

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT REGARDING MOBILITY IMPAIRED INMATES IN LOS ANGELES COUNTY JAILS

This notice is about a proposed settlement of a class action lawsuit against the Los Angeles County Sheriff's Department ("Sheriff's Department" or "LASD") involving the Americans with Disabilities Act ("ADA").

ABOUT THE LAWSUIT:

Several inmates of the Los Angeles County jails filed a lawsuit against the Sheriff, the Sheriff's Department and the County of Los Angeles ("County") under the ADA claiming that inmates with mobility impairments were being denied access to programs and services available to inmates without mobility impairments, and that they were not provided with reasonable accommodations for their alleged disabilities. Specifically, these inmates alleged that jail staff did not give inmates with mobility impairments, who need mobility aids such as wheelchairs, walkers, crutches or prostheses, the same access to jail programs, services, and activities that they offered to inmates who did not have mobility impairments. They also alleged that jail officials did not provide adequate assistance to inmates with mobility impairments who needed special devices or equipment in order to perform normal everyday living functions. The Defendants deny any and all allegations of wrongdoing. The parties have reached a settlement and this notice provides details of that settlement.

THE PARTIES:

Current or former inmates Peter Johnson, Donald Peterson, Michael Curfman, Andre Butler, Joe Gonzalez, Columbus Grigsby, and Derrick White, represent a class of inmates certified by the Court as "all present and future detainees and inmates in Los Angeles County jails with mobility impairments who, because of their disabilities, need appropriate accommodations, modifications, services, and/or physical access in accordance with federal and state disabilities laws." Defendants in the case are the County of Los Angeles, the LASD, and Sheriff John Scott, in his official capacity only (collectively, "Defendants"). If you are a present or future inmate in a County jail with a mobility impairment, you are a member of the class in this case.

ABOUT THE SETTLEMENT:

The following is only a summary of the terms and benefits of the settlement. The written agreement between the parties has the full terms of the proposed settlement that was preliminarily approved by the Court. There are instructions below if you want more information regarding this settlement.

The settlement requires Defendants to make various changes and improvements to County jail facilities that house or process inmates with mobility impairments. Those facilities are presently the Inmate Reception Center (“IRC”), Men’s Central Jail (“MCJ”), and the Twin Towers Correctional Facility (“TTCF”). The settlement is for injunctive relief only and does not provide for any cash payment to members of the class, but it also does not limit your right to bring a claim for damages if you have one.

The Defendants have agreed to do the following:

- New housing for mobility impaired inmates has been constructed in the TTCF. There will be more construction in TTCF of additional housing areas that comply with the ADA. The Defendants may continue to use existing ADA housing areas in MCJ as well. The Defendants will eventually house inmates who need wheelchairs in their housing areas in TTCF;
- The Defendants have agreed to install accessible features in ADA units in MCJ, such as grab bars and shower benches;
- The Defendants will allow inmates with mobility impairments to serve as trustys;
- The Defendants will provide inmates with mobility impairments equal access to programs and services such as educational and vocational programs, exercise opportunities, physical therapy, educational and religious activities, access to counsel and transportation, and notify inmates with mobility impairments of the programs available to them;
- The Defendants will operate a physical therapy room in MCJ, attempt to create a similar room in the TTCF, and attempt to obtain additional resources to bolster the amount of physical therapy available for all inmates;

- The Defendants will count outdoor recreation time for inmates with mobility impairments from the time the inmates arrive at the recreation area;
- The Defendants will provide thermal clothing for outdoor recreation if an inmate has been prescribed such clothing by an LASD medical professional;
- The Defendants have added an “ADA Box” to the inmate complaint form and have created a custody specific ADA coordinator, who will have authority to work with the custody staff and medical staff to resolve ADA complaints and issues. This ADA coordinator will answer and log phone calls made to the LASD’s ADA coordinator telephone number, (213) 893-5500, TTY at (213) 633-5128, or messages sent via email at CDADAWebResponse@lasd.org;
- The Defendants are upgrading the medical records system used in County jails and have committed to track, to the extent possible, medical complications common to inmates with mobility impairments once the upgrade is complete. The Defendants will make their policies for tracking complications public in all the jails;
- The Defendants will maintain wheelchairs in working order. They should have working brakes and, unless medical personnel decide otherwise, will also have armrests and footrests;
- If an inmate has a prosthesis that has not been deemed a security risk, the Defendants will return the prosthesis to that inmate within 24 hours.
- The Defendants will implement a process for a secondary review of a decision by a medical professional to remove a mobility assistive device such as a wheelchair or walker. If an inmate disagrees with a decision about the need for a wheelchair or other mobility device, the inmate can request this secondary review that will be conducted by the Chief Physician or someone designated by the Chief Physician;
- The Defendants will store personal wheelchairs and return them upon the owner’s release;

- The Defendants will provide reasonable accommodations to inmates with mobility impairments, as prescribed by an LASD medical professional, including assignment to a lower bunk, change of clothing, extra blankets, extra time with visitors or attorneys, shower benches, assistive devices, and accessible cells.
- The Defendants will circulate a leaflet to advise inmates with mobility impairments of their rights; and
- The Defendants' compliance with this agreement will be monitored for three years by the newly created Office of Inspector General ("OIG"). The lawyers that represent the Plaintiffs will also meet regularly with representatives from OIG to monitor Defendants' compliance with this settlement.

IF YOU WANT MORE DETAILS:

There is a group of lawyers, the Johnson Settlement Lawyers, representing Plaintiffs and the class in this case. You can get a list of these lawyers, a copy of the settlement agreement and more details about the settlement from these websites: www.disabilityrightslegalcenter.org, www.disabilityrightscalifornia.org, www.aclusocal.org, <http://www.LASD.org>. For their work in this case, the Johnson Settlement Lawyers are being paid \$2,200,000 in attorney's fees.

To ask questions about the settlement or this notice, you can:

- (1) Leave a message for the Johnson Settlement Lawyers at 1-866-999-3752; TDD at 213-736-8310.
- (2) Send a letter to: Johnson Settlement Lawyers, c/o Disability Rights Legal Center, Suite 1120, 800 South Figueroa, Los Angeles, CA 90017.
- (3) Send an email to: drlc@drlc.lls.edu.

IF YOU DO NOT OBJECT TO THIS SETTLEMENT:

You do not have to do anything.

IF YOU OBJECT TO THIS SETTLEMENT:

You must mail a statement about why you object to the settlement. The deadline is January 12, 2015. Please be sure to include your name, address (if available), telephone number (if available), your signature, a reference to this settlement or the case (Peter Johnson v. County of Los Angeles), the portions of the settlement to which you object, and the reasons you object. Mail your objection to:

Johnson Settlement Lawyers
c/o Disability Rights Legal Center
800 South Figueroa, Suite 1120
Los Angeles, CA 90017.

You must mail your objection by the deadline. You cannot object to this settlement later. Even if you object, you do not have the ability to “opt out” of this settlement if the Court approves it.

HEARING REGARDING FINAL APPROVAL

The Court in Los Angeles will also hold a hearing about this settlement on March 23, 2015. The hearing date could change. Please call 1-866-999-3752 or check www.disabilityrightslegalcenter.org close to the hearing date.

The Court gets to decide whether to allow class members who timely served objections to this settlement to speak at the hearing.

The address for the court is:

U.S. Federal District Court, Courtroom 3
312 North Spring Street, Los Angeles, CA 90012

You can get more details about the hearing from the places listed above.

ALTERNATE FORMATS AND TRANSLATIONS

You can get this notice in alternate formats (large print, tapes, electronic versions) by contacting Class Counsel or the Sheriff's Department.

You can get a Spanish version of this notice from either Class Counsel or the Sheriff's Department.

등급 자문위원회에 문의하면 이 정산 결과에 대한 구두 정보를 아르메니아어, 캄보디아어, 중국어, 페르시아어, 한국어, 러시아어, 스페인어, 타갈로그어 및 베트남어로 들을 수 있습니다.

Вы можете получить дополнительную информацию по этому соглашению в устной форме на армянском, камбоджийском, китайском, фарси, корейском, русском, испанском, тагальском или вьетнамском языках, обратившись к Советнику по групповым искам.

Puede contactarse con el abogado de la clase para obtener información oral sobre este acuerdo en armenio, camboyano, chino, persa, coreano, ruso, español, tagalo y vietnamita.

Makakakuha ka ng pasalitang impormasyon tungkol sa kasunduang ito sa Armenian, Cambodian, Chinese, Farsi, Korean, Russian, Spanish, Tagalog at Vietnamese sa pamamagitan ng pakikipag-ugnayan sa Class Counsel.

您可與集體訴訟律師聯絡，獲取有關判決的口頭資訊。本資訊以亞美尼亞語、柬埔寨語、中文、波斯語、韓國語、俄語、西班牙語、塔加拉族語及越南語等語言提供。

Quý vị có thể nhận được thông tin bằng lời về việc thanh toán này bằng tiếng Armenia, Campuchia, Trung, Ba Tư, Hàn, Nga, Tây Ban Nha, Tagalog và Việt bằng cách liên lạc với Luật Sư của Nhóm.

Այս կարգավորման մասին բանավոր տեղեկություններ կարող եք ստանալ հայերենով, կամբոջերենով, չինարենով, պարսկերենով, կորեերենով, ռուսերենով, իսպաներենով, տազալոզերենով և վյետնամերենով՝ կապնվելով Class Counsel-ի հետ:

លោកអ្នកអាចទទួលបានព័ត៌មានផ្ទាល់មាត់ អំពីដំណោះស្រាយបញ្ចប់នេះ ជាភាសាអាមេនី, ខ្មែរ, ចិន, ហ្វីលីពីន, កូរ៉េ, រុស្ស៊ី, អេស្ប៉ាញ, តាហ្គាឡុក និងវៀតណាម បាន ដោយត្រូវទាក់ទងទៅការិយាល័យច្បាប់ ឬមេធាវីដើមក្តី ។

اطلاعات ت و ان یدمی (Class Counsel) «گ روهی حقوقی مشاور» با ت ماس طریق از شما ای، که ره فارسی، چینی، کمبوجی، ارمنی، هلزی زبان به رات سویه این مورد در شد فاهی ک نید دریافت وی تنامی و ف یلای پینی، اسد پان یولی، روسی،