



U.S. Department of Justice

Civil Rights Division

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United States Attorney's Office

*Northern District of Mississippi
900 Jefferson Avenue
Oxford, MS 38655*

United States Attorney's Office

*Southern District of Mississippi
501 E. Court Street, Suite 4.430
Jackson, MS 39201*

April 20, 2022

The Honorable Tate Reeves
Governor of Mississippi
400 High Street
Jackson, Mississippi 39201

Re: Notice Regarding Investigation into the Mississippi State Penitentiary

Dear Governor Reeves:

The Civil Rights Division and the Mississippi United States Attorney's Offices have completed the investigation into the conditions of confinement at the Mississippi State Penitentiary (Parchman), conducted under the Civil Rights of Institutionalized Persons Act (CRIPA), 42 U.S.C. § 1997. Consistent with the statutory requirements of CRIPA, we write to provide this notice of the alleged conditions that we have reasonable cause to believe violate the Constitution of the United States. The attached Findings Report details the supporting facts giving rise to those violations and the minimum remedial measures that we believe may remedy those alleged conditions.

After carefully reviewing the evidence, we conclude that there is reasonable cause to believe that conditions at Parchman violate the Eighth and Fourteenth Amendments to the United States Constitution and that these violations are pursuant to a pattern or practice of resistance to the full enjoyment of incarcerated persons' constitutional rights. Specifically, we have reasonable cause to believe that Mississippi routinely violates the constitutional rights of people confined at Parchman by: (1) failing to provide adequate mental health treatment to people with serious mental health needs; (2) failing to take sufficient suicide prevention measures to protect people at risk of self-harm; (3) subjecting people to prolonged isolation in solitary confinement in egregious conditions that place their physical and mental health at substantial risk of serious harm; and (4) failing to protect incarcerated people from violence at the hands of other

incarcerated people. As detailed in the attached Findings Report, these violations are in large part caused and exacerbated by systemic deficiencies in staffing and supervision.¹

We are obligated to advise you that 49 days after issuance of this notice, the Attorney General may initiate a lawsuit under CRIPA to correct the alleged conditions we have identified if Mississippi officials have not satisfactorily addressed them. 42 U.S.C. § 1997b(a)(1). The Attorney General may also move to intervene in related private suits 15 days after issuance of this letter. 42 U.S.C. § 1997c(b)(1)(A). It is our hope, however, to resolve this matter through a more cooperative approach. We look forward to working with you to address the alleged violations of law we have identified.

We thank Commissioner Burl Cain and Parchman leadership for their continued cooperation with our ongoing investigation. The lawyers assigned to this investigation will be contacting the Mississippi Department of Corrections to discuss this matter in further detail. Please note that this notice and attached Findings Report are public documents. They will be posted on the Civil Rights Division's website.

If you have any questions, please call Steven H. Rosenbaum, Chief of the Civil Rights Division's Special Litigation Section, at (202) 616-3244.

Sincerely,

/s/ Kristen Clarke

Kristen Clarke
Assistant Attorney General
Civil Rights Division

/s/ Clay Joyner

Clay Joyner
United States Attorney
Northern District of Mississippi

/s/ Darren J. LaMarca

Darren J. LaMarca
United States Attorney
Southern District of Mississippi
United States Department of Justice

cc: Lynn Fitch
Attorney General, State of Mississippi

¹ The Department's investigation into the Southern Mississippi Correctional Institution, Central Mississippi Correctional Facility, and Wilkinson County Correctional Facility remains ongoing.

Burl Cain
Commissioner, Mississippi Department of Corrections

Timothy Morris
Superintendent, Mississippi State Penitentiary