

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

S.H., a minor child and all others	:	
similarly situated, et al.,	:	
	:	Case No. 2:04-CV-1206
Plaintiffs,	:	
	:	JUDGE ALGENON L. MARBLEY
v.	:	
	:	
HARRY J. REED,	:	
	:	
Defendant.	:	

ORDER

This matter is before the Court on the Plaintiff's Motion for Emergency Injunction Prohibiting the Use of Special Response Teams (Doc. 277). Because Plaintiff's Motion is in the nature of a motion for a temporary restraining order, this Court convened the parties pursuant to Local Rule 65.1. Based on the evidence provided by counsel, including information provided by Mr. Steve Martin on the Circleville/Scioto "Operation Safety First" use of force incidents, and based on paragraphs 71 and 256(b) of the Stipulation for Injunctive Relief (Doc. 108) and the Ohio Department of Youth Services ("DYS") Policy Number 301.05, this Court finds Plaintiff's Motion is well taken and **GRANTS** a temporary restraining order providing as follows:

1. The staff of any agency invited into a DYS facility by DYS must be required by DYS to abide by DYS policies and procedures, including but not limited to, use of force policy and the prohibition against the use of OC spray and any other chemical agents and related security devices as set forth in DYS Policy Number 301.05;
2. Hand held cameras shall be employed to record all uses of force consistent with DYS policy;
3. All use of force reports shall be promptly prepared listing the participants and the weapons used consistent with DYS policy; and

4. The monitor shall be immediately advised at the time of any deployment, at the request of DYS, of Ohio Department of Rehabilitation and Correction staff into DYS facilities and an explanation for the deployment shall be immediately provided.

This temporary restraining order will expire upon the conclusion of the preliminary injunction hearing, currently set for **November 21, 2011, at 9:00 a.m.** before the Honorable Alegenon L. Marbley, United States District Court, 95 Marconi Boulevard, Columbus Ohio, Court Room 1, Room 331.

IT IS SO ORDERED.

s/Algenon L. Marbley
Algenon L. Marbley
United States District Court Judge

DATED: October 12, 2011