



U.S. Department of Justice

Civil Rights Division

*United States Attorney's Office
Northern District of Georgia*

*Special Litigation Section
4 Constitution Square
150 M Street NE
Washington, DC 20002*

*United States Attorney's Office
75 Ted Turner Drive SW
Suite 600
Atlanta, GA 30303*

November 14, 2024

Sheriff Patrick Labat
Sheriff of Fulton County
901 Rice Street NW
Atlanta, GA 30318

Chairman Robb Pitts
Chairman of the Board of Supervisors
141 Pryor Street, 10th Floor
Atlanta, GA 30303

Re: CRIPA Investigation of the Fulton County Jail

Dear Sheriff Labat and Chairman Pitts:

The Civil Rights Division and the United States Attorney's Office for the Northern District of Georgia have conducted an investigation of the Fulton County Jail¹ under the Civil Rights of Institutionalized Persons Act (CRIPA), 42 U.S.C. § 1997 *et seq.*, the Americans with Disabilities Act (ADA), 42 U.S.C. § 12132 *et seq.*, and the Violent Crime Control and Law Enforcement Act, 34 U.S.C. § 12601. Consistent with the statutory requirements of CRIPA, 42 U.S.C. § 1997b(a)(1), we write to provide this Notice of the alleged conditions that we have reasonable cause to believe violate the Constitution of the United States and federal law. 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 in the Fulton County Jail violate the Eighth and Fourteenth Amendments of the United State Constitution, the ADA, and the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400–1482. These violations are pursuant to a pattern or practice of resistance to the full enjoyment of rights protected by the Constitution and federal law. Specifically, we find that Fulton County and the Fulton County Sheriff's Office fail to protect people incarcerated at the Fulton County Jail from violence and harm by other incarcerated people in violation of the Eighth and Fourteenth Amendments. We also find that Fulton County Jail deputies and detention officers use force against incarcerated people without adequate justification, in

violation of the Fourteenth Amendment. We find that the living conditions in the Fulton County Jail are constitutionally inadequate and violate the Eighth and Fourteenth Amendments. We further find that inadequate medical and mental health care in the Fulton County Jail exposes people to a substantial risk of serious harm in violation of the Eighth and Fourteenth Amendments.

Moreover, we find that restrictive housing conditions in the Jail pose a substantial risk of serious harm, including acute mental illness and self-injury, in violation of the Eighth and Fourteenth Amendments. We find that the Jail's restrictive housing practices discriminate against people with mental health disabilities in violation of the ADA, and that the Jail does not provide due process protections when imposing restrictive housing in violation of the Fourteenth Amendment. Finally, we find that the Jail fails to provide special education services to 17-year-old boys and girls who are entitled to such services, in violation of the IDEA. The attached report details the supporting facts giving rise to the violations and the minimum remedial measures that we believe may remedy the alleged conditions.

We hope to resolve this matter through a cooperative approach and look forward to working with Fulton County and the Fulton County Sheriff's Office to address the violations of law we have identified. The lawyers assigned to this investigation will contact counsel for the County and Sheriff's Office for such discussions.

Please note that in the event we are unable to reach a resolution regarding our findings, CRIPA authorizes the Attorney General to initiate a lawsuit 49 days after issuance of this notice letter to correct the alleged conditions we have identified. 42 U.S.C. § 1997b(a)(1). Please also note that this notice letter and accompanying report are public documents. They will be posted on the Civil Rights Division's website.

If you have any questions regarding this correspondence, please contact Regan Rush, Acting Chief of the Special Litigation at (202) 532-5675.

Sincerely,



Ryan K. Buchanan
United States Attorney
Northern District of Georgia



Kristen Clarke
Assistant Attorney General
Civil Rights Division

cc: Y. Soo Jo
County Attorney

Colonel Jarrett Gorlin
Chief Jailer

Attachment: Report of Investigation of the Fulton County Jail