

**NOTICE OF PROPOSED  
CLASS ACTION SETTLEMENT**

You may be affected by the proposed settlement of claims made under 42 U.S.C. § 1983 and the procedural due process clause of the Fourteenth Amendment to the United States Constitution in the lawsuit styled *White, et al. v. Hesse, et al.*, Case No. 5:19-cv-1145-JD, pending in the United States District Court for the Western District of Oklahoma. This Notice summarizes the claims in the lawsuit, what the proposed settlement entails, and your rights under the proposed settlement.

**1. What is the issue in the lawsuit?**

Whether the judges of the Twenty-Sixth Judicial District, which is in Canadian County, are providing timely bail determinations, considering the appropriate factors in these bail determinations, and making findings about dangerousness, flight risk and ability to pay.

**2. Who is affected by the settlement? Who is a “Class Member”?**

A Class Member is any person who is or will be booked into the Canadian County Detention Center and is detained at the time of their first appearance before a judge in the Twenty-Sixth Judicial District on either an arrest for a criminal offense without a warrant or on a warrant for new charges. This class does not include: (1) any person only detained on warrants for post-conviction applications or motions, (2) any person only detained on warrants for failure to appear or comply with orders of the Court after release in criminal matters, or (3) any person only detained on a warrant and in custody pursuant to a writ of habeas corpus.

If you have any questions as to whether you are affected by this settlement, contact the Class Counsel referred to in Question 4 of this Notice.

**3. What are the changes to the proposed settlement?**

The Plaintiffs and the Defendants have reached a proposed settlement agreement that, if accepted by the Court, would result in a “Consent Decree” being entered by the Court. The Consent Decree will resolve all of Plaintiffs’ claims in the lawsuit. The purpose of the Consent Decree is to improve the bail determination hearings provided to Class Members.

**4. Who represents the individuals affected by the settlement?**

The lawyers representing the Class Members (“Class Counsel”) are Brandon Buskey, Megan Lambert, and Aaron Lewis.

**5. What are your options?**

On \_\_\_\_\_, 2025, the United States District Court for the Western District of Oklahoma preliminarily approved the Consent Decree. Now the Court must hold a hearing to determine whether final approval should be granted. At the hearing, the Court will determine if the Consent Decree is fair, reasonable, and adequate. **The Final Approval and Fairness Hearing will be held on \_\_\_\_\_, 2025 at \_\_\_\_\_ .m., in Courtroom \_\_\_\_ of the federal courthouse at 200 N.W. 4th St., Oklahoma City, Oklahoma 73102.** You may, but are not required to, request to appear at the hearing if you submit a written objection or comment regarding the settlement, using the attached “Response to Proposed Class Action Settlement” form or your own paper, or if you submit an objection

or comment online. The Court will decide which class members will testify. Class members who do not appear at the final fairness hearing will be represented by Class Counsel.

If you have objections, comments, or statements about the proposed Consent Decree, you can submit them as follows:

You can submit comments, questions or objections on the attached “Response to Proposed Class Action Settlement” form or your own paper. If you choose to send an objection, comment, or statement, you must include your full name, all objections or comments and the reasons for them, any and all supporting papers (including all briefs, written evidence, and declarations), and your signature. If you are sending supporting papers, do not send originals because they will not be returned to you. **Written objections, comments, and statements should be sent to the following address:**

ACLU of Oklahoma  
C/O Megan Lambert  
PO Box 13327  
Oklahoma City, OK 73113

You may also submit your written objections, comments, and statements by email to: [intake@acluok.org](mailto:intake@acluok.org). If you are submitting by email, please include the subject line: White v. Hesse Class Action Settlement.

All comments, questions, or objections must be submitted or postmarked by \_\_\_\_\_, **2025**. Properly and timely submitted objections and comments will be consolidated and submitted to the Court by Plaintiffs’ counsel on \_\_\_\_\_, **2025**, in advance of the Final Approval and Fairness Hearing, which the Court will hold on \_\_\_\_\_, **2025** at \_\_\_\_\_ **.m.**

**Any objections, comments, or questions that do not comply with the above procedures and timeline will not be heard or considered by the Court.**

#### **6. How can you get more information?**

If you have any questions about the matters contained in this notice, or any questions regarding the proposed Consent Decree, you may write or call Class Counsel’s office below:

Megan Lambert  
Legal Director  
ACLU of Oklahoma  
PO Box 13327  
Oklahoma City, OK 73113  
(405) 286-1104

Brandon Buskey  
Director  
Criminal Law Reform Project  
American Civil Liberties Union  
Foundation  
125 Broad Street, 18<sup>th</sup> FL  
New York, NY 10004  
212-549-2500

## RESPONSE TO PROPOSED CLASS ACTION SETTLEMENT

***White, et al. v. Hesse, et al.*, Case No. 5:19-cv-1145-JD (W.D. OK)**

**Written objections, comments, and statements should be sent to the following address:**  
**INSERT**

Full Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Criminal Case No.: \_\_\_\_\_  
Criminal Attorney: \_\_\_\_\_  
Objections/Comments/Statements: \_\_\_\_\_

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(If you need additional space, you may continue writing on the other side of the page or attach additional pages.)