



U.S. Department of Justice

Civil Rights Division

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January 25, 2023

The Honorable John Bel Edwards
Governor of Louisiana
900 North Third Street
Baton Rouge, LA 70802

Re: Notice Regarding Investigation into the Louisiana Department of Safety and Corrections

Dear Governor Edwards:

The Justice Department has completed its investigation into whether the Louisiana Department of Public Safety and Corrections (LDOC) is engaging in a pattern or practice of violating the constitutional rights of people in its custody by detaining them at state and local correctional facilities past their release dates, 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 policies and procedures 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 alleged violations and the minimum remedial measures that we believe may remedy the constitutional violations.

After carefully reviewing the evidence, we conclude that there is reasonable cause to believe that LDOC violates the Due Process Clause of the Fourteenth Amendment of the United States Constitution, and that these violations are pursuant to a pattern and practice of resistance

to the full enjoyment of incarcerated persons' constitutional rights. Specifically, we have reasonable cause to believe that LDOC routinely violates the constitutional rights of people in its custody by incarcerating them past their legal release date. As detailed in the attached Findings Report, these violations are in large part caused and exacerbated by systemic deficiencies in LDOC's policies and procedures related to the receipt of sentencing documents, computation of an incarcerated individuals' release dates, and employee training.

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 policies and procedures we have identified, if LDOC officials have not satisfactorily addressed them. 42 U.S.C. § 1997b(a)(1). The Attorney General may also move to intervene in related private lawsuits 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 Secretary James LeBlanc and LDOC leadership for their continued cooperation with our ongoing investigation. The lawyers assigned to this investigation will be contacting LDOC to discuss this matter in further detail. Please note that this notice and the 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/ Duane A. Evans
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/s/ Ronald C. Gathe
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cc: Jeff Landry
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Keith Cooley
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