



JC-MS-009-003

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 CITY OF FOREST, MISSISSIPPI; )  
 FRED L. GADDIS, Mayor, City of )  
 Forest, in his official capacity, )  
 HIRAM RICHARDSON, Chief of Police, )  
 City of Forest, in his official )  
 capacity; R. L. "BOB" STRINGER, )  
 H.C. WARREN, JAMES C. CLARK, )  
 BILLY FRANK ALFORD, and NANCY )  
 CHAMBERS, City of Forest )  
 Councilmen, 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 City of Forest Jail in Forest, 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 Southern 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 City of Forest, Mississippi, owns and operates the jail facility at issue in this action. The City of Forest is responsible for the conditions of confinement and treatment of the persons detained or incarcerated in the Forest City Jail.

7. Defendant Chief of Police Hiram Richardson, sued in his official capacity, is charged under local law with responsibility for the general supervision and control of the City of Forest 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 Fred L. Gaddis, is sued in his official capacity as Mayor of the City of Forest. Pursuant to local law, the Mayor has responsibility as the chief executive officer for the City of Forest. Defendants R.L. "Bob" Stringer, H.C. Warren, James C. Clark, Billy Frank Alford, and Nancy Chambers are sued in their official capacities as members of the City of Forest Council. By State and local law, the City of Forest Council has the authority to appropriate monies in the City treasury and the responsibility to keep the City Jail in good repair.

9. Defendants are legally responsible, in whole or in part, for the operation of the City of Forest Jail, its conditions of confinement, and the health and safety of persons detained or incarcerated therein.

#### FACTUAL ALLEGATIONS

10. The City of Forest Jail is an "institution" within the meaning of 42 U.S.C. §1997(1).

11. Persons confined in the Forest City Jail have included men and women, pre-trial detainees, misdemeanants (pre-trial and sentenced), felons, and juveniles.

12. Defendants have failed to provide persons confined in the City of Forest Jail adequate medical care by, inter alia, failing to provide adequate medical screening of inmates at intake (including for Tuberculosis and other communicable diseases), failing to provide adequate sick call procedures, failing to provide inmates with routine, follow-up, and emergency

care, and failing to implement an adequate medication distribution system.

13. 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.

14. The Defendants have subjected inmates at the City of Forest Jail to unsanitary and unsafe conditions. Defendants have subjected inmates to unsanitary conditions and practices with respect to, inter alia, food services, bedding and hygiene, ventilation, plumbing, lighting, and general sanitation at the Jail.

15. The Defendants have failed to provide inmates at the City of Forest Jail with an environment that is adequately fire safe.

16. The Defendants have failed to provide inmates at the City of Forest Jail with adequate protection from harm by, inter alia, failing to provide adequate security and supervision, sufficient numbers of staff, adequate staff training, and appropriate policies and procedures to safely operate the Jail. Such deficiencies endanger the lives of persons incarcerated or detained in the Jail.

17. The Defendants have failed to provide inmates with adequate opportunity for out-of-cell/exercise time.

18. The Defendants have failed to provide inmates at the City of Forest Jail with adequate opportunity and accommodation for visitation with attorneys.

19. The Defendants have inappropriately housed juveniles at the City of Forest Jail.

VIOLATIONS ALLEGED

20. The acts, practices and omissions of Defendants alleged in each of paragraphs 12 through 19 violate rights of persons confined at the Forest City Jail that are secured or protected by the Constitution of the United States.

PRAYER FOR RELIEF

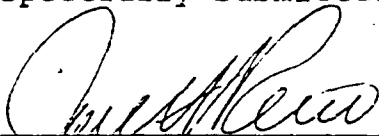
21. The Attorney General is authorized under 42 U.S.C. §1997, et seq. to seek equitable relief.

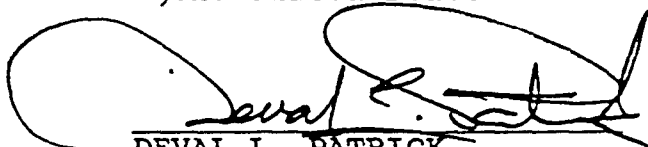
22. Unless restrained by this Court, persons confined at the City of Forest Jail will be deprived of rights secured or protected by the Constitution of the United States.

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 inmates at the City of Forest Jail.

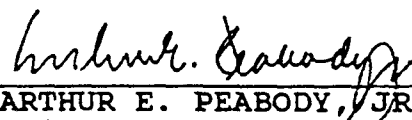
The United States further prays that this Court grant such other and further equitable relief as it may deem just and proper.

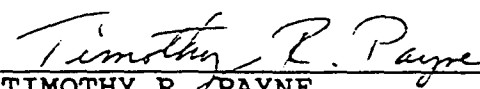
Respectfully submitted,

  
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