

Motion for Immediate Relief

Exhibit 16



U.S. Department of Justice

Civil Rights Division

SYC:JCP:MRB:TDM:RAK:EAG:YD:pjc
DJ 168-19-74, 75;
168-19m-68, 69, 70;
168-20-45, 46

*Special Litigation Section - PHB
950 Pennsylvania Avenue, NW
Washington, DC 20530*

January 6, 2010

BY FIRST CLASS MAIL AND EMAIL

Mary Lou Rahn
2 Peachtree Street, N.W.
Suite 22256
Atlanta, GA 30303

Jason Naunas, Esq.
Department of Law
State of Georgia
40 Capitol Square S.W.
Atlanta, Georgia 30334-1300

Re: United States v. Georgia, No. 1:09CV-119-CAP (N.D. Ga.)

Dear Ms. Rahn and Mr. Naunas:

We write to request additional information relating to a suicide at Southwestern State Hospital ("SWSH"). The suicide reportedly occurred this morning at 4:05 a.m., and we subsequently received the Critical Incident Report.

The victim was a 23-year-old patient who, according to the incident report, had just been admitted yesterday. We request additional information, pursuant to Section IV.G. of the Settlement Agreement, so that we may evaluate the adequacy of the State's handling of this incident, particularly in light of the Settlement Agreement's requirement that the State attain substantial compliance with the terms regarding suicide risk assessment and prevention no later than January 15, 2010. We ask that the State provide its response to the following requests within 15 days, or no later than January 21, 2010:

1. The suicide prevention protocol and other policies applicable to the handling of this incident.
2. The intake assessments and risk assessments for this patient from the time of admission to the time of this incident.

3. The patient's treatment plan, and any safety plan or revisions to the patient's treatment plan developed by a clinical team to ensure this patient's safety.
4. All progress notes for this patient from the time of admission to the time of this incident, including physician notes, psychiatrist notes, psychologist notes, nursing notes, and health service technician notes, if any.
5. The staffing sheets for January 5 and 6, 2010, for the patient's unit, including all enhanced supervision levels.
6. The emergency room discharge sheet.
7. The Hospital police log, switchboard log, and phone log that establish who called for emergency assistance, and at what time.
8. The emergency code flow sheet and all documentation surrounding review of the emergency code.
9. Any root cause analysis, staffing analysis, or other management review and analysis of this incident.
10. A description of any corrective action plans responsive to any findings identified in the analyses noted in request nine (9) above.

If you should have any questions about this request, please feel free to contact me at (202) 514-6255, Robert Koch at (202) 305-2302, Mary Bohan at (202) 616-2325, Timothy D. Mygatt at (202) 305-3334, or Emily Gunston at (202) 305-3203.

Sincerely,



Shanetta Y. Cutlar
Chief
Special Litigation Section

cc: Commissioner Frank E. Shelp