

**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. 1986-0265

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For the United States

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For Defendants

ORDER

THIS MATTER came before the Court for a Status Conference on March 17, 2016. At the Status Conference, the Court heard oral argument on the following three issues: (1) the transfer of prisoners from the Golden Grove Adult Correctional Facility to off-island facilities; (2) the United States’ “Motion to Compel Production of Documents and Enforce Settlement Agreement” (Dkt. No. 964); and (3) the United States’ objection to the Staffing Plan submitted by Defendants on December 30, 2015—i.e., the Staffing Plan’s failure to address the salary of corrections officers. For the reasons stated on the record at the Status Conference, it is hereby

ORDERED that the United States’ “Request for Documents and Information Related to Prisoner Transfer” (Dkt. No. 965-2) and any associated actions are **STAYED** pending further Order of the Court; and it is further

ORDERED that the United States shall have up to and including **March 31, 2016** within which to file a brief explaining how the transfer of prisoners from the Golden Grove Adult Correctional Facility to off-island facilities, and any associated monitoring or other review of the conditions at those facilities, are properly within the scope of this action, and as to off-island monitoring, within the jurisdiction of this Court; and it is further

ORDERED that the United States’ brief on the transfer of prisoners shall include an analysis of how the inclusion in this case of the prisoner transfer issues is consistent with the Prison Litigation Reform Act, and falls within the scope of the Findings of Fact and Conclusions of Law adopted by the Court and the Settlement Agreement entered in this case; and it is further

ORDERED that Defendants shall have up to and including **April 14, 2016** within which to file a response; and it is further

ORDERED that the United States shall have up to and including **April 21, 2016** within which to file a reply; and it is further

ORDERED that the United States’ “Motion to Compel Production of Documents and Enforce Settlement Agreement” is **DENIED WITHOUT PREJUDICE**;¹ and it is further

ORDERED that the parties shall jointly prepare a letter to Mr. Eugene Irish, Vice President of the Seafarers International Union, signed by Attorney General Claude Walker, explaining with specificity the critical importance—to the Virgin Islands Bureau of Corrections and its compliance

¹ At the Status Conference, the Court advised the parties that the United States and/or the Monitor may revise their request for production of documents. However, the request must be properly tailored to documentation and information necessary to the monitoring of Defendants’ implementation of the Settlement Agreement entered in this case.

with, and fulfillment of, the terms of the Settlement Agreement entered in this case—of pay parity between corrections officers and other local law enforcement officers; and it is further

ORDERED that Defendants shall send the letter to Vice President Irish and file it with the Court no later than **March 21, 2016**; and

While recognizing that this Order does not bind the Legislature of the Virgin Islands but pertains only to the actions of Defendants, it is further

ORDERED that Defendants shall have up to and including **April 7, 2016** within which to file an amended Staffing Plan that includes the estimated timeframe, subject to action by the Legislature of the Virgin Islands, within which corrections officers at the Virgin Islands Bureau of Corrections are expected to receive the retroactive increase in their salaries.

SO ORDERED.

Date: March 18, 2016

_____/s/_____
WILMA A. LEWIS
Chief Judge