



JC-MS-007-003

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
 ALCORN COUNTY, MISSISSIPPI;)
 JAMES R. TAYLOR, Sheriff of)
 Alcorn County, in his official)
 capacity; ELY MITCHELL, President)
 of the Alcorn County Board of)
 Supervisors, in his official)
 capacity; LAMAR FIELDS, DANNY)
 CROTTS, BOBBY MITCHELL, TRAVIS)
 DREWRY, members of the ALCORN)
 County Board of Supervisors,)
 in their official capacities,)
)
 Defendants.)
)

Civil Rights No.

COMPLAINT

THE UNITED STATES OF AMERICA, Plaintiff, alleges that:

1. This complaint is filed by the Attorney General on behalf of the United States of America pursuant to the Civil Rights of Institutionalized Persons Act of 1980, 42 U.S.C. §1997 et seq., to enjoin the named Defendants from depriving persons incarcerated at the Alcorn County Jail in Corinth Mississippi, of rights, privileges or immunities secured or protected by the United States Constitution.

JURISDICTION, STANDING, AND VENUE

2. This Court has jurisdiction over this action under 28 U.S.C. §1345.

3. The United States has standing to initiate this action pursuant to 42 U.S.C. §1997a.

4. Venue in the Northern District of Mississippi is proper pursuant to 28 U.S.C. §1391. The claims set forth in this Complaint all arose in said District.

5. The Attorney General has certified that all pre-filing requirements specified in 42 U.S.C. §1997b have been met. The Certificate of the Attorney General is appended to this Complaint and is incorporated herein.

DEFENDANTS

6. Defendant Alcorn County, Mississippi, owns and operates the facility at issue in this action. Alcorn County is responsible for the conditions of confinement and treatment of persons detained or incarcerated in the Alcorn County Jail.

7. Defendant James R. Taylor, sued in his official capacity, is the Sheriff of Alcorn County, and is charged by state law with responsibility for the general supervision and control of the Alcorn County Jail. He is responsible for inter alia, the conditions of confinement in the facility, the policies and procedures of the facility, and for the protection and safety of the persons detained or incarcerated therein.

8. Defendant Ely Mitchell is sued in his official capacity as the President of the Alcorn County Board of Supervisors.

intake, failing to provide inmates with routine, follow-up, and emergency care, failing to implement an adequate medication distribution system, and failing to provide adequate access to dental care services.

14. Defendants have failed to provide adequate mental health care services by, inter alia, failing to provide mental health screening upon entry to the jail, failing to provide adequate access to mental health care professionals, and failing to implement suicide prevention measures.

15. The Defendants have subjected inmates at the Alcorn County Jail to unsanitary and unsafe conditions.

16. The Defendants have failed to protect inmates at the Alcorn County Jail from undue risk of harm from fires.

17. The Defendants have failed to protect inmates at the Alcorn County Jail from physical harm by, inter alia, failing to provide adequate security and supervision, adequate staffing, and appropriate policies and procedures to safely operate the Jail. Such deficiencies endanger the lives of persons incarcerated or detained in the Jail.

18. The Defendants have subjected inmates at the Alcorn County Jail to overcrowding that has exacerbated the environmental health and safety deficiencies in the facility and has increased the risk of inmate violence.

19. The Defendants have failed to provide inmates at the Alcorn County Jail adequate access to the courts.

VIOLATIONS ALLEGED

20. The acts, practices and omissions of Defendants alleged in each of paragraphs 13 through 19 violate rights of persons confined at the Alcorn County Jail which are secured or protected by the Constitution of the United States.

/ PRAYER FOR RELIEF

21. The Attorney General is authorized under 42 U.S.C. §1997 to seek only equitable relief.

22. Unless restrained by this Court, persons confined at the Alcorn County Jail will be deprived of rights secured or protected by the Constitution of the United States.

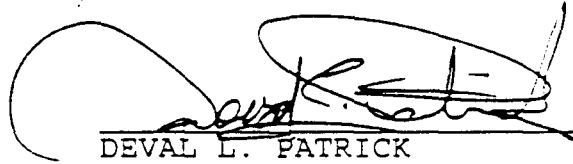
WHEREFORE, the United States prays that this Court enter an order permanently enjoining Defendants, their officers, agents employees, subordinates, successors in office, and all those acting in concert or participation with them from continuing the acts, omissions, and practices set forth herein and to require Defendants to take such actions as will provide constitutional conditions of confinement to persons confined at the Alcorn

County Jail. The United States further prays that this Court grant such other and further equitable relief as it may deem just and proper.

Respectfully submitted,




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United States



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CERTIFICATE OF THE ATTORNEY GENERAL

I, Janet Reno, Attorney General of the United States, certify that with regard to the foregoing Complaint, United States v. Alcorn County, Mississippi, et al., I have complied with all subsections of 42 U.S.C. §1997b(a)(1). I certify as well that I have complied with all subsections of 42 U.S.C. §1997b(a)(2). I further certify, pursuant to 42 U.S.C. §1997b(a)(3), my belief that this action by the United States is of general public importance and will materially further the vindication of rights, privileges or immunities secured or protected by the Constitution of the United States.

In addition, I certify that I have the "reasonable cause to believe" set forth in 42 U.S.C. §1997a to initiate this action. Finally, I certify that all prerequisites to the initiation of this suit under 42 U.S.C. §1997, et seq. have been met.

Pursuant to 42 U.S.C. §1997a(c), I have personally signed the foregoing Complaint. Pursuant to 42 U.S.C. §1997b(b), I am personally signing this Certificate.

Signed this 30 day of August, 1994, at
Washington, D.C.

JANET RENO
Attorney General
of the United States