

**DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX**

UNITED STATES OF AMERICA,

v.

**TERRITORY OF THE VIRGIN ISLANDS,
et al.,**

Defendants.

Civil Action No. 1986-265

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For the Defendants

ORDER

THIS MATTER comes before the Court on the parties' "Joint Motion for Entry of Stipulated Order" (Dkt. No. 853), filed on September 24, 2014. In the interests of moving Defendants toward compliance, in an expeditious and efficient manner, with the Settlement

Agreement (Dkt. No. 689-1), which was entered as an Order of the Court on May 14, 2013 (Dkt. No. 742), and upon consideration of the current record before the Court,¹ it is hereby

ORDERED that the parties' "Joint Motion for Entry of Stipulated Order" (Dkt. No. 853) is **GRANTED**; and it is further

ORDERED that, in granting the parties' Joint Motion, the Court finds, as agreed by the parties, that:

1. Defendants are non-compliant with the Settlement Agreement, entered as an Order of this Court on May 14, 2013 (Dkt. Nos. 689-1, 742);

2. As a result of Defendants' non-compliance with the Settlement Agreement, additional remedial relief is necessary, as set forth below; and

3. The additional relief set forth below complies in all respects with the provisions of 18 U.S.C. § 3626(a). The relief is narrowly drawn, extends no further than necessary to correct violations of federal rights agreed to by the parties with the entry of the Settlement Agreement, and is the least intrusive means necessary to correct these violations, and will not have an adverse impact on public safety or the operation of the criminal justice system.

As stipulated by the parties, it is further

ORDERED that the additional relief will consist of the following:

1. The monitoring team will create a new schedule for policy development, training, and implementation required by the Settlement Agreement, including dates for submission of draft documents and approval from Defendants, and submit that schedule to the Court no later than **October 17, 2014**;

¹ The record includes the United States' "Motion for an Order to Show Cause Why Defendants Should Not be Held in Civil Contempt of Court," the Court's resulting Order to Show Cause, and full briefing on the United States' Motion.

2. The new schedule created and submitted to the Court by the monitoring team will take the place of the work plan filed on May 9, 2014;

3. The schedule of dates submitted to the Court by the monitoring team will be entered as an Order of the Court, subject to judicial enforcement;

4. The monitoring team will draft all of the non-medical and mental health policies required by the Settlement Agreement, with consultation from the Bureau of Corrections, in accordance with the schedule submitted to the Court. The monitoring team will submit those policies to the Bureau for review and finalization; and the Bureau will submit the policies to the United States for review in accordance with Section IX.3 of the Settlement Agreement; and

5. The medical and mental health policies will continue to be formulated by Golden Grove staff, in consultation with the medical and mental health monitoring team members, and will be submitted to the United States for review in accordance with the schedule set by the monitoring team, as discussed above.

In view of the foregoing, the United States agrees to withdraw, without prejudice, its “Motion for an Order to Show Cause Why Defendants Should Not be Held in Civil Contempt of Court” (Dkt. No. 833), and it is further

ORDERED that the United States’ “Motion for an Order to Show Cause Why Defendants Should Not be Held in Civil Contempt of Court” (Dkt. No. 833) is **WITHDRAWN WITHOUT PREJUDICE**; and it is further

ORDERED that the Court's August 19, 2014 Order is **VACATED** to the extent that it required Defendants to show cause why they should not be held in contempt.

SO ORDERED.

Date: September 25, 2014

_____/s/_____
WILMA A. LEWIS
Chief Judge