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**Justice Department Releases Findings of
Unconstituional Conditions at Miami-Dade Jail
Facilities**

WASHINGTON – Following a comprehensive investigation, the Justice Department has announced its findings that the Miami-Dade County Corrections and Rehabilitation Department (MDCR) has engaged in a pattern or practice of constitutional violations in the jail facilities operated by MDCR. MDCR operates the nation's eighth largest jail system and holds an average of 7,000 prisoners.

The investigation, initiated on April 2, 2008, was conducted in accordance with the Civil Rights of Institutionalized Persons Act (CRIPA). CRIPA authorizes the Justice Department to seek a remedy for a pattern or practice of conduct that violates the constitutional rights of prisoners in adult detention and corrections facilities. The extensive investigation focused on the protection of prisoners from harm in all six jail facilities operated by MDCR.

The Justice Department concluded that MDCR corrections facilities violate the constitutional rights of prisoners through:

- Inadequate medical care;
- Inadequate mental health care, including improper suicide prevention;
- Use of excessive force by MDCR staff on prisoners;
- Inadequate protection from prisoner violence; and
- Environmental health and sanitation deficiencies at several of the MDCR facilities.

"Our findings show that due to the unconstitutional operation of the MDCR jail facilities, prisoners have suffered grievous harm, including death. The systemic failures of the jail facilities have resulted in prisoners living in inhumane and shocking conditions," said Thomas E. Perez, Assistant Attorney General for the Civil Rights Division. "The Justice Department is committed to remedying these deficiencies, and we look forward to working with MDCR to develop and implement comprehensive reforms."

The comprehensive 40-page findings letter illustrates how unconstitutional conditions at the jail have resulted in serious harm to prisoners, including death. There have been at least eight prisoner suicides since 2007, one as recently as March 2011. Thousands of other prisoners have suffered, and are suffering, harm from constitutionally inadequate mental health care.

Since 2008, at least another five prisoners have died from MDCR's failure to identify and treat prisoners withdrawing from drugs or alcohol. The Justice Department also found that MDCR fails to provide adequate intake screening, initial health assessments and acute care for newly incarcerated prisoners. In addition, MDCR neither monitors nor adequately treats prisoners with chronic illness. MDCR also has failed to provide medications to prisoners with HIV, medically necessary tests to prisoners with diabetes and hypertension, and seizure medications to prisoners with histories of seizures.

The department's investigation also revealed that MDCR corrections officers openly engage in abusive and retaliatory conduct, frequently resulting in injuries to prisoners. In particular, there is a disturbing and distinct trend of MDCR corrections officers reacting to low-level aggression from prisoners (e.g., abusive language or passive resistance to an order) by slapping or punching the prisoner in the head and verbally provoking the prisoner to physically respond.

Inadequate supervision places staff, as well as prisoners, at risk. MDCR lacks meaningful supervision in housing units, leading to dangerous and violent conditions. In fact, in the six month period just prior to the initial Justice Department on-site investigation, MDCR reported more than 300 incidents of prisoner-on-prisoner assaults in one of its six facilities, nearly 250 such incidents in another facility, and approximately 125 such instances in yet another facility.



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This investigation was conducted by the Special Litigation Section of the Civil Rights Division with the assistance of the U.S. Attorney's Office for the Southern District of Florida. In addition, the team consulted with experts in the fields of corrections, custodial medical and mental health care, suicide prevention, and environmental health and sanitation.

Additional information about the Special Litigation Section of the Justice Department's Civil Rights Division can be found at www.usdoj.gov/crt/split/index.html.

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Civil Rights Division

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