

**CLASS ACTION NOTICE TO INDIVIDUALS HELD AT THE FRANKLIN COUNTY
CORRECTIONS CENTER**

THIS IS AN IMPORTANT NOTICE OF A CLASS ACTION LAWSUIT AND CLASS
ACTION SETTLEMENT THAT MAY AFFECT YOUR LEGAL RIGHTS.

PLEASE READ IT CAREFULLY

1. What is this lawsuit about?

The lawsuit, called *Farris v. Franklin County*, was filed on August 2, 2014 on behalf of all inmates at the Franklin County Corrections Center, located at 1016 N 4th Ave, Pasco, WA 99301 (“the Jail”). The class is represented by Teresa Farris, Wardell Braxton, Giavonni Kinsey, Guadalupe Montejano, Thomas Eddington, Paul McVay, Frank Murillo, and Richard Vinson. In the lawsuit, inmates at the Jail claim that the conditions and practices in the Jail do not meet constitutional and other standards and are asking that the Court require Franklin County to comply with applicable federal, state and local standards. The plaintiffs made a number of allegations and claims in their complaint, including that the Jail staff improperly use restraints and chemical spray, lock all inmates in their cells 23 hours per day, deny them sufficient outdoor exercise, inappropriately discipline inmates and deny them due process of law, deny contact with family, and provide insufficient medical and mental health care. The Defendants deny the Plaintiffs’ allegations. You may request a copy of the complaint by written request to Columbia Legal Services (see contact information below).

By entering into this settlement, no one is making any concession or admission about whether the law was violated. Both sides have reached an agreement that will provide benefits to people held in the Jail.

2. Who is affected by the settlement?

The Court has certified a class of people defined as: “All individuals who are now, or in the future will be, detained in the Franklin County Correctional Center during the term of the parties’ Settlement Agreement.” If you are an inmate at the Jail, then you are a member of the class and the settlement affects you.

3. What are the key points of the settlement?

The following is a summary of the terms of the settlement that will become effective if the Court approves the settlement.

- The Franklin County Jail will increase its staff by adding eleven (11) new corrections officers, one (1) assistant administrator, and one (1) administrative staff over the next two years.

- Franklin County will remodel the jail to improve day rooms in the living units to allow for increased time out of cell and do other necessary repairs to Jail facilities.
- Franklin County will improve its provision of medical and mental health services at the Jail.
- The Franklin County Jail will develop, implement, and train staff on policies in a wide range of areas, including: use of force; pepper spray; restraints; discipline; intake; suicide prevention; detoxification; segregation; use of the women's holding cell; inmate rules and handbook; staff training; medical, dental and mental health care; recreation; visitation; and 23 hour lockdown.
- Compliance with the Settlement Agreement will be monitored by an independent third party while the agreement is in effect. The agreement will remain in effect for three years, unless, under certain circumstances, the agreement is extended by the Court.
- The Plaintiffs' attorneys are allowed to seek their reasonable fees and the costs that they expended in litigating this case from the Defendants. The Court will consider the Plaintiffs' motion for attorneys' fees and costs if it decides to grant final approval of the settlement.

The Plaintiffs did not ask for, and the settlement does not include, money awards for any plaintiffs or for any people who are part of the class. This class action lawsuit does not prohibit individuals from filing their own lawsuits seeking money damages. The attorneys for the class, Columbia Legal Services, do not and will not represent any person in any such individual case that may be filed now or in the future.

4. Do I have a lawyer in this case?

The Court appointed Columbia Legal Services to represent the class members. Class members will not be charged for these lawyers. If you have questions about the lawsuit, information is available at Columbia Legal Services' website, www.columbialegal.org, or you can contact the attorneys representing the class at:

Columbia Legal Services

101, Yesler Way, Suite 300

Seattle, WA 98104

Collect Line: 206-382-3399 (telephone answered 9-4 Monday through Friday).

www.columbialegal.org

5. What are my rights regarding the settlement?

As a member of the class affected by this lawsuit, you are entitled to receive the benefits of the settlement if it is approved by the Court. If you agree with the terms of the settlement, you do not need to do anything.

If you do not believe that the settlement is fair, reasonable, or adequate, you may object to the settlement or any of its terms and ask the Court not to approve the settlement. To be considered, the objection must be in writing and must include the following information: (1) the name of the case, *Farris v. Franklin County*, Case No. 4: 14-cv-05083-SAB; (2) your name, Franklin County inmate number, home or contact address and telephone number, and the date you expect to be released from Franklin County Jail; (3) a sentence stating that you are a person in the class; (4) the reasons why you object and (5) any law or evidence you want the Court to consider before deciding whether to approve the settlement.

You must file any objection with the District Court (U.S. District Court, P.O. Box 2706, Yakima, WA 98907 or 25 South 3rd St. Room 201, Yakima, WA 98901), by no later than June 20, 2016. Copies of all objections must also be mailed to each of the following, postmarked by June 20, 2016:

Plaintiffs' Counsel:

Nick Straley, Columbia Legal Services, 101 Yesler Way, Ste. 300, Seattle, WA 98104.

Defendants' Counsel:

W. Dale Kamerrer, Law, Lyman, Daniel Kamerrer & Bogdanovich, P.S., P.O. Box 11880, Olympia, WA 98508

6. When and where will the Court consider giving final approval to the settlement?

The Court will not decide whether to approve the Settlement until after the time to file objections has passed and a "Final Approval Hearing" is held. **The Final Approval Hearing will be held on July 20, 2016 at 1:30 p.m. at the United States Courthouse for the Eastern District of Washington in Richland, Washington**, located at 825 Jadwin Avenue, Richland, WA. (Note this is a different address than where objections must be provided to the Court.)

At this hearing the Court will consider any objections and decide whether the Settlement is fair, reasonable, and adequate. The Court may also listen to people who have asked to speak at the Final Approval Hearing.

If you are not currently confined in a jail facility you may come to the hearing at your own expense, but you are not required to do so. If you are a member of the Class who is currently confined to the Franklin County Jail, you may obtain your own lawyer, at your own expense, to attend the hearing on your behalf. If you want to address the Court at the Final Approval Hearing, you must provide the Court with a written objection as described above and also ask the Court for permission to speak at the hearing. To ask for permission, you must file a "Notice of Intention to Appear in *Farris v. Franklin County*" with the court including your name, address, telephone number and signature. **Your Notice of Intention to Appear must be filed no later than June 20, 2016 and must also be mailed to the attorneys listed in paragraph 5, postmarked no later than June 20, 2016.**

If you want to be represented by your own lawyer, you may hire one at your own expense. **Your attorney must enter a notice of appearance with the Court no later than June 20, 2016 to be able to represent you in this matter.**

7. Are there more details about the Settlement?

This Notice summarizes the proposed Settlement. You may view a copy of the full Settlement Agreement by asking Franklin County Jail staff who will provide you with access to a copy or you can obtain a copy of the Settlement Agreement by written request to Columbia Legal Services at the address above.

DO NOT CONTACT THE COURT WITH QUESTIONS ABOUT THE SETTLEMENT. QUESTIONS SHOULD BE ADDRESSED TO COLUMBIA LEGAL SERVICES.