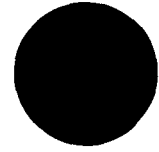


Consent Decrees

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY



91

JANE ROE, et. al.,
on behalf of themselves and
all others similarly situated

Plaintiffs,

v.

WILLIAM H. FAUVER, et.al. AT 8:30 _____ M
Defendants. WILLIAM T. WALSH
CLERK :

BRIEF BANK

FILED

CIVIL NO. 88-1225 (AET)
CIVIL RIGHTS ACTION

APR 8 1992

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NOTICE OF SETTLEMENT

A proposed settlement decree has been entered in the above named case. This notice is to inform you of the settlement, to tell you how to obtain more information, and to inform you of your right, if you are a class member, to enter any objections you may have to the proposed settlement for the Court's consideration.

This lawsuit was certified as a class action on October 6, 1989. You are a class member if you have been diagnosed with AIDS or you are infected with the HIV virus. This notice is being distributed to all prisoners in the New Jersey State Prison system, because class members have not been individually identified.

The lawsuit challenged the segregation of prisoners diagnosed as having AIDS, the denial of programming and services, and the adequacy of medical care provided to prisoners diagnosed with AIDS or other HIV-related illness.

The Consent Decree submitted to the District Court for approval provides, in summary, as follows:

1. The DOC shall not designate or use the existing Special Medical Units or any other housing or medical unit exclusively for inmates with AIDS or any other stage of HIV disease. The decision to assign inmates to Medical Units in any facility in the New Jersey State Prison System shall be solely a medical decision based on the medical condition of the individual inmate.
2. Inmates shall be discharged from hospital facilities as soon as their medical condition no longer requires hospitalization and as soon as appropriate housing is available.
3. The DOC shall not deny access to programs, services, jobs, work release and furloughs to class members on the basis of their status as class members.
4. The DOC shall provide medical care to class members in conformity with community standards as guided by United States Public Health Service recommendations.
5. All inmates shall receive a health screening evaluation, including HIV-risk assessment, upon entry into the New Jersey State Prison System and thereafter in accordance with existing regulations. HIV tests shall be recommended to all inmates where indicated, and shall be available on the inmate's request at all DOC facilities in accordance with DOC protocols.
6. Testing for HIV shall be voluntary and confidential.

7. Health examinations and laboratory tests for class members shall be regularly scheduled in accordance with medically-indicated need.

8. All class members shall be informed of their medical condition, test results, prognosis and treatment plan, and shall have the opportunity to obtain or review a copy of their medical records, to have their questions answered, and to have complaints regarding medical care investigated.

9. DOC shall maintain the confidentiality of class members' medical status.

10. Training and educational programs on HIV disease, transmission and risk reduction shall be provided to all inmates and staff in DOC facilities. Medical staff shall receive periodic and advanced training in the diagnosis, maintenance and treatment of AIDS and other HIV-related illnesses.

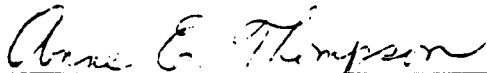
Procedures for Objection

If you are a class member and you agree with the proposed settlement, you do not need to take any action. If you are a class member and you disagree with the proposed settlement, you have a right to object to it and your objections will be considered by the Court when it reviews the Settlement on June 12, 1992 at 2:00 PM. Objections will be considered only if the following procedures are followed.

1. Objections must be filed with the Court by sending them regular mail to the Clerk's Office, U.S. Courthouse, 402 E. State St., Trenton, NJ 08608, no later than JUNE 5, 1992.
2. Objections must also be served by mail on counsel for defendants, Brett Rickman, Deputy Attorney General, Federal Rights Litigation and Corrections Section, CN-112, Trenton, NJ 08625, and counsel for plaintiffs, Alice K. Dueker, Assistant Deputy Public Defender, Office of Inmate Advocacy, CN 850, Trenton, NJ 08625.
3. Objections must include the name of the lawsuit (Roe v. Fauver) and the docket number (Civil No. 88-1225 (AET)), the name of the person filing the objection, and a statement of the reasons for the objections.

For Further Information

This is a summary of the settlement. A copy of the Consent Decree itself shall be posted in each housing area. To understand the settlement fully, you should read the entire Consent Judgment. If you have any questions or want further information, you may call the Office of Inmate Advocacy collect, (609)292-1775, on Tuesdays and Thursdays, or you may write to the Office of Inmate Advocacy, CN 850, Trenton, New Jersey 08625.


ANNE E. THOMPSON
United States District Judge

Roe v. Fauver



PC-NJ-0004-0003