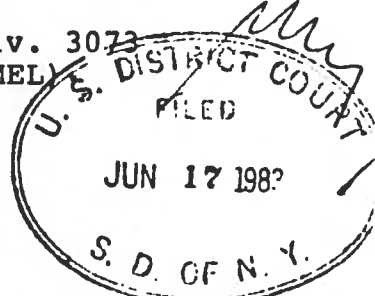


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
JAMES BENJAMIN, et al., :
Plaintiffs, : PROPOSED ORDER
- against - : 75 Civ. 3073
BENJAMIN J. MALCOLM, et al., : (MEL)
Defendants. :
-----X



Defendants having moved to modify the Court's Order, dated September 3, 1980, limiting the population of the House of Detention for Men ("HDM") to no more than 1200 inmates, and a second Order of the Court, dated June 23, 1981, setting a limit of fifty detainees per dormitory in the Anna M. Kross Center ("AMKC"); and the Court having held a hearing in March and April, 1983 to determine whether permanent modification of its Orders was justified; and the Court having denied defendants' motion, setting forth its findings of fact and conclusions of law in an Opinion dated May 19, 1983; it is hereby

ORDERED, that defendants shall, between the date of the entry of this Order and August 30, 1983, take all necessary steps to reduce the populations of HDM and the AMKC dormitories to the levels required by the Orders of September 3, 1980 and June 23, 1981, so that by no later than August 30, 1983, defendants shall have fully complied with those Orders; and it is further

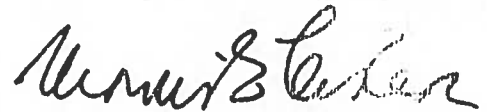
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ORDERED, that on July 1 and August 1, 1983, defendants shall submit to the Court and plaintiffs' counsel a written report of the steps they have taken to assure compliance with the Court's Orders by August 30, 1983; and it is further

ORDERED, that if compliance with this Order requires a reduction in the detainee population, the Commissioner of Correction is directed to release on their own recognizance the persons held in default of the lowest amount of bail, and among persons held on the same amount of bail, the ones who have been confined for the longest time; provided that any New York court of competent jurisdiction may specify a different method of selecting the persons to be released.

Dated: New York, New York
June 16, 1983



UNITED STATES DISTRICT JUDGE