

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

EDWARD BRAGGS, et al., )  
)  
Plaintiffs, )  
)  
v. )  
)  
JOHN HAMM, in his )  
official capacity as )  
Commissioner of )  
the Alabama Department of )  
Corrections, et al., )  
)  
Defendants. )

CIVIL ACTION NO.  
2:14cv601-MHT  
(WO)

OPINION ON PHASE 1 ADA ALTERATIONS TO FRANK LEE CENTER

Under the Phase 1 ADA Consent Decree (Doc. 728), certain ADA alterations and remediations to the Frank Lee Community Based Facility/Community Work Center were supposed to be completed by January 1, 2023. That deadline lapsed due to the ADOC's ongoing construction of new facilities, which the defendants represented would ultimately lead to the closure of the Frank Lee Center (therefore obviating the necessity of structural ADA remediation).

As a result of the defendants' representations that Frank Lee was set to close, the court ordered the plaintiffs to file a joint status report as to whether the individuals with disabilities at Frank Lee are receiving, and will continue to receive, appropriate ADA accommodations until the facility closes. See Order as to the Lapsed Phase 1 ADA Alteration Deadlines (Doc. 3992).

The plaintiffs filed that joint report on September 15, 2023. See Report Regarding ADA Access at Frank Lee (Doc. 4035). In that report, the plaintiffs represented that counsel for both parties toured the Frank Lee facility, met with the ADA coordinator, and spoke with several ADA-eligible individuals housed there. The parties' counsel identified several areas suitable for easy remediation, such as installing a shower chair and removing certain barriers, among others. Moreover, they identified individuals who would benefit from being transferred to a more accessible work release center. Thereafter, the ADOC implemented the identified

alterations and transferred certain individuals that would be accommodated better elsewhere. *Id.* at 2-4.

Based on their evaluation of Frank Lee, and the ADOC's recent actions to remediate Frank Lee, plaintiffs represented that they are "satisfied that efforts are being made to ensure that individuals at Frank Lee can access needed accommodations" and any future concerns can be addressed by the parties and the Alabama Disability Advocacy Program (ADAP), the monitor of the Phase 1 ADA Consent Decree, without court oversight. *Id.* at 4.

Because the plaintiffs are satisfied with Frank Lee's present ADA compliance and the ADOC's commitment to keep Frank Lee ADA compliant, and because ADAP will continue monitoring this issue, the court will take no further action at this time regarding the ADA aspects of this case concerning the Frank Lee Community Based Facility/Community Work Center.

DONE, this the 21st day of September, 2023.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE