's guidance regarding any potential impact this agreement may have on the September 30, 2013 hearing regarding costs of Consent Judgment implementation after the opening of the new jail in 2014.

Sincerely,

*/s/Blake J. Arcuri*  
Blake J. Arcuri  
Usry, Weeks & Matthews

*/s/Sharonda R. Williams*  
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