

PRESS RELEASE

City Agrees to Establish DC Jail Population Cap In Response to Court's Entry of Judgment for Inmates Represented by Wiley Rein's Theodore Howard

October 12, 2007

In resolution of pro bono litigation pursued on behalf of DC Jail inmates by Wiley Rein's, the DC government has finally agreed to establish and enforce a 2,164-inmate population cap at the DC Jail.

Mr. Howard, in conjunction with the, sued the District of Columbia in June 2005 to force compliance with the DC Jail Improvement Act of 2003 – a law enacted in order to alleviate dangerous conditions in the jail attributed to overcrowding. In August 2007, DC Superior Court Judge Melvin R. Wright granted Mr. Howard's clients summary judgment and ordered the city to submit in writing its plan to adhere to the law and implement a population cap.

In an attempt to circumvent the court's ruling last week, the District government announced its intention to "voluntarily" establish a cap of 3,198 inmates, more than 1,000 above the 1,958 – 2,164 inmate range recommended by city consultants.

In an October 5 hearing to resolve the issue, Mr. Howard called the District's proposed cap "a number that has no relation to anything."

Judge Wright threatened to hold the Mayor in contempt of court for his refusal to set a limit consistent with the requirements of the law, and gave him one week to either agree to a cap within the consultants' recommended range or to take an appeal.

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Despite initial public statements indicating an intent to appeal, the District subsequently changed course and agreed to establish a cap on the Jail's population of 2,164, as reported in the *Washington Post* on October 11, 2007. At a hearing the following day, Judge Wright approved and signed an Order memorializing this resolution.

"I am pleased and proud to have had the opportunity to participate in this important case as co-counsel with the DC Prisoners' Project," Mr. Howard commented. "Hopefully the result we obtained will finally produce a meaningful enhancement of the quality of the internal security, medical care and other conditions of confinement at the Jail which have been adversely affected for so long by its chronically overcrowded status."

To read more about the events leading to this resolution, please [click here](#).