

IN THE UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

FILED
February 17 1976
By *Robert Notetam*

BERNARD CROWE, et al.,)
)
 Plaintiffs,)
)
 v.)
)
 DON R. ERICKSON, et al.,)
)
 Defendants.)

Civil No. 72-4101

PARTIAL CONSENT DECREE

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The THIRD CLAIM FOR RELIEF of the complaint in this action charges that "Plaintiffs have been denied adequate medical care and treatment. In some instances inmates have been told by the defendants, and their agents and employees, that they would only be able to secure certain vital medical treatment if they were able to pay for it. Members of the Plaintiff class unable to pay for certain medical and dental treatment have been denied it and have suffered pain and complications as a result", in violation of the rights secured to the plaintiffs by the Eighth and Fourteenth Amendments to the United States Constitution.

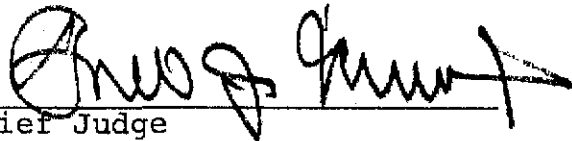
With regard to partial satisfaction of this claim, and upon the pleadings, all proceedings heretofore had herein, the parties agreements, all being represented by counsel, and upon the Court's finding that the interests of the class have been fairly represented here, it is:

ORDERED, ADJUDGED AND DECREED that the defendants,

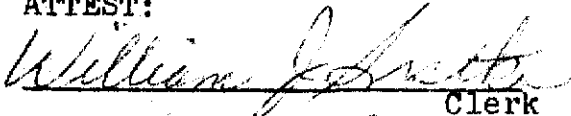
for "cosmetic dental treatment," the defendants shall within fifteen (15) days of the effective date of this order, submit a list of all dental treatment they consider to be "cosmetic". Plaintiffs will then have ten (10) days to either agree or object to defendants' list. In the event the parties fail to agree on the types of cosmetic dental treatment for which inmates may be charged, the parties agree to apply to the Court for a ruling.

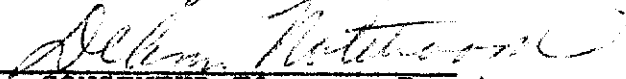
All other matters of plaintiffs' THIRD CLAIM FOR RELIEF not expressly consented to herein remain at issue for trial.

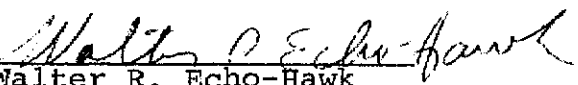
BY THE COURT:



Chief Judge

ATTEST:


Clerk

By 
CONSENTED TO: Deputy


Walter R. Echo-Hawk
Roy S. Haber
NATIVE AMERICAN RIGHTS FUND
1506 Broadway


William Janklow
Peter Lieberman
Attorney General's Office
State Capitol