



JC-DC-001-013

RECEIVED

JUL 20 1975

LEONARD CAMPBELL, et al.

Plaintiffs,

v.

ANDERSON MCGRUDER, et al.

Defendants,

JAMES F. DAVEY, Clerk

Civil Action No. 1462-71

STIPULATIONS REGARDING D. C. BAR JAIL PROJECT

It is hereby stipulated and agreed by the parties to this litigation, through their respective counsel, that the following facts may be considered by the Court as evidence in this case without further proof:

1. The D. C. Bar Jail Project is an office established to provide legal services to inmates at the D. C. Jail. It is funded by grants from the Law Enforcement Assistance Administration and the District of Columbia Bar (Unified) and was established in January, 1974. Since September, 1974, the attorney in charge of this Project has been J. William Erhardt, Esq.

2. On March 27, 1975, following the issuance of Judge Bryant's Interim Order of March 21, 1975, Mr. Erhardt requested and received from Chief Judge Greene of the Superior Court of the District of Columbia authorization to file motions for review of pretrial release conditions on behalf of prisoners housed in the Jail because of their inability to obtain release pending their trials in the Superior Court. Chief Judge Greene's authorization was requested because all of these inmates had counsel other than Mr. Erhardt who had been appointed by the Superior Court to represent them in their pending cases. Mr. Erhardt's authorization was granted by Judge Greene on April 10, 1975.

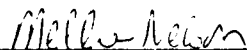
3. Pursuant to paragraph 2 of the bail review motion, Mr. Erhardt was in effect, Mr. Erhardt's staff contacted the attorney of record in 130 potential cases at the U. C. Jail, in regard to the possibility of their obtaining release pending their trials. In approximately 50 of these cases, applications for review of the conditions of release had already been filed with the Superior Court.

4. In the remaining cases (approximately 130) Mr. Erhardt and his staff contacted or attempted to contact the attorney of record to communicate additional information concerning the inmate's eligibility for release on conditions other than a surety bond, and to request the attorney to pursue these remedies on behalf of his client. In approximately 18 cases, because the attorney of record could not be contacted or refused to file bail review motions, Mr. Erhardt filed these motions himself. Because some judges scheduled hearings on these motions without notifying Mr. Erhardt, contacting instead the attorney of record, Mr. Erhardt does not know the disposition of most of these motions. However, he is aware of at least four individuals who were released pursuant to the bail review motions filed by Mr. Erhardt.

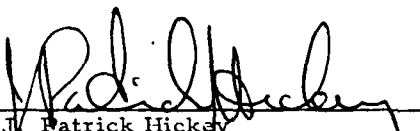
5. In the approximately 110 cases where counsel of record agreed to file bail review motions, Mr. Erhardt was not notified of the results of those efforts. However, in each case the information transmitted by Mr. Erhardt to the attorney of record was (a) information which was not available to the Court at the time the original conditions of release were set, and (b) information which in Mr. Erhardt's view enhanced the prospects for obtaining release of the defendants on some condition other than

13, 1975. Mr. Erhardt was unable to contact the attorney of record to file a bail review motion because no information had been obtained since the original bond setting, and any of the following additional conditions existed: (a) Mr. Erhardt was unable to contact the attorney of record; (b) the attorney of record would not file a bail review motion; or (c) the attorney of record authorized Mr. Erhardt to file the bail review motion himself. As of October 21, 1975, no such authorization has been granted to Mr. Erhardt.

DATE: October , 1975


Mollie Nelson, Esq.
Assistant Corporation Counsel
District Building
Washington, D. C. 20004

Counsel for Defendants


J. Patrick Hickey
Director, Public Defender Service
601 Indiana Avenue, N. W.
Washington, D. C. 20004

Counsel for Plaintiffs