

**UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND**

UNITED STATES OF AMERICA

Plaintiff,

v.

STATE OF RHODE ISLAND

Defendant.

Case No. CA 14-175

ORDER

AND NOW, this _____ day _____, 2021, it is hereby ORDERED that the United States of America's Motion to Hold the State of Rhode Island in Contempt of the Consent Decree Entered April 9, 2014 is GRANTED. It is further ORDERED that:

1. On the first day of each month after the issuance of this Order, the State shall pay a fine of Five Hundred Thousand Dollars (\$500,000.00). The State shall deposit each such payment into a fund that shall be used exclusively to support Consent Decree compliance. These fines shall not be paid from monies that would otherwise have been used to serve Rhode Islanders with disabilities. If the State reduces the degree of its noncompliance with Consent Decree §§ IV(8) and VI(B), then these monthly fines shall, at that time and on the State's motion, be reduced to a corresponding degree.

2. The State shall also prepare a document articulating in detail the specific actions the State will implement each year to achieve compliance with Consent Decree §§ IV, VI, XI, and XIV by the end of State Fiscal Year 2024; the deadlines for those specific actions; how much the State will spend each year on each of those actions; and the factual bases supporting its belief that these actions and amounts will be sufficient to produce compliance. The State shall provide this document to the United States and the Monitor, each of whom shall have the opportunity to recommend edits to its provisions. For each such recommendation provided by the United States or the Monitor, the State shall, in finalizing its document, either adopt the recommendation or explain in the document why it is choosing not to adopt the recommendation. The State shall file with this Court the finalized version of this document, so that the Court may review it and order any revisions. If the document is acceptable to the Court, then the Court may issue an order incorporating its terms as supplemental obligations of the State under the Consent Decree.

3. Every day beginning on the seventieth (70th) day after the issuance of this Order, the State shall pay an additional fine of Fifty Thousand Dollars (\$50,000) per day. These fines shall be deposited into the same fund described in ¶ 1 of this Order, and shall not be paid from monies that would otherwise have been used to serve Rhode Islanders with disabilities. If the State complies with ¶ 2 of this Order, then these additional fines shall, at that time and on the State's motion, be rescinded.

IT IS SO ORDERED.

John J. McConnell, Jr.
Chief Judge
United States District Court