

CONTACT:

Tanny M. McGinnis
Community Relations
Garfield County Sheriff's Office
107 8th Street
Glenwood Springs, CO 81601
Phone: 970-309-9248
E-mail: tmcginnis@garcosheriff.com



SHERIFF LOU VALLARIO
GARFIELD COUNTY, COLORADO

NEWS RELEASE

For Immediate Release

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Garfield County, Colorado: The 2006 class action suit filed against the Garfield County Jail has been dismissed due in part by a very favorable settlement, saving county coffers considerable money. The Honorable Chief Judge Wiley Y. Daniel, in the United States District Court for the District of Colorado, signed an order of Voluntary Dismissal on the suit filed by the American Civil Liberties Union (ACLU) that challenged the Garfield County Jail's mental health program and use of force and restraint practices.

The Lawsuit started by four inmates, Clarence Vandehey; William Langley; Samuel Lincoln; and Jared Hogue against Lou Vallario, Sheriff of Garfield County, Colorado in his official capacity and Stephen Hopple, Jail Commander for the Garfield County Sheriff's Office, in his official capacity, claimed their constitutional rights as pre-trial detainees were being violated. Two of the four inmates were criminally charged and convicted for their part in flooding their jail cells causing thousands of dollars in damages to County property.

Chief Judge Wiley Y. Daniel ordered, "Upon consideration of the Plaintiffs' Unopposed Motion for Voluntary Dismissal With Prejudice Pursuant to Fed. R. Civ. P. 41(a)(2) [ECF No. 234], the Court being advised in the premises, and good cause being shown, it is hereby, Ordered that the Unopposed Motion for Voluntary Dismissal [ECF No. 234], filed April 25, 2011, is Granted . It is further ordered that this matter is dismissed with prejudice, each party to bear its own attorneys' fees, costs and expenses". Since this suit was a Dismissal with prejudice, this bars the plaintiffs' from refileing the suit at a future time on the same claim.

Garfield County Sheriff Lou Vallario vigorously defended the suit, which at one point was certified as a class action by a Denver federal court judge. Sheriff Vallario successfully overturned that decision before the Tenth Circuit Court of Appeals, establishing new standards for appeals of class action cases and for class actions seeking non-monetary relief.

No judge during the five years of litigation ever found Garfield County Jail's actions or practices unconstitutional or inadequate. The settlement required the jail to make minor changes to its internal reporting forms and to affirm certain jail practices that it had voluntarily implemented well prior to the settlement. Finally, Garfield County reimbursed the ACLU for its litigation costs totaling \$69,200.

The settlement will avoid further expenditure of taxpayer monies toward the continued defense of the suit. The three large national and international law firms that headed the litigation for the inmates will receive no reimbursement for their legal fees, which are estimated to be in the range of \$700,000 - \$1,000,000.

Sheriff Vallario commented that the settlement is an affirmation that his administration is running the Garfield County Jail efficiently while meeting the constitutional standards for inmate care. "We have made changes and improved upon the jail operations each year while maintaining fiscal responsibility to the taxpayers," he said. "The way our deputies and staff delivered services withstood the scrutiny of the small army of lawyers and experts that the ACLU recruited to find fault with the Jail."

The mission of the Garfield County Sheriff's Office is to provide solutions for the people by utilizing and employing strong morals, good character, untarnished integrity, technical knowledge and fiscal responsibility through professional, ethical and equitable conduct.

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