

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

JANIAH MONROE, *et al.*,
individually and on behalf of a class of
similarly situated individuals,

Plaintiffs,

v.

STEVEN BOWMAN,
MELVIN HINTON, and
LATOYA HUGHES,

Defendants.

Case No. 3:18-CV-00156-NJR

MEMORANDUM AND ORDER

ROSENSTENGEL, Chief Judge:

This matter is before the Court pursuant to 18 U.S.C. § 3626(f)(5) for the third six-month review of the appointment of second Co-Monitor julie graham, MFT. (Docs. 423, 457, 583). Co-Monitor graham was charged with overseeing Defendants' compliance with the Court-ordered injunctive relief regarding gender-affirming prison commissary items, elimination of cross-gender body searches, implementation of an effective transgender identification policy including access to private showers, and training of correctional staff and inmates on transgender issues and awareness. (Doc. 370, pp. 11-13; Doc. 384, pp. 3-5, 8-12). These responsibilities continue to involve extensive communication with IDOC officials and class members to monitor compliance with the Court's Orders for injunctive relief, investigate reported problems, and facilitate remedial action.

Since her appointment on May 10, 2022, Co-Monitor graham has submitted a

number of reports to the Court and parties regarding the above matters and has recommended steps to correct problems (Docs. 444, 450, 460, 546, 573, 591, 602, 630, 631, 647, 682). Earlier in 2023, progress was reported in some areas pursuant to meetings held between the parties and the Co-Monitors, but those meetings ceased in May 2023 after Defendants challenged the Court's injunctive relief Orders.

Of particular concern are class members' recurring reports in some institutions of private shower violations, failures to honor class members' choice of the gender of the officer who will perform their body searches, and reports of mistreatment by IDOC staff, as demonstrated in the recent evidentiary hearing in October 2023 (Docs. 654, 668). After this hearing, the Court granted in part two motions by Plaintiffs, finding Defendants in contempt and ordering Defendants to evaluate class members housed at Pinckneyville Correctional Center for transfer to other institutions (Docs. 678, 680). A status conference is scheduled to follow up on those Orders and consider next steps to bring Defendants into compliance with the ordered injunctive relief, and further status conferences may be needed. Co-Monitor graham's oversight and input continues to be necessary to move this process forward.

The training programs still under development for IDOC staff and individuals in custody at Logan will benefit from Co-Monitor graham's expertise. Her assistance also continues to be needed to communicate with class members regarding commissary needs and working with IDOC staff responsible for providing commissary items, to review policies and procedures regarding the matters under her oversight, and to report to the Court and parties as appropriate.

Based on the above, the Court concludes that the appointment of Julie Graham as second Co-Monitor shall continue. This matter is still in the remedial phase. Ms. Graham's expertise is still needed to advise and assist the Court in monitoring Defendants' compliance with the Court's directives in this case, as well as to advise the parties on policies and procedures that will achieve compliance with constitutional standards of care and conditions of confinement for the Plaintiff class. This appointment will be reviewed again in another six months.

As previously noted, the hourly compensation rate for both Co-Monitors (special masters) is the rate established under 18 U.S.C. § 3006A for payment of court appointed counsel. (Doc. 423, pp. 5-6). This hourly rate is currently \$164.00, thus Co-Monitor Graham will be compensated from the Court's appropriated funds at this rate plus costs reasonably incurred by the Co-monitor.

IT IS SO ORDERED.

DATED: November 30, 2023

The image shows a handwritten signature in black ink that reads "Nancy J. Rosenstengel". The signature is written in a cursive style. Behind the signature, there is a faint circular seal of the United States District Court for the District of Columbia, featuring an eagle with a shield and the words "U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA".

NANCY J. ROSENSTENGEL
Chief U.S. District Judge