



U.S. Department of Justice

Civil Rights Division

*Office of the Assistant Attorney General**Washington, D.C. 20530*

MAR 7 2008

The Honorable Ed Emmett
County Judge
1001 Preston
Suite 911
Houston, TX 77002

RE: Investigation of the Harris County Jail

Dear Judge Emmett:

This is to inform you that the United States Department of Justice is commencing an investigation of the Harris County Jail ("HCJ") pursuant to our authority under the Civil Rights of Institutionalized Persons Act, 42 U.S.C. § 1997.

In conducting the investigation, we are obliged to determine whether there are systemic violations of the Constitution of the United States in the conditions at HCJ. Our investigation will focus on protection of inmates from harm, environmental conditions, and inmate medical and mental health care.

We have not reached any conclusions about the subject matter of the investigation. We believe that you and other County officials want to operate HCJ consistent with the requirements of the Constitution. During the course of our investigation, we will consider all relevant information, particularly the efforts the County has undertaken to ensure compliance with federal law. We also will offer to provide recommendations on ways to improve conditions at the facility, when appropriate. Provided that the County cooperates fully with our investigation, if we conclude that there are no systemic violations of constitutional or other federal rights, we will notify you that we are closing the investigation.

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If, on the other hand, we conclude there are such violations, we will provide detailed, written findings and identify the minimum measures we believe are necessary to remedy the violations. In addition, we will identify any financial, technical, or other assistance the United States may be able to provide to assist the County in correcting the identified deficiencies. In over 20 years of enforcing the Civil Rights of Institutionalized Persons Act, the good faith efforts of state or local jurisdictions working with us have enabled us routinely to resolve our claims without resort to contested litigation.

We encourage Harris County to cooperate with our investigation and can assure you that we will seek to minimize any potential disruption our efforts may have on the operations of the institution. Our Special Litigation Section will be in contact with the County Attorney's office to discuss the next steps. The Chief of the Section, Shanetta Y. Cutlar, may be reached at (202) 514-6255.

Sincerely,



Grace Chung Becker
Acting Assistant Attorney General

cc: Tommy Thomas
Harris County Sheriff

The Honorable Mike Stafford
County Attorney
Harris County

The Honorable Donald J. DeGabrielle, Jr.
United States Attorney
Southern District of Texas

TOTAL P.03