

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE DISTRICT OF COLUMBIA DEPARTMENT OF CORRECTIONS (DOC)
AND
THE UNITED STATES MARSHALS SERVICE (USMS)**

I. INTRODUCTION

THIS MEMORANDUM OF UNDERSTANDING (HEREINAFTER, MOU) IS ENTERED INTO BY AND BETWEEN THE DISTRICT OF COLUMBIA DEPARTMENT OF CORRECTIONS (DOC) AND THE UNITED STATES MARSHALS SERVICE (USMS) (HEREINAFTER, THE PARTIES) AND SETS FORTH THE AGREEMENT OF THE PARTIES WITH RESPECT TO THE SUPPORT TO BE PROVIDED BY THE USMS TO THE DOC IN ITS EFFORTS TO ADDRESS AND CORRECT RECENT DEFICIENCIES IDENTIFIED AT THE DOC'S CENTRAL DETENTION FACILITY (CDF).

II. BACKGROUND

IN A TWO-PAGE LETTER TO THE DISTRICT OF COLUMBIA, DATED NOVEMBER 1, 2021, THE USMS PRELIMINARILY IDENTIFIED AND REPORTED DEFICIENCIES IT OBSERVED AT THE CDF PURSUANT TO ITS REVIEW OF THE FACILITY FROM OCTOBER 18, 2021, TO OCTOBER 22, 2021.

THE DISTRICT OF COLUMBIA RESPONDED TO THE USMS LETTER ON NOVEMBER 3, 2021, BY REPORTING ACTIONS IT HAD TAKEN FOLLOWING RECEIPT OF THE USMS PRELIMINARY FINDINGS TO THE CHIEF JUDGES OF THE FEDERAL AND LOCAL TRIAL COURTS, INCLUDING A PLEDGE TO COOPERATE WITH THE US DEPARTMENT OF JUSTICE (DOJ).

THE PARTIES ACKNOWLEDGED THE IMPORTANCE OF IMMEDIATELY DISCUSSING THE OBSERVATIONS NOTED IN THE CORRESPONDENCES, EVEN AS A FINAL REPORT FROM THE USMS WAS PENDING.

THE PARTIES ALSO AGREED THAT A COLLABORATIVE APPROACH TO ADDRESSING THE APPARENT DEFICIENCIES WAS DESIRABLE AND AGREED TO ENTER INTO THE INSTANT MOU, THE PARTICULARS OF WHICH ARE MEMORIALIZED BELOW.

III. THE PARTIES TO THE MOU

THE DOC IS THE DISTRICT OF COLUMBIA AGENCY CHARGED WITH PROVIDING A SAFE, SECURE, ORDERLY, AND HUMANE ENVIRONMENT FOR THE CONFINEMENT OF PRETRIAL DETAINEES AND SENTENCED INMATES, WHILE AFFORDING THOSE IN CUSTODY MEANINGFUL REHABILITATIVE OPPORTUNITIES THAT WILL ASSIST THEM TO CONSTRUCTIVELY RE-INTEGRATE INTO THE COMMUNITY; AND

THE USMS IS THE AGENCY CHARGED WITH, INTER ALIA, CUSTODY OF FEDERAL PRISONERS AND LOCAL DISTRICT OF COLUMBIA SENTENCED PRE-DESIGNATED PRISONERS AND PROVIDING FOR THEIR ALL FEDERAL AND LOCAL DISTRICT OF COLUMBIA PRISONERS' SECURITY AND TRANSPORTATION TO AND FROM CORRECTIONAL FACILITIES.

IV. AGREEMENT OF THE PARTIES

THE PARTIES AGREE THAT THE PURPOSE OF THIS MOU IS TO PROVIDE A COLLABORATIVE, ACCURATE ASSESSMENT OF CONDITIONS OF CONFINEMENT AT THE CDF, PROVIDE TECHNICAL ASSISTANCE TO DOC IN ITS EFFORTS TO REMEDIATE EXISTING DEFICIENCIES, AND PROVIDE INFORMATION TO USMS, THE DISTRICT GOVERNMENT, AND THE JUDICIARY REGARDING THESE CONDITIONS, THE SUFFICIENCY OF DOC'S REMEDIAL PLANS, AND PROGRESS TOWARDS IMPLEMENTATION OF THE REMEDIAL PLANS.

A. THE USMS WILL PROVIDE AUSMS DETENTION LIAISON, MARVIN BICKHAM, (RESUME ATTACHED) TO:

- ASSIST DOC LEADERSHIP AND ITS CONSULTANTS TO ASSESS CURRENT CONDITIONS IN THE CDF;**
- REVIEW AND GUIDE DOC'S PLANS TO REMEDIATE VERIFIED DEFICIENCIES;**
- MONITOR DOC'S IMPLEMENTATION OF CORRECTIVE ACTION PLANS FOR THE PURPOSE OF PROVIDING TECHNICAL ASSISTANCE ON THEIR IMPLEMENTATION; AND**
- MONITOR THE ONGOING CARE AND SAFETY OF USMS PRISONERS HELD AT DC Jail.**

B. THE DEPARTMENT OF CORRECTIONS WILL:

- PROVIDE THE COMPLIANCE MANAGER WITH ACCESS TO CDF, DOC STAFF, DOC DOCUMENTS, AND PERSONS INCARCERATED IN CDF TO ASSESS CONDITIONS OF CONFINEMENT AND PROGRESS TOWARDS IMPLEMENTATION OF REMEDIAL PLANS;**
- DEVELOP PLANS IN CONSULTATION WITH THE COMPLIANCE MANAGER TO REMEDIATE ALL VERIFIED DEFICIENCIES;**
- IMPLEMENT THE COMPLIANCE PLANS IN A TIMELINE CREATED IN CONSULTATION WITH THE COMPLIANCE MANAGER; AND**

PROVIDE REGULAR REPORTS TO USMS, DISTRICT GOVERNMENT, AND THE JUDICIARY REGARDING CURRENT CONDITIONS IN THE JAIL, SUFFICIENCY OF REMEDIAL PLANS, AND PROGRESS TOWARDS IMPLEMENTATION OF REMEDIAL PLANS.

THE PARTIES AGREE THAT THE DOC WILL RETAIN ALL DECISION-MAKING AUTHORITY AND CONTROL OVER THE CDF AND ITS OPERATIONS, INCLUDING THE CONDITIONS OF CONFINEMENT.

THE PARTIES AGREE THAT THIS MOU SHALL BE IMPLEMENTED CONSISTENT WITH APPLICABLE LAW AND SUBJECT TO THE AVAILABILITY OF APPROPRIATIONS.

THIS MOU IS NOT INTENDED TO, AND DOES NOT, CREATE ANY RIGHT OR BENEFIT, SUBSTANTIVE OR PROCEURAL, ENFORCEABLE AT LAW OR IN EQUITY BY ANY PARTY AGAINST THE UNITED STATES, ITS DEPARTMENTS, AGENCIES, OR ENTITIES, ITS OFFICERS, EMPLOYEES, OR AGENTS, OR ANY OTHER PERSON.

THE PARTIES FURTHER AGREE THAT THIS MOU AND RESPONSIBILITIES THEREUNDER WILL TERMINATE 180 DAYS FROM THE DATE OF ITS FULL EXECUTION, I.E., SIGNING, EXCEPT THAT THE PARTIES WILL CONSULT, PRIOR TO ITS EXPIRATION, TO DETERMINE IF AN EXTENSION OR MODIFICATION IS NECESSARY BEYOND THIS INITIAL PERIOD. THE DECISION TO SEEK AN EXTENSION OR MODIFICATION, CONSISTENT WITH THE PARAGRAPH IMMEDIATELY ABOVE, WILL REST SOLELY WITH THE DOC.

FINALLY, THE PARTIES AGREE TO USE BEST EFFORTS TO ACHIEVE THE GOALS AND PURPOSES OF THIS MOU.

V.PUBLICITY AND MEDIA

NO PARTY SHALL ISSUE A PUBLICITY RELEASE OR CONDUCT A MEDIA INTERVIEW IN CONNECTION WITH THE ACTIVITIES THAT ARE THE SUBJECT OF THIS AGREEMENT WITHOUT PRIOR CONSENT BY THE OTHER PARTY.

VI.POINTS OF CONTACT

THE FOLLOWING INDIVIDUALS ARE THE CONTACT POINTS FOR EACH PARTY UNDER THIS MOU:

**ERIC S. GLOVER
GENERAL COUNSEL
DC DEPARTMENT OF CORRECTIONS
2000 14TH STREET NW
WASHINGTON, DC 20009
202/671-0088**

LINDSEY APPIAH, ESQ.
CHIEF OF STAFF
OFFICE OF THE DEPUTY MAYOR FOR PUBLIC SAFETY AND JUSTICE
1350 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, DC 20004

IN WITNESS WHEREOF, THE PARTIES HERETO HAVE EXECUTED THIS THE MOU AS FOLLOWS:

UNITED STATES MARSHALS SERVICE:

John P. Sheehan
JOHN P. SHEEHAN, ASSISTANT DIRECTOR
PRISONER OPERATIONS DIVISION
UNITED STATES MARSHALS SERVICE

11/10/2021
DATE

Lamont Ruffin
LAMONT RUFFIN, ACTING UNITED STATES MARSHAL
DISTRICT OF COLUMBIA, DISTRICT COURT
UNITED STATES MARSHALS SERVICE

11/10/2021
DATE

DEPARTMENT OF CORRECTIONS:

Chris T. Geldart (by eoa)
CHRIS T. GELDART
DEPUTY MAYOR
PUBLIC SAFETY AND JUSTICE

11/9/2021
DATE