

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA, )  
 )  
 PLAINTIFF, )  
 )  
 v. )  
 ) Civil No. \_\_\_\_\_  
 DALLAS COUNTY, TEXAS; )  
 LUPE VALDEZ, )  
 SHERIFF OF DALLAS COUNTY, TEXAS )  
 (in her official capacity), )  
 )  
 DEFENDANTS. )  
 \_\_\_\_\_ )

**COMPLAINT**

THE UNITED STATES OF AMERICA alleges:

1. The Attorney General files this complaint on behalf of the United States of America pursuant to the Civil Rights of Institutionalized Persons Act of 1980, 42 U.S.C. § 1997, to enjoin the named Defendants from depriving persons incarcerated at the Dallas County Jail, located in Dallas, Texas, of rights, privileges, or immunities secured and protected by the Constitution of the United States.

JURISDICTION AND VENUE

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

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

4. 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.

5. Venue in the Northern District of Texas is proper pursuant to 28 U.S.C. § 1391.

DEFENDANTS

6. Defendant DALLAS COUNTY is a governmental subdivision created under the laws of the State of Texas. The Dallas County Sheriff's Office is a division of the Dallas County government. The County owns and operates the Dallas County Jail ("DCJ"), located in Dallas, Texas.

7. Defendant DALLAS COUNTY is the entity charged by the laws of the State of Texas with authority to maintain DCJ and is responsible for the conditions of confinement and health and safety of persons incarcerated at DCJ.

8. Defendant LUPE VALDEZ is the Sheriff of the Dallas County Jail and is responsible for the day-to-day operations of DCJ. In her official capacity as Sheriff, she has the custody, control, and charge of the jail and inmates. Sheriff VALDEZ is sued in her official capacity.

9. Defendants are legally responsible, in whole or in part, for the operation and conditions of DCJ, and for the health and safety of persons incarcerated in DCJ.

10. At all relevant times, the Defendants or their predecessors in office have acted or failed to act, as alleged herein, under color of state law.

FACTUAL ALLEGATIONS

11. The Dallas County Jail is an institution within the meaning of 42 U.S.C. § 1997(1).

12. Persons confined to the Dallas County Jail include both pre-trial detainees and sentenced inmates.

13. Defendants have engaged in and continue to engage in a pattern or practice of failing to protect inmates at the Dallas County Jail from serious harm and undue risk of serious harm by, inter alia, failing to provide adequate medical and mental health care, and failing to provide safe and sanitary living conditions.

14. The factual allegations set forth in paragraph 13 have been obvious and known to Defendants for a substantial period of time; yet Defendants have failed to address adequately the conditions described.

VIOLATIONS ALLEGED

15. Through the acts and omissions alleged in paragraphs 13 and 14, Defendants have exhibited deliberate indifference to the health and safety of Dallas County Jail inmates, in violation of the rights, privileges, or immunities of those inmates as secured or protected by the Constitution of the United States. U.S. Const. amend. VIII, XIV.

16. Unless restrained by this Court, Defendants will continue to engage in the acts and omissions set forth in paragraph 13 that deprive persons confined in the Dallas County Jail of rights, privileges, or immunities secured or protected by the Constitution of the United States.

PRAYER FOR RELIEF

17. The Attorney General is authorized under 42 U.S.C. § 1997 to seek equitable and declaratory relief.

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 in paragraph 15 above, and that this Court require Defendants to take such actions as will ensure lawful conditions of confinement are afforded to inmates at the Dallas 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,

/s/ Alberto R. Gonzales  
ALBERTO R. GONZALES  
Attorney General of the  
United States

Date: September 11, 2007

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