

NOTICE OF CLASS ACTION SETTLEMENT

TO: ALL INDIVIDUALS INCARCERATED AT THE CAMDEN COUNTY CORRECTIONAL FACILITY OR WHO HAVE BEEN INCARCERATED AT ANYTIME BETWEEN JANUARY 6, 2005 AND THE PRESENT.

PLEASE READ THIS NOTICE CAREFULLY. THIS NOTICE DESCRIBES THE SETTLEMENT OF A CLASS ACTION CAPTIONED CORRI DITTIMUS-BEY, et al. v. ERIC TAYLOR, ET AL., CIVIL ACTION NO. 05-cv-0063 (D.N.J.). THIS NOTICE IS GIVEN TO INFORM YOU THAT THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY HAS PRELIMINARILY APPROVED THE FINAL SETTLEMENT IN THIS MATTER. YOU DO NOT HAVE THE ABILITY TO OPT OUT OF THIS LITIGATION. YOU DO HAVE THE RIGHT TO OBJECT TO THIS PROPOSED SETTLEMENT IF YOU BELIEVE IT IS NOT FAIR, ADEQUATE AND REASONABLE, FOLLOWING THE PROCEDURE FOR SUBMITTING WRITTEN OPPOSITION SET FORTH BELOW UNDER THE PROVISIONS FOR "FAIRNESS HEARING." YOUR RIGHTS AGAINST CAMDEN COUNTY CORRECTIONAL FACILITY, CAMDEN COUNTY DEPARTMENT OF CORRECTIONS, CAMDEN COUNTY, FORMER WARDEN ERIC TAYLOR, FORMER DEPUTY WARDEN FRANK LOBERTO AND JOSEPH RIPA (hereinafter "Defendants") WILL BE AFFECTED BY THIS SETTLEMENT. YOU ARE NOT BEING SUED AND ARE NOT OBLIGATED TO PAY ANY COUNSEL FEES.

YOU WILL NOT RECEIVE ANY MONETARY DAMAGES.

THIS NOTICE IS GIVEN PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 23 AND ORDER OF THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY, ENTERED BY THE JUDGE IN THIS CLASS ACTION. THE PURPOSES OF THIS NOTICE ARE TO NOTIFY YOU OF THE SETTLEMENT OF THIS LAWSUIT, AND TO INFORM YOU OF YOUR RIGHTS.

WHAT IS THIS LITIGATION ABOUT?

This is a certified class action challenging the conditions of confinement at Camden County Correctional Facility (“CCCF”). The current Class Representatives are four former inmates of CCCF (referred to in this Notice as “the Plaintiffs”). The certified class is defined as: All individuals incarcerated at the Camden County Correctional Facility, either as pretrial detainees or as convicted prisoners, from the inception of this lawsuit on January 6, 2005 until its termination.

The original complaint in this matter was filed on January 6, 2005. By Order dated November 5, 2006, the Honorable Magistrate Judge Joel Rosen appointed the law firm of Trujillo Rodriguez & Richards, LLC¹ as *pro bono* counsel. On March 31, 2006, Plaintiffs, through their new counsel, filed an Amended Class Action Complaint against CCCF, Camden County Department of Corrections, Camden County, Warden Eric Taylor, former Deputy Warden Frank Loberto and Joseph Ripa. In their Amended Complaint, Plaintiffs alleged that the policies and practices of Defendants have created unconstitutional conditions that both pretrial detainees and convicted prisoners are forced to endure while incarcerated at CCCF. These included overcrowded cells, inadequate sleeping arrangements, and unsanitary meal service. Defendants filed an Answer to Plaintiffs’ Amended Complaint on April 19, 2006.

By Order entered July 31, 2007 the United States District Court for the District of New Jersey certified this case as a Class Action pursuant to Rule 23(b)(2). The Court’s Order states that the Class shall consist of:

All individuals incarcerated at the Camden County Correctional Facility, either as pretrial detainees or as convicted prisoners, from the inception of the lawsuit on January 6, 2005 until its termination.

The class action was not certified for individual damage claims. Plaintiffs have only sought declaratory and injunctive relief. This includes: (i) a court order finding and declaring the CCCF conditions violated the plaintiffs’ constitution rights (declaratory relief); (ii) a court order enjoining the defendants from engaging

¹ In July 2013, Lisa J. Rodriguez of Trujillo Rodriguez & Richards joined Schnader Harrison Segal & Lewis, LLP and continues to represent the certified class.

in actions which violated constitution rights (injunctive relief); and (iii) ordering injunctive relief in the form of measures to address the overcrowding.

Following discovery, the parties engaged in protracted settlement negotiations with the assistance of several experts, including Pulitzer Bogard & Associates, Luminosity, Inc., and Urban Engineers. The parties also engaged the voluntary participation of the Jail Population Reduction Subcommittee, comprised of representatives from various divisions within the criminal justice system including the Courts, the Public Defender's Office, the Prosecutor's Office, the Sheriff's Department, the Jail, and others. Through the combined efforts of the parties and the Jail Population Reduction Subcommittee, policies and practices have been implemented that effectively reduced the population. The population is now managed and actively monitored. For a more detailed understanding of the various measures put into place through this settlement, please review the Second and Third Consent Decrees entered in this litigation, copies of which are attached. Copies are also available on the Camden County website at www. Through this settlement, the Defendants have also remediated the air quality in the inmate cells. Defendants have denied the allegations of the Plaintiffs' Complaint and this Settlement does not constitute any admission by the Defendants.

WHY IS THERE A SETTLEMENT?

Any effective, long term solution to the overcrowded conditions at CCCF required the participation of not only the Defendants in this case, but also the participation of various stakeholders within the Camden County criminal justice system, such as the courts, the prosecutor's office, the public defender and the police. As a result of their participation, through a settlement, the parties were able to implement creative solutions, including the creation of a Pretrial Services Program, designed to address the long term management of the Jail's population. When the litigation was initiated the jail population was at 1,823, well above the rated capacity of 1,267. Since the implementation of the new programs and the hiring of a permanent Jail Population Manager, the population numbers have been consistently below the rated capacity of CCCF.

WHAT ARE THE TERMS OF THE SETTLEMENT

The Final Consent Decree entered into by the parties includes the following injunctive relief:

1. The hiring of a Jail Population Manager to monitor, coordinate and efficiently process inmates at the CCCF;
2. The formation of a jail population reduction sub-committee comprised of members of many different entities, including the Camden County Vicinage of the Superior Court, the Camden County Prosecutor's office, the Camden County Public Defender's office, and the Jail. The committee is charged with monitoring the jail population and identifying additional opportunities to reduce unnecessary detention;
3. The creation of a Camden County Pretrial Services Agency;
4. Increasing in the number of inmates released on home electronic devices;
5. The creation of additional attorney visitation rooms to provide defense counsel with better access to incarcerated clients;
6. The implementation of a new policy to track inmate bookings to reflect the date and time an inmate was taken into custody;
7. The implementation of proposals to address the issues of elevated CO₂ levels at the CCCF.

This list is not exhaustive. A detailed description of the measures put in place through this settlement is contained in the Second and Third Consent Decrees.

CAN I GET OUT OF THE SETTLEMENT?

YOU MAY NOT WITHDRAW OR OPT OUT OF THIS LITIGATION. You do not have the right to exclude yourself from this settlement. The litigation was certified under Federal Rule of Civil Procedure 23(b)(2), meaning that the remedy Plaintiffs' sought in this litigation was for declaratory and injunctive relief, rather than a monetary award. As a class member in this type of case, you do not have the right to opt out of this settlement.

As a Class Member, you are represented by the Class Representatives and their Counsel, unless you enter an appearance through privately retained Counsel of your own choice (at your own expense). Counsel for the Class is Lisa J. Rodriguez of the law firm Schnader Harrison Segal & Lewis, LLP.

As a class member, you are not required to pay the attorneys' fees of the litigation provided that you continue to be represented by Plaintiffs' Counsel. Plaintiffs' Counsel will seek court approval for an award of attorneys' fees and reimbursement of litigation expenses.

Because this class action seeks only class-based injunctive relief against these defendants, nothing in this case precludes you individually from filing your own separate claim for monetary relief for injury arising from allegedly unconstitutional conditions of confinement at CCCF, since such individual claims are not part of this case. Any such individual claim for money damages, of course, must comply with all applicable laws and procedures for an individual case, and it will not be part of this class action.

EFFECT ON OTHER LITIGATION

This Settlement does not foreclose any individual member of the class from bringing an action for money damages relating to any injuries suffered by that individual. The Settlement does preclude members of the class from initiating lawsuits concerning the issues identified and addressed in the Consent Decrees. Issues not identified and addressed in the Final Consent Decree may be the subject of other class actions.

If you have already filed your own lawsuit seeking damages for your confinement at CCCF, you will be barred from seeking declaratory or injunctive relief for conditions and confinement at CCCF from January 6, 2005 to the date this settlement is finally approved.

FAIRNESS HEARING

The Court will hold a hearing to decide whether to approve the Final Settlement as fair, reasonable and adequate (the "Fairness Hearing"). All timely written objections will be considered by the Judge. Only class members who have submitted written objections before the deadline may ask to speak at the Fairness Hearing, but you do not have to attend. The Fairness Hearing is scheduled for May 23, 2017 at 10:00 a.m. at the United States Courthouse, Fourth and Cooper Streets, Camden, New Jersey. If you wish to object or oppose this settlement, please send your written

objection to the Court at the following address by April 24, 2017:

Clerk
United States District Court for the
District of New Jersey
One John F. Gerry Plaza
Fourth and Cooper Streets
Camden, New Jersey 08102

Please also send a copy of your opposition to counsel for both parties at the addresses below:

Lisa J. Rodriguez
Schnader Harrison Segal & Lewis LLP
Woodland Falls Corporate Park
220 Lake Drive East, Suite 200
Cherry Hill, NJ 08002

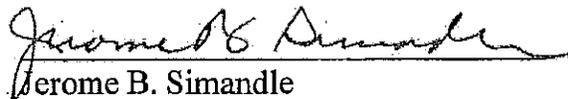
Howard L. Goldberg
First Assistant County Counsel
520 Market Street
14th Floor
Camden, NJ 08102

ADDITIONAL INFORMATION

The above is only a summary of the litigation. For more detailed information, reference is made to the pleadings, Orders entered by the Court and to the other papers filed in this action, which may be inspected at the Office of the Clerk of the United States District Court for the District of New Jersey, Mitchell H. Cohen U.S. Courthouse, One John F. Gerry Plaza, Fourth and Cooper Street, Camden, New Jersey.

Dated: February 21, 2017.

BY ORDER OF THE COURT


Jerome B. Simandle
Chief U.S. District Judge