

**UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF  
WASHINGTON**

*Jackson, et al v. King County, Case No. 21-cv-995-RSM-BAT*

**This is a class action settlement notice, approved by a court. This case concerns juveniles charged as adults who were held in solitary confinement at King County's adult jails.**

**You may be entitled to receive money from King County for time you spent in solitary confinement at the King County Correctional Facility (King County Jail) or the Maleng Regional Justice Center (RJC), as discussed below. Your legal rights are likely affected by this settlement. In order to understand how, please read this entire notice carefully.**

Information and records indicates that you were held in solitary confinement for [redacted] days at the King County Jail and/or RJC when you were under the age of 18 years old and/or when you were over the age of 18 and covered under King County Ordinance 18637. This Ordinance, which was effective on July 1, 2018, prohibited certain juveniles charged as adults from being held in solitary, even after they turned 18 years of age.

**YOU ARE LIKELY ENTITLED TO \$500 FOR EACH DAY YOU WERE IN SOLITARY CONFINEMENT OR [redacted] TOTAL.**

The larger total preliminary settlement for all class members is currently [redacted], with an additional \$50,000 which King County has agreed to pay to Columbia Legal Services for their costs and attorney fees. Columbia Legal Services is the law firm representing the plaintiffs and the class in this case.

The Court in charge of this case still has to decide whether to grant final approval of this proposed settlement and the proposed attorney fee and cost award.

You have a number of legal rights and options with this settlement, as explained below.

<b>YOUR LEGAL RIGHTS AND OPTIONS IN THIS PROPOSED SETTLEMENT</b>	
<b>DO NOTHING</b>	If you do nothing and the settlement is approved, you will get the above indicated amount of money. However, you will be agreeing to accept the amount of money indicated above and you will give up your individual rights to sue separately about the same legal and factual issues addressed in this lawsuit. If the settlement is approved, you will need to keep in contact with Columbia Legal Services to provide them information on how to issue payment to you.

FOR QUESTIONS ON THIS SETTLEMENT E-MAIL [alison.bilow@columbialegal.org](mailto:alison.bilow@columbialegal.org), CALL OR TEXT 360-499-6068 OR WRITE TO: COLUMBIA LEGAL SERVICES, 101 YESLER WAY, SUITE 300, SEATTLE, WA 98104.

**Para recibir este aviso en español llame al 360-499-6068**

<b>DISPUTE YOUR NUMBER OF DAYS IN SOLITARY CONFINEMENT BY NOVEMBER 13, 2021</b>	If you want to be included in the settlement, but you do not believe the calculated number of days you were in solitary confinement is correct, you must contact Columbia Legal Services and provide them with additional information. More information on how to do this is listed below.
<b>ASK TO BE EXCLUDED FROM THIS SETTLEMENT BY DECEMBER 13, 2021</b>	If you do not want to be included in this settlement, you can contact Columbia Legal Services in writing and tell them. More information on how to do this is listed below. If you do this, you will not receive any money from this settlement and Columbia Legal Services cannot file a separate case for you. However, you will keep your rights to bring your own case and you may sue separately, on your own or with a different attorney, about the same legal and factual issues in this lawsuit.
<b>OBJECT TO THE SETTLEMENT BY DECEMBER 13, 2021</b>	If you think the settlement is wrong and you want the Court to reject it, you can write to the Court explaining why you do not like or agree with the settlement. More information on how to do this is listed below.
<b>GO TO A HEARING ON THE SETTLEMENT ON JANUARY 11, 2022 IF YOU WISH TO DO SO</b>	You may ask to speak in Court about the fairness of the settlement. If you have or wish to hire your own individual attorney, that person can also appear on your behalf at a hearing. More information on how to do this is listed below.

**BASIC INFORMATION**

**1. What is this case and why am I getting this notice?**

You are getting this notice because you were a juvenile charged as an adult (“juvenile decline”) in King County at some point between 2014-2019. Records indicate that you experienced time in solitary confinement at King County’s adult jails, either when you were under 18 years of age or after the age of 18 when a new King County law prohibited placing you in solitary confinement. You may have also communicated with the Plaintiff’s attorneys at Columbia Legal Services and provided them with a Release of Information form to review your jail records on the issue of solitary confinement in the past.

**2. Do I have a lawyer in this case?**

The court has decided that Columbia Legal Services will represent you and all Settlement Class Members. Columbia Legal Services is called “Class Counsel.” You also have the right to hire and retain your own lawyer, at your own expense, if you wish to get independent advice on your class action rights.

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### **3. I have questions or I do not understand some of this information. Who can I talk to?**

You may call, write, or e-mail Columbia Legal Services (Class Counsel).

Columbia Legal Services operates a collect hotline specifically concerning this settlement that will be staffed Monday-Friday from 9AM-5PM. That phone number is: 360-499-6068. If you are currently incarcerated, the phone number is specifically registered with Washington's Department of Corrections, the King County Jail, and the RJC to be a private attorney phone number. Please note that due to it being a collect line, and some policies at institutions, it cannot receive multiple calls at once and if you are incarcerated it may not allow you to leave a message. If you cannot get through the first time, please try again at a different time. Depending on your institution, you may also be able to request a legal call through your counselor. If you are in DOC custody, you may also contact us for a specific call time through the Jpay messaging system, at [jpay@columbialegal.org](mailto:jpay@columbialegal.org). This is not a confidential message system and messages may be monitored by the DOC. You may want to just note the call time you are requesting in the message and not include other personal details.

You may also e-mail [alison.bilow@columbialegal.org](mailto:alison.bilow@columbialegal.org). You may also write via legal mail to Columbia Legal Services, 101 Yesler Way, Suite 300, 98104.

You also have the right to find and consult with or retain a different attorney of your choosing, at your own expense, if you wish to do so.

### **4. Where can I review more information about the settlement?**

This notice summarizes the proposed settlement, but more details are in the full settlement agreement. The settlement agreement includes more details regarding the settlement, its terms, the rights and responsibilities of the parties and other relevant information. You can view the entire settlement agreement and other court documents are at this website:

<https://columbialegal.org/jackson-v-king-county-class-notice>. The website will also include Class Counsel's motion for their attorneys' fees and costs, which will be posted before the objection deadline and around November 13, 2021.

If you do not have internet access or ability to view that website, you may contact Columbia Legal Services at the phone, e-mail, or address above, and a copy of any relevant documents can be mailed to you.

### **5. If the settlement is approved, and I want to be included, when will I get my money?**

The settlement still needs to be finally approved by the Court before you may receive any compensation. The Court will wait to grant final approval until after January 11, 2022, after it has considered any objections to the settlement, the number of individuals who excluded themselves, and any further information at the hearing.

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Under the settlement terms, after final approval of the settlement, King County will submit payment within 10 business days to Columbia Legal Services. Columbia Legal Services will then issue payments as quickly as possible, to all class members.

Please be sure to contact Columbia Legal Services immediately if your address changes as they will need to be able to communicate with you to issue any money if the settlement is approved.

**6. I don't want to participate in this settlement. I would prefer to bring my own case or I just don't want to be included in this. What do I do?**

You can exclude yourself, or "opt out" of the settlement.

To do this, you **must** write to Columbia Legal Services with a letter **postmarked no later than December 13, 2021. Send the letter to** Columbia Legal Services, 101 Yesler Way, Suite 300, Seattle, WA 98104. The opt out request must be in writing, state your current address, telephone number, and contain the following statement: "I request that I be excluded from the Settlement Class in the case of Jackson v. King County." You must also sign this writing. **You will be a part of the settlement if you do not mail this document to Columbia Legal Services by the date above.**

If you opt out, you do not have the right to object to the settlement, you will not receive any payment from the settlement, and you will not be bound by the terms of it. You can bring a case yourself to pursue any claims you have against King County on this issue. However, **Statutes of Limitation exist which limit the time you have to bring a separate lawsuit.** If you wait too long to bring a case, you may forever be restricted from bringing one. If you exclude yourself from this case, you are solely responsible for being aware of any Statutes of Limitation that may affect your claim. You should be aware that Class Counsel entered into certain agreements that may have tolled, or paused, your Statute of Limitations. Class Counsel can provide you with a copy of these agreements or provide them to your own lawyer. Contact Columbia Legal Services to request a copy of these documents. However, Class Counsel cannot advise you on the date on which your Statute of Limitations may run or how these agreements may apply to your particular circumstances. You must seek this information from your own lawyer.

**7. I want to be included in the settlement, but I think you calculated my days in solitary confinement wrong. What do I do?**

You must write to Columbia Legal Services, with a letter postmarked no later than **November 13, 2021**. State any details or further information about your solitary confinement time you would like to be consider. If you would like copies of your own records that Columbia Legal Services reviewed to calculate your solitary confinement time, you may request that by contacting Columbia Legal Services as well. The parties will then evaluate your claim and may contact you again for additional information. If you are not satisfied with the response you receive to your claim, you will be able to opt out or object to the settlement provided you meet any applicable deadlines. If you do nothing in response to the disputed days, and do not opt out

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of the settlement, you will be included in the settlement and your individual amount will be the day calculation you receive in response to your dispute.

**8. I want to object to the settlement. I don't agree with it, do not like it, do not think it is fair, or I want to object for other reasons. What do I do?**

If you have not excluded yourself from the settlement, and you want to object to the settlement or the fees that Columbia Legal Services are asking to receive, you can object. You must object in writing and state reasons you think the Court should not approve the settlement. If you object, you must include your name, address, contact or telephone number, the name of the case, the reasons you object, and a signature. You must mail your objection to Columbia Legal Services at the address listed. Your objection must be post-marked no later than 11:59 p.m. on December 13, 2021.

Columbia Legal Services cannot advise you on whether to object to the settlement or assist you in objecting to the settlement. You have the right to hire your own attorney, at your expense, to assist you with any objection you wish to make.

**9. How can I attend a hearing on the settlement? Am I required to attend the hearing?**

The Court will hold a Fairness Hearing on January 11, 2022 at 9AM in courtroom 13206. The Court will decide at this hearing whether to approve the settlement. You are not required to attend the hearing. However, you may do so if you wish. If you file an objection, the Court will consider your objection at this hearing. You do not have to attend the hearing to have the Court consider your objection. You may ask the Court for permission to speak at the hearing by sending a letter asking that you or your attorney be allowed to speak at the Fairness Hearing. You must include your name, address, phone number, and your signature in this request. You must mail this request to Columbia Legal Services at the address listed above. It must be post-marked no later than 11:59 p.m. on **December 13, 2021**. You may include this request as part of your objection discussed above.

**10. How did you define solitary confinement and calculate my days?**

Solitary confinement in the settlement is defined as being confined in isolation without meaningful human contact, regardless of the reason for such isolation. "Human contact" is specifically defined as the opportunity for more than 2 hours of time per day out of your individual cell and around other confined individuals. "Solitary confinement" includes all forms of what King County calls restrictive housing (such as administrative segregation or disciplinary solitary). It also includes being locked in an individual cell with 2 hours or less of out of cell time per day or being locked down in an area or cell where all your time out of cell is not allowed to be around others, regardless of if you got slightly more than 2 hours out of your cell. More information is included in the settlement agreement.

Columbia Legal Services calculated your solitary confinement time by reviewing relevant jail records. Columbia Legal Services followed specific criteria in calculating days of solitary

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confinement and more information is included in court documents. Those documents and the settlement agreement are available at <https://columbialegal.org/jackson-v-king-county-class-notice>. Copies can also be mailed or provided by contacting Columbia Legal Services.

If you have communicated with Columbia Legal Services in the past, your solitary confinement count may have changed slightly from past communications based on review of additional records. You may contact Columbia Legal Services for further information about your specific calculation.

**11. I have other solitary confinement time at places other than the RJC or the King County Jail, time when I was confined on an adult charge, or time when I was over 18 before the King County Ordinance was effective. Does the settlement include compensation for that time?**

No. The terms of the current settlement only include solitary confinement time at the King County Correctional Facility or the Regional Justice Center when you were confined while under the age of 18 on your decline charge or while you were confined over the age of 18 and subject to King County Ordinance 18637, which was effective on July 1, 2018. The settlement does not include solitary confinement time at other institutions or other claims.

**12. Do I have to pay attorney fees out of my settlement amount? How were Class Counsel compensated in this case?**

No, you do not have to pay attorney fees out of your settlement. King County has agreed to pay Columbia Legal Services \$50,000 for their fees and costs. This amount must be approved by the Court as part of the final approval of the settlement. More information is included in Class Counsel's fee petition, which can be viewed on <https://columbialegal.org/jackson-v-king-county-class-notice> before the objection deadline and around November 13, 2021, or a copy may be requested by contacting Columbia Legal Services.

**13. If I do not opt out of this settlement, can I sue King County again over any of the events relevant to this case or receive more money from King County in the future for those events?**

No, if you do not opt out of this settlement and the Court approves it, you cannot sue King County again over any of the events related to this case or receive any additional money for those events or any injuries you may have received as a result beyond what you will receive from this settlement. If approved by the Court, this settlement releases King County from having to pay you or any other class members any more money for any event or injuries related to this case. For more information regarding this issue and the specific language that releases all relevant claims against King County, please review the Settlement Agreement which is available at <https://columbialegal.org/jackson-v-king-county-class-notice> or a copy of which can be requested by contacting Columbia Legal Services.

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