



U.S. Department of Justice

Civil Rights Division

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

February 28, 2024

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 Central Mississippi Correctional Facility (CMCF), South Mississippi Correctional Institution (SMCI), and Wilkinson County Correctional Facility (WCCF), conducted under the Civil Rights of Institutionalized Persons Act (CRIPA), 42 U.S.C. § 1997. 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. 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 CMCF, SMCI, and WCCF 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 incarcerated at all three facilities by failing to protect them from widespread physical violence. We further find reasonable cause to believe that Mississippi unconstitutionally subjects persons at CMCF and WCCF to harsh conditions and prolonged restrictive housing that places them at substantial risk of serious physical and psychological harm.

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 the leadership at CMCF, SMCI, and WCCF for their cooperation with our 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/ Todd W. Gee

Todd W. Gee
United States Attorney
Southern District of Mississippi
United States Department of Justice

cc:

Lynn Fitch
Attorney General, State of Mississippi

Burl Cain
Commissioner, Mississippi Department of Corrections

John Hunt
Superintendent, Central Mississippi Correctional Facility

Brand Huffman
Superintendent, South Mississippi Correctional Institution

Darrel Vannoy
Warden, Wilkinson County Correctional Facility