



U.S. Department of Justice

Civil Rights Division

Office of the Assistant Attorney General

Washington, D.C. 20530

JUL 11 1990

REGISTERED MAIL  
RETURN RECEIPT REQUESTED

Honorable Ned McWherter  
Governor of Tennessee  
Governor's Office  
State Capitol  
Nashville, Tennessee 37219

U.S. v. Tennessee



MR-TN-003-003

Re: Investigation of the Arlington Developmental  
Center, Arlington, Tennessee

Dear Governor McWherter:

I am writing to inform you of our intention to investigate certain allegations concerning the Arlington Developmental Center (hereinafter "Arlington") in Arlington, Tennessee. This investigation is pursuant to the Civil Rights of Institutionalized Persons Act, (CRIPA), 42 U.S.C. §1997 et seq.

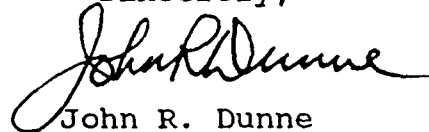
The purpose of this investigation will be to determine whether there exist any violations of Federal statutory and constitutional rights of persons residing at this facility. Our information suggests that residents at Arlington are being subjected to abuse and neglect, undue risk of harm from physical violence and fire hazards, misuse of restraints and isolation, absence of training programs, and unsafe and unsanitary conditions. The initiation of this investigation in no way indicates a prejudgment on our part that Federal rights have been violated. If any violations are found, we look forward to conferring with you and your staff concerning corrective actions that may be appropriate.

In light of allegations we have received concerning possible retaliation against cooperating State employees and potential destruction of records, we would appreciate your assistance in ensuring the cooperation of employees of Arlington in this investigation. Toward that end, please take appropriate steps to assure Arlington employees that retaliation against persons who report allegedly unlawful conditions is prohibited by CRIPA. See 42 U.S.C. §1997d. Your actions to ensure the safe preservation of records and other documents at Arlington would be appreciated as well.

We would like to initiate this investigation as soon as possible. Therefore, we will, within the next few days, contact appropriate persons at the Attorney General's office to arrange a meeting between our attorneys and representatives of your office. We anticipate that the meeting will take place one week after you receive this letter and will be immediately followed by a tour of Arlington. Attorneys from the Special Litigation Section, consultants, and an agent from the Federal Bureau of Investigation will be touring the facility for approximately five days.

I appreciate your cooperation in this matter.

Sincerely,



John R. Dunne  
Assistant Attorney General  
Civil Rights Division

cc: Honorable Charles Burson  
Attorney General  
State of Tennessee

W. Hickman Ewing, Jr., Esquire  
United States Attorney

Mr. Eric Taylor  
Director  
Department of Mental Health  
and Mental Retardation

Ms. Mona Reeves-Winfrey  
Superintendent  
Arlington Developmental Center