

THE DEPARTMENT OF JUSTICE SETTLEMENT AGREEMENT WITH HINDS COUNTY, MISSISSIPPI

The Justice Department and Hinds County, Mississippi, Hinds County Board of Supervisors and the Hinds County Sheriff have entered into a court-enforceable settlement agreement to reform the Hinds County Detention Center and Work Farm in Raymond, Mississippi, and the Jackson Detention Center in Jackson, Mississippi. The settlement is intended to resolve the allegations in the Justice Department's findings letter that the jail facilities failed to protect prisoners from violence by other prisoners and from improper use of force by staff; detained prisoners beyond court-ordered release dates and locked down and otherwise improperly housed prisoners – severely limiting or eliminating access to treatment, education, exercise and visitation. The settlement is the first of its kind to incorporate broader criminal justice system reform through diversion at the front end and reentry to the community after incarceration. The settlement is also unique in that it attacks unlawful enforcement of court-ordered fines and fees by ensuring that the county cannot incarcerate an individual for non-payment if the court does not first assess whether the individual is indigent.

PROVISIONS OF THE SETTLEMENT AGREEMENT

Improve Jail Operations

- The settlement will improve the safety and security in the jails for both staff and prisoners by:
 - improving supervision, training, staffing and security procedures;
 - updating and maintaining the jail facilities, including locks, doors, security cameras and other physical security features; and
 - developing and implementing classification and housing assignment policies to separate prisoners based on risk factors, such as history of escapes, gang activities, or violence against other prisoners.

Proactive Approaches to Improving Jail Safety

- Special Needs Programs: The county must take proactive approaches to improving safety with regard to special needs populations like people with mental illness and juveniles.
- Limits on Segregation: The county must develop and implement policies and procedures that limit the use of inappropriate segregation, including excessive, long-term isolation of prisoners. The settlement establishes a general presumption against the use of segregation for prisoners with mental illness and limits segregation for youth to only those situations in which a youth needs a short break. Segregation cannot be used as long-term disciplinary housing for youth.
- Mental Health Screening and Treatment: The settlement requires all prisoners to be screened for mental health conditions at intake. It also requires individualized treatment for prisoners with serious mental illness.
- Youth Programming: The county must improve safety for youth processed through the jail facilities, including safer housing and development of appropriate programs, supports, education and services for youth, especially special education programs and therapeutic interventions.

Ensuring Prisoners are Lawfully Detained

- Proper Paperwork: The settlement restricts the county from accepting or continuing to hold prisoners without appropriate completed paperwork, such as an arrest warrant, detention hold or court order.
- Accurate Records: The county must implement a reliable, complete and adequate record system to ensure that staff members can readily determine the basis for a prisoner's detention, the prisoner's release date and whether the prisoner should remain detained at all.
- Prompt Release: The county must promptly release prisoners entitled to release.

Criminal Justice System Improvements and Coordination

- Criminal Justice Coordinating Committee: The county will establish a Criminal Justice Coordinating Committee to improve policies and procedures governing the jail staff's interaction with local courts, defense attorneys, and other law enforcement agencies; and develop diversion opportunities and alternatives to incarceration when appropriate.
- Diversion Consultant: The county will hire a consultant who can assist the Coordinating Committee in implementing needed reforms.
- Increasing Coordination with Community Mental Health: The county must improve coordination between the jail facility and community mental health programs, including the County's Program of Assertive Community Treatment team, in order to address recidivism and to ensure well-coordinated transition back to the community for individuals with mental illness.