

**Department of Justice Activities
Under the
Civil Rights of Institutionalized Persons Act
Fiscal Year 2014**

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I. Introduction and Overview

Individuals confined in institutions are often among the most vulnerable in our society. Recognizing the need to protect the rights of those residing in public institutions, Congress in 1980 passed the Civil Rights of Institutionalized Persons Act (CRIPA). CRIPA gives the Attorney General the authority to investigate conditions at certain residential institutions operated by or on behalf of state and local governments—including juvenile justice facilities, adult jails and prisons, nursing homes, and facilities for individuals with psychiatric or developmental disabilities—to determine whether violations of the Constitution or federal law exist. CRIPA enforcement has been delegated to the Department of Justice’s Civil Rights Division, and CRIPA is enforced by the Division’s Special Litigation Section.

The Division is authorized to remedy a pattern or practice of unlawful conditions that deprives individuals confined in the facilities of their constitutional or federal statutory rights. As required by the statute, the Division engages in negotiation and conciliation efforts and provides technical assistance to help jurisdictions correct deficient conditions. If these efforts fail, the Division may file a lawsuit to correct the violations of rights.

The Division takes very seriously its responsibility to protect the rights of individuals residing in institutions. Over the last year, the Division has achieved important successes under its CRIPA authority. For instance, the Division opened an investigation to address allegations that prisoners were not adequately protected from harm caused by prisoner violence and improper staff use of force, in violation of their rights under the 8th and 14th Amendments of the United States Constitution. The Division issued letters describing the findings of investigations that broke new ground on cutting-edge issues in its civil rights enforcement. The Division has vigorously enforced settlements to ensure that the rights of the individuals protected by those

decrees are vindicated. The Division has engaged in extensive outreach to stakeholders and the community to ensure that their concerns are reflected in its enforcement efforts. Finally, the Division has been involved in policy initiatives that implicate the work of the Section and advance the civil rights of those protected by CRIPA.

In Fiscal Year 2014, the Division entered into three settlement agreements. The Division also initiated a CRIPA investigation of a jail and issued four findings letters outlining findings of significant constitutional and federal statutory violations at forty facilities.¹ At the end of Fiscal Year 2014, the Division had active CRIPA matters and cases involving 155 facilities in 27 states, the District of Columbia, the Commonwealth of Puerto Rico and the Territories of Guam and the Virgin Islands.

As envisioned by Congress, enforcement of CRIPA continues to identify egregious and flagrant conditions that subject residents of publicly operated institutions to grievous harm. 42 U.S.C. § 1997a (a). In addition to its enforcement efforts at state and local facilities, pursuant to Section f(5) of CRIPA, the Division provides information regarding the progress made in each federal institution (specifically from the Bureau of Prisons and the Department of Veterans Affairs) toward meeting existing promulgated standards or constitutionally guaranteed minimums for such institutions. See attached statements.

II. Filing of CRIPA Complaints/Resolution of Investigations and Lawsuits

A. Resolution of Investigations

1. Ohio Juvenile Correctional Facilities

The Division first investigated conditions at Ohio juvenile correctional facilities in 2007 and found constitutional deficiencies in the State's use of physical force, mental health care,

¹ The full text of these findings letters can be found at the Division's website at <http://www.usdoj.gov/crt/split/index.html>.

grievance investigation and processing, and use of seclusion, in two facilities: the Scioto Juvenile Correctional Facility and the now-closed Marion Juvenile Correctional Facility. The Division entered into a consent decree with the State in June 2008 to remedy these violations. On March 12, 2014, the Division moved to supplement its original complaint by including the State's use of unlawful seclusion at all of its other juvenile correctional facilities: Circleville Juvenile Correctional Facility, Cuyahoga Hills Juvenile Correctional Facility, and Indian River Correctional Facility. The court granted the motion on March 28, 2014, and the Division filed the supplemental complaint on March 31, 2014. The Division also sought a temporary restraining order requiring immediate measures to curb the State's excessive seclusion of youth with mental health disorders.

On May 21, 2014, the court issued an agreed order resolving the Division's claims in its motion for a temporary restraining order. Because the agreed order embodied the State's commitment to eliminate all disciplinary seclusion, the Division agreed to withdraw without prejudice the supplemental complaint's remaining claims regarding the State's seclusion of youth who did not have an identified mental health disorder. Under the agreed order, Ohio committed to dramatically reduce, and eventually eliminate, its use of disciplinary seclusion on all youth in its custody, and also to ensure that youth in its juvenile facilities receive individualized mental health treatment to prevent and address the conditions and behaviors that led to seclusion.

2. Orleans Parish Prison

In October 2013, the District Court for the Eastern District of Louisiana entered a settlement agreement between the Division, private class plaintiffs, and the Orleans Parish Sheriff's Office to remedy unconstitutional conditions at Orleans Parish Prison, the jail for

Orleans Parish, Louisiana.

In September 2009, the Division had issued findings that the Sheriff failed to adequately protect prisoners from harm, including violence and excessive use of force. The Division also found that the Sheriff failed to provide adequate medical and mental health care and sanitary and safe living conditions. The settlement requires the Sheriff to implement policies, procedures, and systems to protect prisoners, investigate incidents and staff misconduct, and properly classify inmates to provide safer and smarter housing assignments. Additionally, the settlement requires the Sheriff to provide comprehensive medical and mental health care, including screening and assessment, treatment, and proper suicide prevention.

The Division has been actively enforcing the agreement's terms through participation in monitoring visits, periodic status conferences with the court, and monthly check-in meetings with the monitoring team. In early 2015, the Division also secured additional relief in the form of a stipulated order, which places deadlines on immediate steps the Sheriff must take to come into compliance with the settlement agreement. The monitoring team will evaluate the Sheriff's progress towards compliance with both the original agreement and the new stipulated order, and report on that progress during court status conferences and in the monitor's bi-annual reports.

3. Piedmont Regional Jail Authority, Virginia

On October 1, 2013, the District Court for the Eastern District of Virginia approved a court-enforceable settlement agreement between the Division and the Piedmont Regional Jail Authority to remedy unconstitutional conditions at the Jail. In September 2012, the Division had issued findings that the Piedmont Regional Jail Authority violated the constitutional rights of prisoners. The settlement agreement requires the Jail to provide prisoners with adequate medical and mental health care, including chronic care. The agreement also requires the Jail to

implement a reporting system to identify deficiencies in care in a timely manner and implement other measures to facilitate prisoners’ access to adequate health care. The agreement is evaluated by a monitor, who issues public compliance reports and provides technical assistance to the Jail. During the past year, the monitor and DOJ personnel have made numerous visits to the Jail to evaluate compliance with the agreement. The Jail has made substantial progress towards compliance, including by completely overhauling its medical and mental health staff.

III. Prison Litigation Reform Act

The Prison Litigation Reform Act (PLRA), 18 U.S.C. § 3626, enacted on April 26, 1996, covers prospective relief in prisons, jails, and juvenile justice facilities. The Division has defended the constitutionality of the PLRA and has incorporated the PLRA’s requirements in the remedies it seeks regarding improvements in correctional and juvenile justice facilities.

IV. Compliance Evaluations

During Fiscal Year 2014, the Division monitored compliance with CRIPA consent decrees, settlement agreements, and court orders designed to remedy unlawful conditions in numerous facilities throughout the United States. These facilities are:

A. Facilities for persons with developmental disabilities:

| Facility or Facilities | Case or Agreement | Court/Date |
|---|---|-----------------|
| Arlington Developmental Center | <u>United States v. Tennessee</u> , 92-2026HA | W.D. Tenn. 1992 |
| Clover Bottom Developmental Center and Harold Jordan Center | <u>United States v. Tennessee</u> , 3:96-1056 | M.D. Tenn. 1996 |
| Centro de Servicios Multiples Rosario Bellber | <u>United States v. Commonwealth of Puerto Rico</u> , 99-1435 | D. P.R. 1999 |
| Beatrice State Developmental Center | <u>United States v. Nebraska</u> , 08-08CV271-RGK-DL | D. Neb. 2008 |
| Abilene State Supported Living Center; Austin State Supported Living Center; Brenham State Supported Living Center; Corpus Christi State Supported Living Center; Denton State Supported Living Center; El Paso State | <u>United States v. Texas</u> , A-09-CA-490 | E.D. Tex. 2009 |

| | | |
|--|--|---------------|
| Supported Living Center; Lubbock State Supported Living Center; Lufkin State Supported Living Center; Mexia State Supported Living Center; Richmond State Supported Living Center; Rio Grande State Supported Living Center; San Angelo State Supported Living Center; and San Antonio State Supported Living Center | | |
| Georgia Regional Hospital in Atlanta, Georgia Regional Hospital in Savannah, Central State Hospital, Southwest State Hospital, West Central Georgia Regional Hospital and East Central Georgia Regional Hospital. (These facilities also serve people with mental illness.) | <u>United States v. Georgia</u> , 1-09-CV-0119 | N.D. Ga. 2009 |

B. Facilities for persons with mental illness:

| Facility or Facilities | Case or Agreement | Court/Date |
|---|---|----------------|
| Metropolitan State Hospital; Napa State Hospital; Atascadero State Hospital; and Patton State Hospital | <u>United States v. California</u> , 06-2667 GPS | M.D. Cal. 2006 |
| St. Elizabeth's Hospital | <u>United States v. District of Columbia</u> , 1:07-CV-0089 | D. D.C. 2007 |
| Georgia Regional Hospital in Atlanta, Georgia; Regional Hospital in Savannah; Central State Hospital; Southwest State Hospital; West Central Georgia Regional Hospital; and East Central Georgia Regional Hospital. (These facilities also serve people with developmental disabilities.) | <u>United States v. Georgia</u> , 1-09-CV-0119 | N.D. Ga. 2009 |
| Connecticut Valley Hospital | <u>United States v. Connecticut</u> , 3:09-CV-00085 | D. Conn. 2009 |
| Kings County Hospital Center | <u>United States v. Kings County, New York</u> , CV-10-0060 | E.D.N.Y. 2010 |
| Delaware Psychiatric Center | <u>United States v. Delaware</u> , 1-11-CV-00591 | D. Del. 2011 |

C. Nursing Homes:

| Facility or Facilities | Case or Agreement | Court/Date |
|-------------------------|---|---------------|
| Maple Lawn Nursing Home | <u>United States v. Marion County Nursing Home District</u> , 2:13-CV-00026 | E.D. Mo. 2013 |

D. Juvenile justice facilities:

| Facility or Facilities | Case or Agreement | Court/Date |
|--|--|-----------------|
| Bayamon Detention Center; Centro Tratamiento Social Bayamon; Centro Tratamiento Social Humacao; Centro Tratamiento Social Villalba; Centro Tratamiento Social Guayama; Guali Group Home; and Ponce Detention and Social Treatment Center for Girls | <u>United States v. Commonwealth of Puerto Rico</u> , 9 4-2080 CCC | D. P.R. 1994 |
| Oakley Training School | <u>United States v. Mississippi</u> , 3:03 CV 1354 BN | S.D. Miss. 2003 |
| Circleville Juvenile Correctional Facility; Indian River Juvenile Correctional Facility; Cuyahoga Hills Juvenile Correctional Facility; and Scioto Juvenile Correctional Facility | <u>United States v. Ohio</u> , C2 08 0475 | S.D. Ohio 2008 |
| Los Angeles County Juvenile Camps | 2009 Settlement Agreement | N/A |
| Lansing Residential Center; Louis Gossett, Jr. Residential Center; Tryon Residential Center; and Tryon Girls Center | <u>United States v. New York</u> , 10-CV-858 | N.D. N.Y. 2010 |

E. Jails:

| Facility or Facilities | Case or Agreement | Court/Date |
|--|---|--------------------|
| Hagatna Detention Center and Fibrebond Detention Facility | <u>United States v. Territory of Guam</u> , 91-00-20 | D. Guam 1991 |
| Harrison County Jail | <u>United States v. Harrison County, Mississippi</u> , 1:95 CV5-G-R | S.D. Miss. 1995 |
| Coffee County Jail, Georgia | 1997 Settlement Agreement | N/A |
| Saipan Detention Facility; Tinia Detention Facility; and Rota Detention Facility | <u>United States v. Commonwealth of the Northern Mariana Islands</u> , CV 99-0017 | D. N. Mar. I. 1999 |
| Muscogee County Jail | <u>United States v. Columbus Consolidated City/County Government, Georgia</u> , 4-99-CV-132 | M.D. Ga. 1999 |
| Los Angeles Mens Central Jail, California | 2002 Settlement Agreement | N/A |
| Dallas County Jail | 2012 Settlement Agreement (converted from consent decree in <u>United States v. Dallas County, Texas</u> , 307 CV 1559-N) | N/A |
| Terrell County Jail | <u>United States v. Terrell County, Georgia</u> , 04-cv-76 | M.D. Ga. 2007 |

| | | |
|---|--|-----------------|
| Baltimore City Detention Center, Maryland | 2007 Agreement | N/A |
| Oahu Community Correctional Center | <u>United States v. Hawaii</u> , CV-08-00585 | D. Haw. 2008 |
| Orleans Parish Prison | <u>Jones & U.S. v. Gusman</u> | E.D. LA 2008 |
| Erie County Detention Center and Holding Facility | <u>United States v. Erie County, New York</u> , 09-CV-0849 | W.D. N.Y. 2009 |
| Sebastian County Detention Center, Arkansas | 2008 Settlement Agreement | N/A |
| Grant County Detention Center, Kentucky | 2009 Settlement Agreement | N/A |
| Oklahoma County Jail and Jail Annex, Oklahoma | 2009 Settlement Agreement | N/A |
| Cook County Jail | <u>United States v. Cook County, Illinois</u> , 10-cv-2946 | N.D. Ill. 2010 |
| Lake County Jail | <u>United States v. Lake County, Indiana</u> , 2:10-CV-476 | N.D. Ind. 2010 |
| Robertson County Jail | <u>United States v. Robertson County</u> , 3:13-CV-00392 | M.D. Tenn. 2013 |
| Miami-Dade County Detention | <u>United States v. Miami-Dade County</u> , 1:13-CV-21570 | S.D. Fla. 2013 |
| St. Tammany Parish Jail | 2013 Settlement Agreement | N/A |
| Piedmont Regional Jail Authority, Virginia | <u>United States v. Piedmont Regional Jail Authority</u> , 3:13-CV-646 | E.D. Va. 2013 |

F. Prisons:

| Facility or Facilities | Case or Agreement | Court/Date |
|--|---|--------------------|
| Golden Grove Correctional and Adult Detention Facility | <u>United States v. Territory of the Virgin Islands</u> , 86-265 | D. V.I. 1986 |
| Erie County Detention Center and Holding Facility | <u>United States v. Erie County, New York</u> , 09-CV-0849 | W.D. N.Y. 2009 |
| Guam Adult Correctional Facility | <u>United States v. Territory of Guam</u> , 91-00-20 | D. Guam 1991 |
| Saipan Prison Complex | <u>United States v. Commonwealth of the Northern Mariana Islands</u> , CV-99-0017 | D. N. Mar. I. 1991 |

In addition to regularly monitoring compliance with CRIPA consent decrees, settlement agreements, and court orders throughout the United States, the Division initiated and successfully resolved court actions to enforce a number of consent decrees regarding facilities with particularly serious conditions problems.

A. Golden Grove Correctional and Adult Detention Facility

The Division filed and settled two enforcement motions in our longstanding CRIPA case regarding conditions of confinement at the Golden Grove Correctional and Adult Detention Facility in St. Croix, U.S. Virgin Islands. After filing the motions, the Division successfully negotiated a court-enforceable resolution that requires the jurisdiction to meet specific deadlines for implementing consent decree requirements regarding policy development, training, and staff accountability measures. The Division continues to monitor enforcement with these deadlines in addition to the main consent decree in the case.

B. Orleans Parish Prison

The Division has been actively enforcing the October 2013 consent decree regarding conditions at the Orleans Parish Prison, the jail in New Orleans, Louisiana. This consent decree covers all major areas of operation at the jail, including measures to protect prisoners from prisoner-on-prisoner violence and excessive use of force, suicide prevention and mental health care, medical care, and environmental and fire safety. Following the second independent monitor's compliance report of July 2014, the Division sent the jurisdiction a notice of non-compliance with the consent decree. The Division went on to negotiate a court-enforceable resolution to remedy the jurisdiction's non-compliance with the consent decree. This stipulated order will help expedite compliance with key safety related consent decree requirements.

C. Miami-Dade County Jail

The Division achieved enhanced court monitoring and more specific relief in its enforcement of the 2013 CRIPA consent decree regarding medical care, mental health care, and suicide prevention in the Miami-Dade County Jail in Miami, Florida. After seeking and participating in a court status conference, the Division negotiated an action plan designed to help

expedite the jurisdiction's compliance with the consent decree. The court-ordered action plan adopts a phased compliance strategy designed to organize the jurisdiction's compliance efforts within the larger context of overall consent decree requirements.

V. Termination of CRIPA Cases

In Fiscal Year 2014, the Division terminated seven CRIPA cases.

A. U.S. v. Tennessee

In December 2013, the court granted the parties' joint motion to dismiss this case, initially filed in 1993, which concerned the rights of individuals with developmental disabilities who were in or at risk of institutionalization at the Arlington Developmental Center. Along with the State of Tennessee and a class of private plaintiffs, the Division filed a motion to dismiss after the State came into compliance with a negotiated "Exit Plan" to end this lawsuit. Among other things, the State expanded home-and-community-based services, changed day services to provide individuals with opportunities for supported employment, and developed new models of care.

B. U.S. v. California

On October 9, 2013, the Amended Consent Judgment in this case terminated after the parties jointly stipulated that the State had achieved substantial compliance with the Judgment's terms. The court had previously extended the Judgment to require Napa State Hospital to address protection from harm practices relating to prone restraint and prone containment that the Monitor had identified as out of compliance. The Judgment originally encompassed Napa, Metropolitan State Hospital, Patton State Hospital, and Atascadero State Hospital, requiring systemic reforms of conditions in these facilities. The latter three facilities previously had come into compliance with the Judgment and been released from oversight.

C. U.S. v. Georgia

In February 2014, the Division jointly moved the court to terminate the Agreement regarding conditions in the State Hospitals for people with mental illness or developmental disabilities. *U.S. v. Georgia*, Civil Action 09-119 (N.D. Ga.) The State achieved substantial compliance with all terms, except for provisions regarding effective discharge and transition planning, which the parties agreed were subsumed into and enforceable in our ongoing ADA-focused case, *U.S. v. Georgia*, Civil Action 10-249 (N.D. Ga.).

D. U.S. v. Commonwealth of Northern Mariana Islands

In May 2014, the Division terminated its longstanding case regarding unconstitutional conditions of confinement at the Saipan Prison Complex. In 1999, the Division and the Commonwealth entered into a court-enforceable settlement agreement to remedy unlawful life and environmental safety and protection from harm conditions at six correctional facilities. The Commonwealth achieved compliance this fiscal year.

E. U.S. v. Terrell County

In July 2014, the Division resolved its case regarding unconstitutional conditions at the Terrell County Jail in Dawson, Georgia. Following an investigation and findings letter and an unsuccessful attempt to settle with the County, in 2004 the United States filed a complaint alleging unconstitutional conditions at the Jail. In 2006, the court granted the United States' motion for summary judgment, and entered a Remedial Order in 2007 directing that the County fix unconstitutional conditions. Following a motion for contempt by the United States, the parties agreed to a Modified Remedial Order to resolve the outstanding issues of staffing, medical and mental health care, and suicide prevention. The County reached compliance with the revised order, and the case was terminated in July 2014.

F. U.S. v. State of Mississippi

In 2002, the United States investigated two Mississippi juvenile justice facilities, the Columbia Training School ("Columbia") and the Oakley Training School ("Oakley"), and found constitutional and federal statutory violations in the conditions at each. After contested litigation that resulted in settlement, in 2005 the court entered as its order a Consent Decree that listed the measures that the State was required to take to address the unlawful conditions. The Decree directed the State to implement reforms in the following areas: (1) protection from harm; (2) education; (3) mental health; (4) programming; and (5) medical care. Columbia closed in 2008. In 2014, the Division agreed that the State had satisfied all remaining obligations under the Decree. On August 19, 2014, the court dismissed the case.

G. U.S. v. District of Columbia

In March 2005, the Division opened an investigation of St. Elizabeth's Hospital in Washington, D.C. The investigation revealed egregious violations in the area of protection from harm, psychiatric and psychological care and treatment, and nursing care and treatment. The investigation also revealed violations of the ADA for the failure to serve individuals in the most integrated settings. In 2007, the court entered a court-enforceable order to remedy the conditions. In 2014, the Division determined that the District had complied with all provisions of the consent decree and the court granted the parties' request to dismiss the case. The dismissal was accompanied by a letter agreement between the District and the local protection and advocacy organization, memorializing a continuing commitment to allow the organization to monitor treatment at the hospital and to comment on proposed hospital policy changes.

VI. New CRIPA Investigations

The Division initiated one CRIPA investigation during Fiscal Year 2014, of the Hinds County Detention Center in Mississippi. The investigation addresses allegations that prisoners

are not adequately protected from harm caused by prisoner violence and improper use of force, in violation of their constitutional rights.

VII. Findings Letters

During the Fiscal Year, the Department issued three findings letters, pursuant to Section 4 of CRIPA, 42 U.S.C. § 1997b. The findings letters cover conditions at 41 facilities.

In January 2014, the Division issued a findings letter regarding its investigation into allegations of sexual abuse and sexual misconduct at the Julia Tutwiler Prison for Women in Alabama. The findings detailed unconstitutional conditions that subjected women prisoners to a substantial risk of harm. These conditions included staff sexual abuse and sexual harassment of prisoners, prison officials' failure to adequately respond to and investigate allegations of sexual abuse and harassment, and systemic deficiencies that directly contribute to staff and prisoner sexual abuse and staff sexual harassment.

In February 2014, the Division issued a findings letter regarding the excessive use of solitary confinement throughout the 26 prisons run by the Pennsylvania State Department of Corrections. The Division expanded its investigation into the entire Pennsylvania state prison system after its initial investigation of one facility, SCI-Cresson, found that prisoners with serious mental illness were routinely locked in their cells for 22 to 23 hours a day, denied basic necessities, and subjected to harsh and punitive conditions, including excessive use of force. The Division's findings from the expanded, statewide investigation confirmed that numerous systemic deficiencies in mental health care contributed to State's excessive overuse of solitary confinement of prisoners with serious mental illness and/or intellectual disabilities, in violation of the Eighth Amendment and Title II of the Americans with Disabilities Act, 42 U.S.C. §§ 12131-12134. The findings letter also detailed numerous remedial measures in the areas of

mental health care, suicide prevention, use of restraints, and disciplinary processes. During the last fiscal year, the Division has been actively working with Pennsylvania to reach an agreement that would ensure that these reforms are effective and sustainable. Since the Division's findings were released, the Pennsylvania State Department of Corrections has publicly committed itself to significantly reducing the use of solitary confinement, especially of vulnerable populations, such as those with serious mental illness.

In August 2014, the United States Attorney's Office for the Southern District of New York issued a CRIPA findings letter notifying the City of New York of a pattern or practice of conduct that violates the constitutional rights of adolescent male inmates confined in 14 Rikers Island jails. Specifically, the City subjects male inmates between the ages of 16 and 18 to excessive and unnecessary use of force by corrections officers, inadequately protects adolescents from violence by other inmates, and exposes adolescents to an excessive risk of harm by subjecting them to extensive punitive segregation. The Division consulted with the United States Attorney's Office before the findings were issued. On December 2014, the United States successfully intervened in the matter of *Nunez v. City of New York*, a private class action focused on the excessive use of force in the New York City jails, and the parties currently are engaged in settlement negotiations.

In these investigations, the Division made significant findings of constitutional and federal statutory deficiencies. As envisioned by Congress, enforcement of CRIPA continues to identify conditions that subject residents of publicly operated institutions to grievous harm.

42 U.S.C. § 1997a (a).

VIII. Investigation Closures

In Fiscal Year 2014, the Division closed its investigation of the Escambia County Jail in

Florida after an apparent natural gas explosion destroyed a significant part of the Jail. The County transferred numerous inmates to other local facilities, and has plans to rebuild the Jail shortly. The Division also closed its investigation of the N.A. Chaderjian Youth Correctional Facility in California. Our 2003 investigation had been suspended when private litigation was resolved with a consent decree. The Division has been monitoring reform efforts at the facility over the years and was satisfied that dramatic reform and improvements have resulted from the private litigation.

IX. Technical Assistance

Where federal financial, technical, or other assistance is available to help jurisdictions correct deficiencies, the Division advises responsible public officials of the availability of such aid and arranges for assistance when appropriate. The Division also provides technical assistance through the information provided to jurisdictions by the Division's expert consultants at no cost to state or local governments. Often, after expert consultants complete on-site visits and program reviews of the subject facility, they prepare detailed reports of their findings and recommendations that provide important information to the facilities on deficient areas and possible remedies to address such deficiencies. In addition, during the course (and at the conclusion) of investigatory tours, the Division's expert consultants often meet with officials from the subject jurisdiction and provide helpful information regarding specific aspects of their programs. These oral reports permit early intervention by local jurisdictions to remedy highlighted issues before a findings letter is issued.

In addition, in Fiscal Year 2014, the Division concluded that significant improvements had been made at the Orange County Jail during the course of its investigation. The Division outlined a series of recommended remedial measures to address remaining areas of concern. The

Division continues to provide technical assistance to resolve remaining concerns, based on the County's voluntary reforms.

To ensure timely and efficient compliance with settlement agreements, the Division has also issued numerous post-tour compliance assessment letters (and in some cases, emergency letters identifying emergent conditions) to apprise jurisdictions of their compliance status. These letters routinely contain technical assistance and best practices recommendations.

X. Responsiveness to Allegations of Illegal Conditions

During Fiscal Year 2014, the Division reviewed allegations of unlawful conditions of confinement in public facilities from a number of sources, including individuals who live in the facilities, relatives of persons living in facilities, former staff of facilities, advocates, concerned citizens, media reports, and referrals from within the Division and other federal agencies. The Division received 5,901 CRIPA-related citizen complaint letters and numerous CRIPA-related emails during the Fiscal Year. In addition, the Division responded to 662 CRIPA-related inquiries from Congress and the White House.

The Division's work also included the continued enforcement of an agreement with Los Angeles County, California that, among other things, required the County to take steps to provide youth with increased access to community-based alternatives to incarceration. In addition to investigative, litigation and enforcement activities in its own cases, the Division and the U.S. Department of Education jointly filed a Statement of Interest in private litigation in California to affirm and clarify that youth in juvenile justice facilities retain their rights to special education under the Individuals with Disabilities Education Act and Title II of the Americans with Disabilities Act. In February 2014, the Division also filed a statement of interest in *Doe v. Michigan Department of Corrections* in the Eastern District of Michigan. Plaintiffs in that case

were juveniles convicted as adults who alleged that they were housed alongside adult prisoners and consequently subjected to physical and sexual assaults. The Division's statement of interest clarified the reach and scope of the federal regulations promulgated pursuant to the Prison Rape Elimination Act.

XI. Conclusion

In Fiscal Year 2015 and beyond, the Division intends to continue aggressive investigation and enforcement under CRIPA, ensuring that settlements resulting from its enforcement efforts are strong enough to adequately address unlawful deficiencies.