



U. S. Department of Justice

United States Attorney
Northern District of Illinois

Patrick J. Fitzgerald
United States Attorney

Federal Building
219 South Dearborn Street, Fifth Floor
Chicago, Illinois 60604
(312) 353-5300

FOR IMMEDIATE RELEASE
THURSDAY JULY 17, 2008

PRESS CONTACTS:
AUSA Joan Laser (312)353-1857

www.usdoj.gov/usao/iln

U.S. Attorney's Press Office (312)353-5318

COOK COUNTY JAIL'S INADEQUATE SECURITY, HEALTH CARE AND LIVING CONDITIONS VIOLATE INMATES' CONSTITUTIONAL RIGHTS, JUSTICE DEPARTMENT INVESTIGATION FINDS

CHICAGO – The Cook County Jail – the nation's largest single-site county jail – systematically violates inmates' federal constitutional rights, according to the findings of a 17-month investigation made public today by the United States Attorney's Office and the Justice Department's Civil Rights Division. Key findings of the investigation conclude that the jail has failed to adequately protect inmates from harm and serious risk of harm, including physical harm caused by inappropriate and excessive force used by staff and violence by other inmates; failed to provide adequate medical and mental health care, including suicide prevention; and failed to provide adequate environmental conditions, including fire safety and sanitation, all resulting in unconstitutional living conditions.

The Cook County jail consists of multiple buildings located on 96 acres on Chicago's West Side, with a daily population of approximately 9,800 adult male and female inmates, most of whom are awaiting trial in the state criminal court system. In 2006, the jail admitted 99,663 inmates. It is staffed by approximately 3,800 sworn law enforcement officers and civilian employees.

The comprehensive findings were contained in a 98-page letter that was delivered on July 11 to Cook County Board President Todd H. Stroger and Cook County Sheriff Thomas Dart by Patrick J. Fitzgerald, United States Attorney for the Northern District of Illinois, and Grace Chung Becker, Acting Assistant Attorney General for Civil Rights. The federal investigation, which began in February 2007, was conducted under the Civil Rights of Institutionalized Persons Act, a federal civil rights law that authorizes the Attorney General to investigate and root out systemic abuses of persons confined in adult detention and correctional facilities. The law allows the United States to file a lawsuit to force correction of deficiencies 49 days after the appropriate local officials have been notified of the violations. The county officials were given some time to study the findings as a courtesy before they were made public today.

“The Cook County Jail has an obligation to provide conditions of confinement that do not offend the Constitution and take reasonable measures to protect inmates from harm,” Mr. Fitzgerald said. “This investigation clearly found that the jail failed that test. We are hopeful that county officials will continue the cooperation they demonstrated during the investigation so that remedies for these serious violations can be brought about.”

The findings letter commends jail staff for providing complete cooperation during the investigation, adding they were receptive to on-site recommendations made during two week-long visits conducted last year from June 18-22 and July 23-27. The letter concludes with 18 pages of specific minimal remedial measures that should be implemented to correct the constitutional shortcomings, which attorneys and expert consultants identified during the site visits and by reviewing documents dating back to January 2006.

Conditions at the jail since 2006 have resulted in serious harm to inmates, the letter states. Three inmates committed suicide in the first four months of 2008 alone, and the investigation

identified multiple preventable inmate deaths and a preventable amputation, due to inadequate medical care. In 2006, separate incidents of unchecked inmate violence resulted in two inmate deaths. In a one-week period in March 2007, the jail documented 35 inmate fights, requiring 27 uses of force, and the confiscation of 46 weapons held by inmates.

“Lack of adequate security staff, insufficient direct supervision ..., a dilapidated physical plant, inadequate policies and procedures, and an overcrowded environment combine to result in an unsecure facility that is dangerous for everyone on the premises,” the letter states.

And despite the existence of court orders, “a myriad of unconstitutional practices remain” at the jail, the letter adds. The current court orders either do not include specific provisions governing the deficiencies found or have not resulted in lasting or effective corrective measures.

Inmates are regularly subjected to inappropriate and excessive use of physical force, the investigation found. Frequent use of force was attributed to: officers too often responding to inmates’ verbal insults by physically striking them, often with the active assistance of other officers; to inmates’ failures to follow instructions; or as punishment – even when inmates provide no threat to anyone’s safety or to the jail’s security. Even when the initial use of force was reasonable, officers sometimes continued to engage in physical force after inmates were brought under control or were effectively restrained, the investigation found. The letter cites one example in which an inmate was hospitalized and placed on a respiratory ventilator after being beaten by several officers.

Inadequate supervision puts staff as well as inmates at risk, the investigation found. Unsafe conditions, an increased risk of violence, and an abundance of undetected dangerous and illegal contraband has caused serious injury to inmates. In less than two months in the spring of 2006, inmates reportedly engaged in at least seven separate knife fights that resulted in serious injuries to at least 33 inmates and seven correctional officers, including one inmate death.

According to the letter, inmates were required to ask repeatedly and sometimes futilely for necessary medical and mental health treatment. One inmate was punished for repeatedly asking to have surgical staples removed from his head and sutures from his arm. Overall, the jail's incomplete or faulty medical and mental health assessments contribute to constitutionally inadequate care.

The letter notes that all corrections and security functions at the jail are administered by the Cook County Department of Corrections under the Cook County Sheriff, while health care services are provided by Cermak Health Services of Cook County, a part of the Cook County Bureau of Health. "Although health care and security issues require a degree of separation in all correctional facilities ..., the complete division between corrections and health care operations at CCJ results in serious administrative problems, including increased frustration, communication breakdowns and finger-pointing," the letter states.

In addition, electrical hazards were found throughout the housing areas, and plumbing deficiencies abound, the investigation found. One tier, designed to house 44 inmates and which was holding 60 during a site visit, had exposed wiring in the dayroom, all three sinks in the toilet area were out of order, and two of the three showers were inoperable. These deficiencies were not unusual: the findings letter states that a review of work orders generated between February and July 2007 showed 2,715 work orders uncompleted, including many that were more than four months old.

Some of the worst conditions were identified in the jail's intake unit, known as the Receiving, Classification, and Diagnostics Center (RCDC), which was singled out as especially egregious in most every area. "The RCDC is chronically overcrowded, cramped, chaotic and insufficiently staffed," according to the findings.

###