

Congress of the United States
House of Representatives
Washington, DC 20515-2402

January 6, 2020

The Honorable Eric S. Dreiband
U.S. Department of Justice
Civil Rights Division
Office of the Assistant Attorney General, Main
950 Pennsylvania Avenue, NW
Washington, D.C. 20530

RE: Request for an Investigation into the Inhumane Conditions and Inmate Deaths at the Mississippi State Penitentiary

Dear Mr. Dreiband:

I am writing to you today to express my serious concerns regarding the inhumane conditions and the number of inmate deaths at the Mississippi State Penitentiary (Parchman). The conditions that inmates endure daily are unsafe, unsanitary and unacceptable. (*see attachment*) The recent inmate deaths come amid a series of violent disturbances reported via social media and news outlets.¹ As Congressman for the second congressional district of Mississippi, it is my duty to ensure the safety and well-being of all my constituents, which includes inmates at Parchman.

Mississippi has the third largest incarceration rate in the world yet cannot afford to sustain its current regime of over-criminalization and longer sentences. The Mississippi prison system is in a state of acute and undeniable crises, with five deaths in just the last ten days and a history of preventable deaths and injuries stretching back years.² In the 1971 case *Gates v. Collier*, inmates at the Mississippi State Penitentiary at Parchman, Mississippi filed a class action lawsuit against the Penitentiary, the Mississippi Penitentiary Board and the Governor in the U.S. District Court for the Northern District of Mississippi, Greenville Division.³ The court found:

The defendants practiced racial discrimination, provided inadequate physical facilities, medical facilities and protection of inmates, inadequate training to trustees, excessive disciplinary rules,

¹ Kelsey Davis, Erica Hensley, Kayleigh Skinner, Aallyah Wright, *Violence at Mississippi Jails and Prisons: Timeline, Fact Check* <https://mississippitoday.org/2020/01/03/violence-at-mississippi-jails-and-prisons-timeline-fact-check/> (2020).

² Alissa Zhu, *Inmates Killed During Mississippi's Prison Violence: Who are they?* <https://www.clarionledger.com/story/news/local/2020/01/03/parchman-riot-ms-prison-violence-who-are-inmates-killed/2803405001/> (2020).

³ *Gates v. Collier*, 501 F.2d 1291 (5th Cir. 1971)

punishment without adequate procedure, and unconstitutional censure of mail. The court found conditions violative of inmates' First, Sixth, Eighth and Fourteenth Amendment rights, and issued an injunctive order providing immediate, intermediate and long-range relief.

Despite the findings in *Gates v. Collier*, there has been little to no relief for inmates and they are forced to suffer through the same conditions that have been lingering for more than 50 years. This is evidenced currently by the shortage of prison guards, mold on the walls, no running water, leaking pipes, hunger strikes, abusive treatment by guards, gang activities and even death.

A June 2019 inspection report from the Mississippi State Department of Health revealed the conditions inside the Mississippi State Penitentiary at Parchman.⁴ The report shows that many of the cells in the prison either had no power, no pillows, no mattresses or all three.⁵ Black mold was also found in one of the cell showers while another shower was being used to store milk cartons.⁶ Men at Parchman have reported that they go weeks at a time without access to showers or outside recreation. Inmates are continuously treated like animals and deprived of basic human essentials.

It is unfortunate that more has not been done to combat the issues that persist at Parchman. Mississippi has acknowledged the horrific conditions at Parchman but has failed to take any action that constitutes a suitable remedy. In 2018, the Mississippi Department of Corrections Commissioner and other department officials informed lawmakers that without additional funding, the department couldn't adequately staff the state's prisons and guarantee the safety of inmates and prison workers.⁷

To address the shortages, the commissioner asked lawmakers for \$22.3 million to repair the maximum-security unit at the Mississippi State Penitentiary, where there has been numerous deaths and injuries.⁸ Despite the commissioner's request for funding for the many documented and unconstitutional issues within the Department of Corrections, the Mississippi state legislature steadfastly refused to approve funding. Elected officials and legislators in the state must be held accountable for refusing to address the widespread violence and unsanitary conditions involving inmates.

The flawed prison reform system in Mississippi has heavily attributed to the unsightly conditions and the persistence of violent outbreaks at Parchman. Instability at Parchman is also causing a security risk to communities in the wake of prisoners escaping. The prisoners are in charge of the facility instead of the guards.

For years, there has been an abundance of advocacy and political pressure to correct the many discrepancies posed by the circumstances that have overcome the inmates and workers at Parchman. Those pressures have yielded no positive change on the conditions and operations of the Mississippi Department of Corrections.

Due to the above cited findings and irregularities, I am requesting that your office launch an investigation into the inhumane conditions and deaths of inmates at the Mississippi State Penitentiary. I look forward to your response and the results of the investigation. I urge and appreciate your immediate attention to the

⁴ Josh Carter, *No Power, No Pillows: June Inspection Report Shows Conditions Inside Parchman*, <https://www.wlbt.com/2020/01/05/no-power-no-pillows-june-inspection-report-shows-condition-inside-parchman/> (2020).

⁵ *Id.*

⁶ *Id.*

⁷ Adam Ganucheau and Kayleigh Skinner, *Prison Brass Warned of Dangerous Conditions A Year Ago, But Lawmakers Did Not Act*, <https://mississippitoday.org/2020/01/06/prison-brass-warned-of-dangerous-conditions-a-year-ago-but-lawmakers-did-not-act/> (2020).

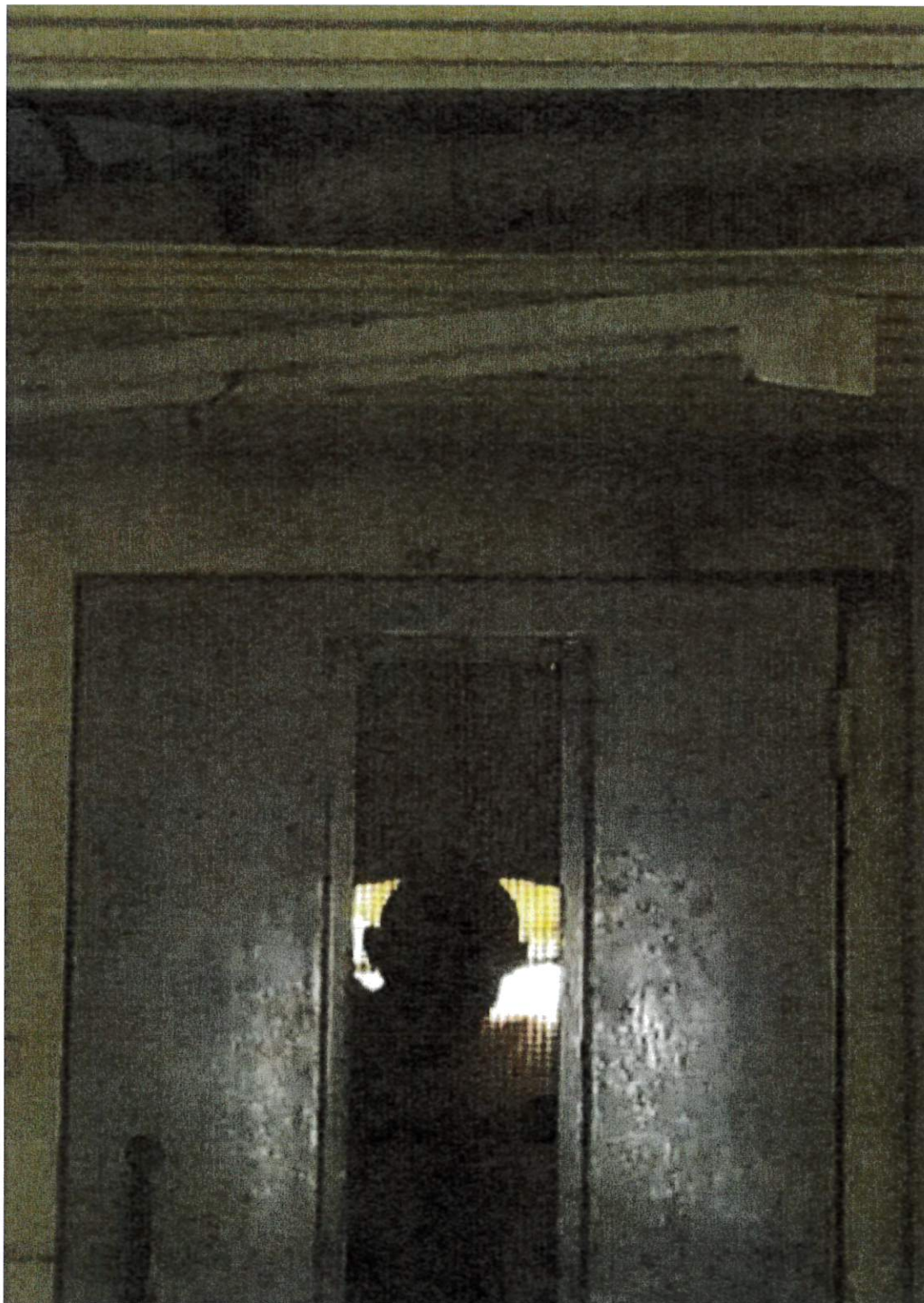
⁸ *Id.*

concerns referenced in this letter. I trust that you will take the actions necessary to mitigate these issues. Should you have any concerns, please contact Claytrice Henderson in my Washington, DC office at 202-225-5876 or via email at claytrice.henderson@mail.house.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Bennie G. Thompson". The signature is fluid and cursive, with the first name "Bennie" being more prominent.

Bennie G. Thompson
Member of Congress



A ceiling is falling in above this cell at the Mississippi State Penitentiary at Parchman. Mississippi Health Department



The Mississippi Department of Health often cites health violations at the kitchen in Mississippi State Penitentiary at Parchman, including the presence of flies and mosquitoes. Mississippi Department of Health



This is one of many photographs that inmates at the Mississippi State Penitentiary at Parchman have shared of meals.
Special to Mississippi Center for Investigative Reporting



Inmates at the Mississippi State Penitentiary at Parchman try their best to stay cool during Mississippi's brutal summers. Parchman has no air conditioning.
Special to Mississippi Center for Investigative Reporting



A June 2019 Mississippi Health Department inspection at the Mississippi State Penitentiary at Parchman shows a hole behind a toilet that doesn't function.
Mississippi Health Department

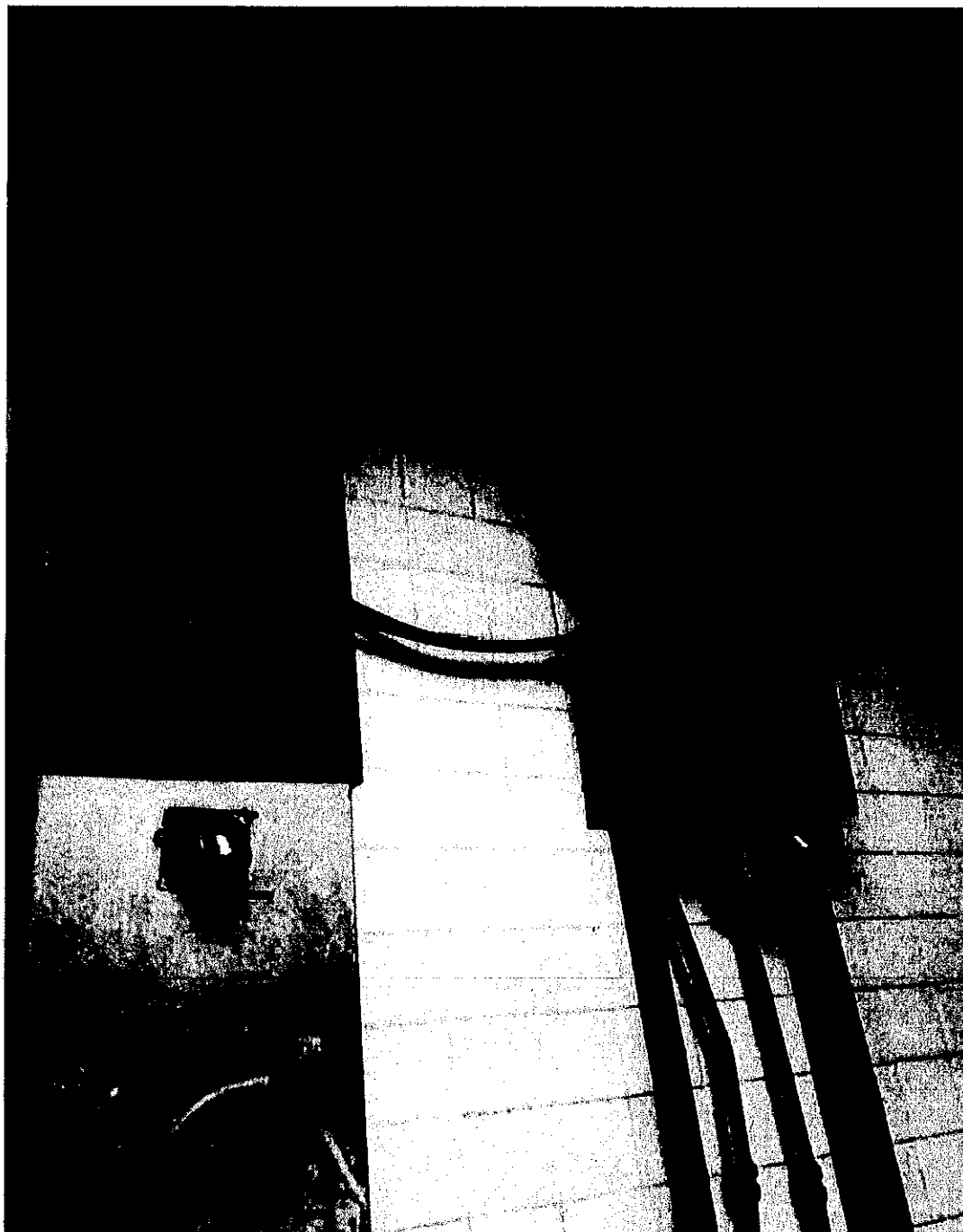


Inmates at the Mississippi State Penitentiary at Parchman say many prison towers, which once held correctional officers, now sit empty. This is an empty tower at Unit 29 "A" building.

Special to Mississippi Center for Investigative Reporting



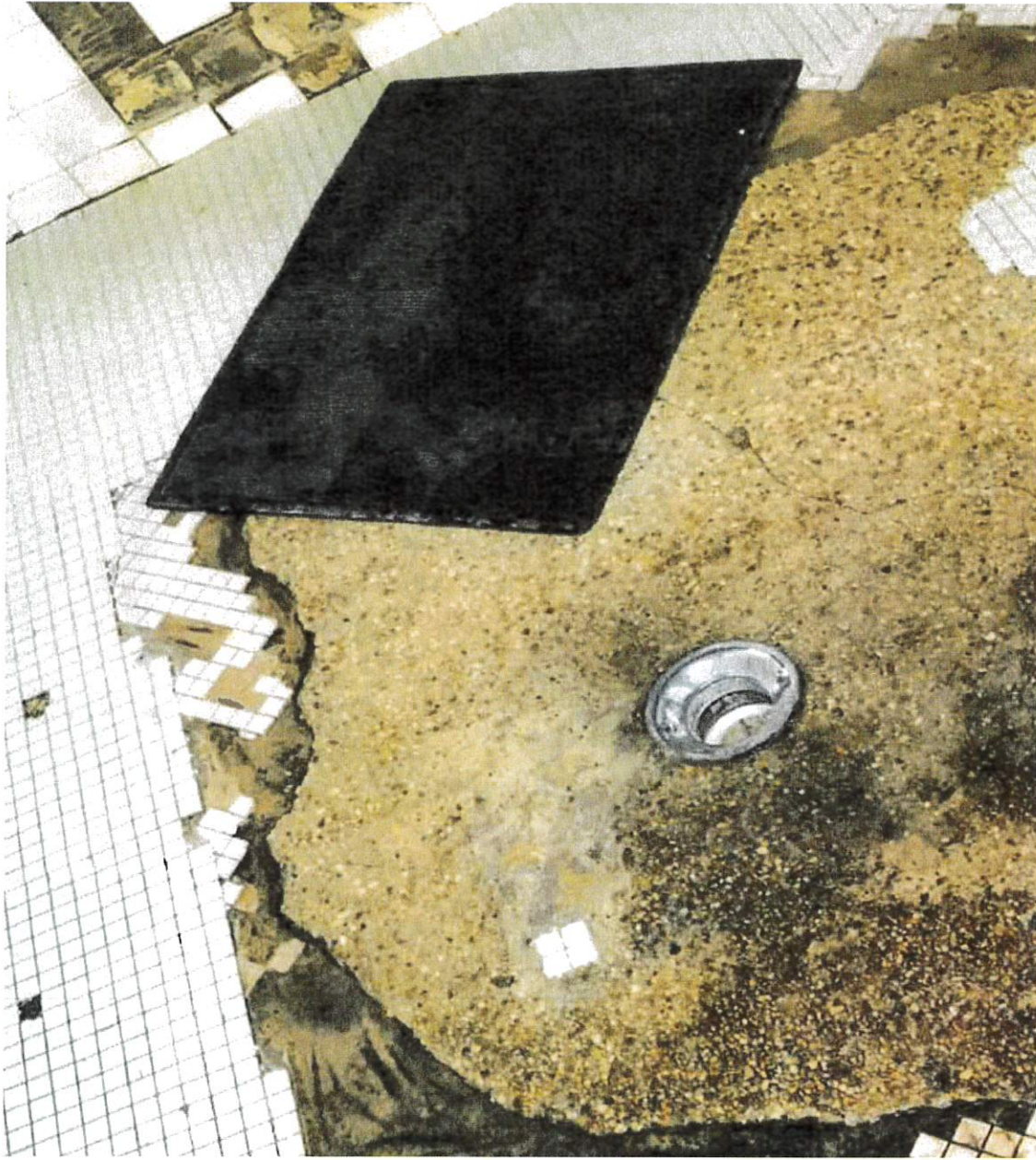
A June 2019 Mississippi Health Department inspection at the Mississippi State Penitentiary at Parchman shows garbage and roaches inside a pipe chase, which has a missing door.
Mississippi Health Department



A June 2019 Mississippi Health Department inspection at the Mississippi State Penitentiary at Parchman shows missing ceiling tile and shower knobs.
Mississippi Health Department



A June 2019 Mississippi Health Department inspection at the Mississippi State Penitentiary at Parchman shows a hole in a wall behind a drinking fountain.
Mississippi Health Department



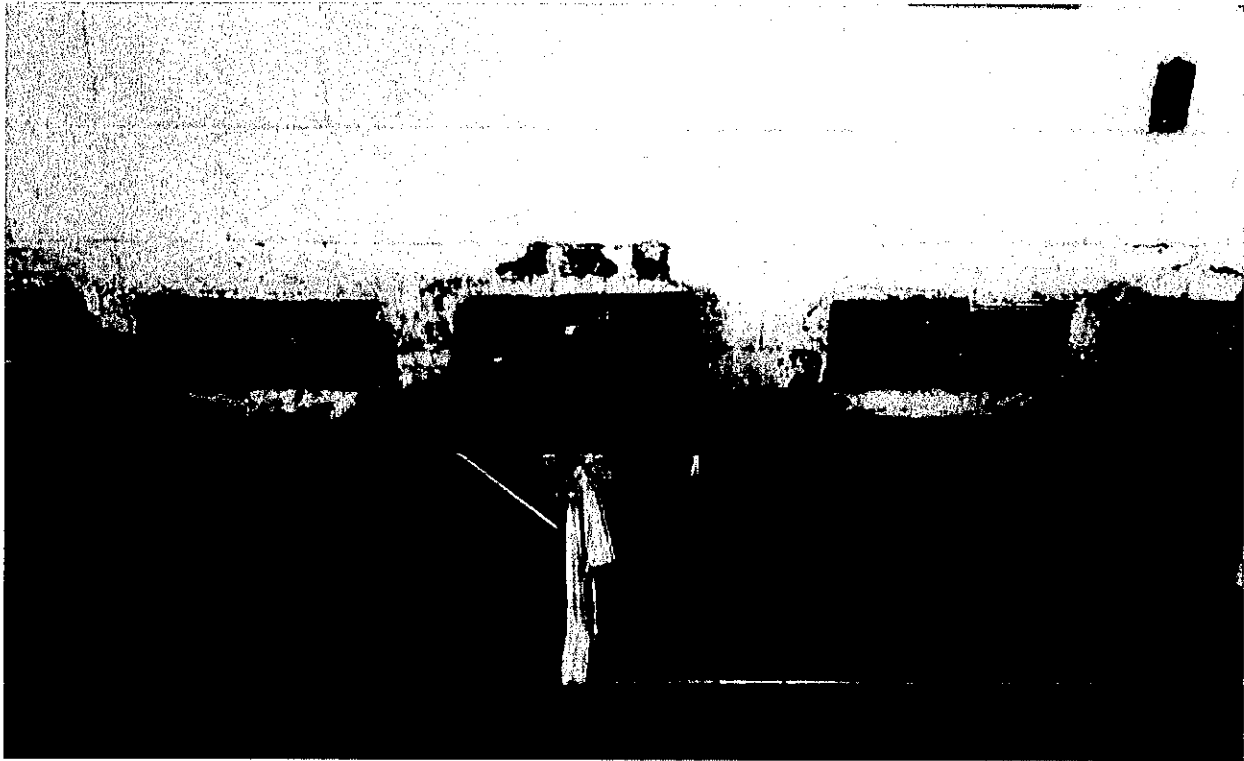
A June 2019 Mississippi Health Department inspection at the Mississippi State Penitentiary at Parchman shows missing tiles and a drain cover.
Mississippi Health Department



A June 2019 Mississippi Health Department inspection at the Mississippi State Penitentiary at Parchman shows dead flies on a fly trap in the kitchen.
Mississippi Health Department



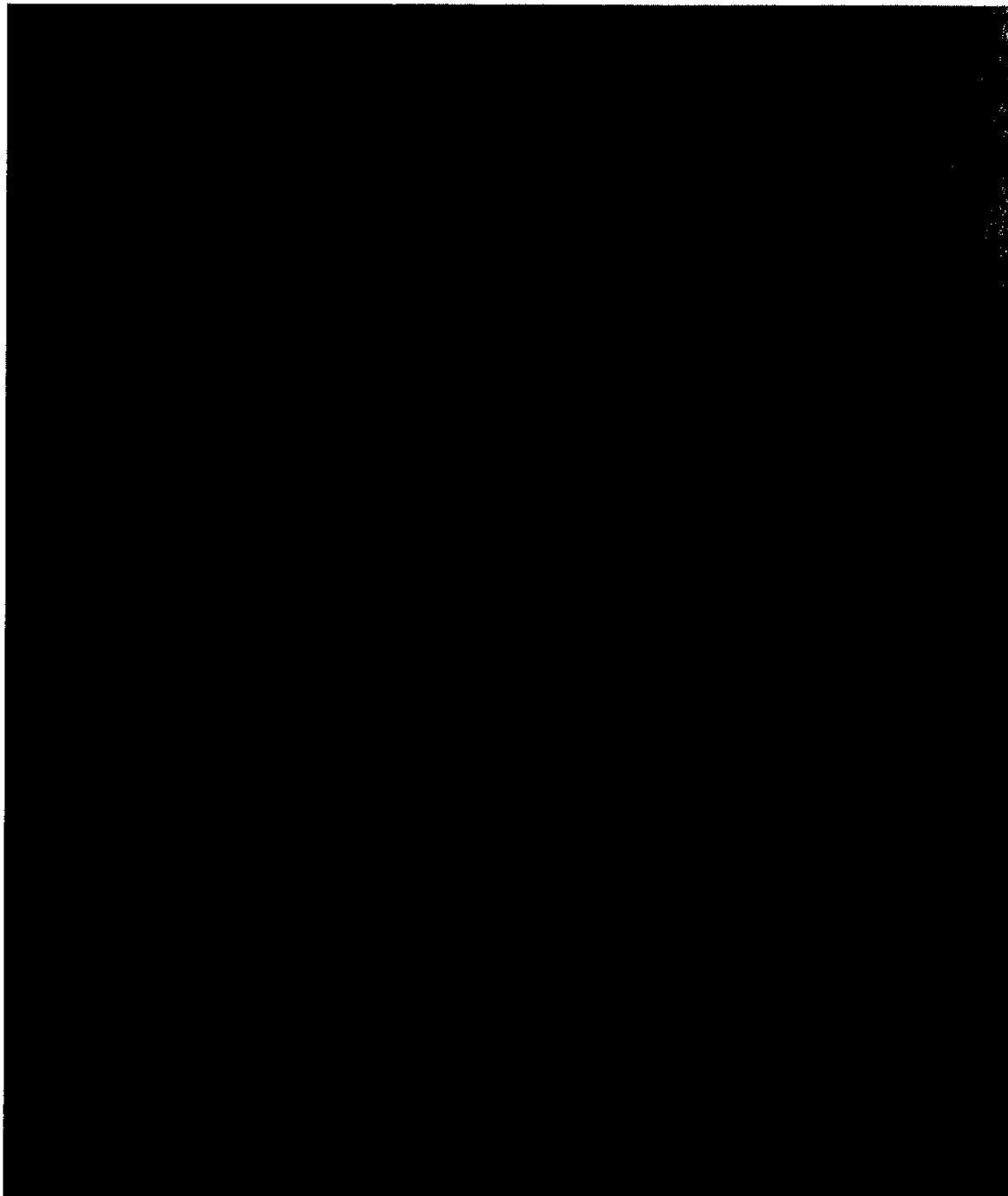
A June 2019 Mississippi Health Department inspection at the Mississippi State Penitentiary at Parchman shows a roach on the dayroom wall at the prison.
Mississippi Health Department



A June 2019 Mississippi Health Department inspection at the Mississippi State Penitentiary at Parchman shows missing sinks.
Mississippi Health Department



A June 2019 Mississippi Health Department inspection at the Mississippi State Penitentiary at Parchman shows a clogged sink with an inoperable garbage disposal.
Mississippi Health Department



Wires are exposed in a dayroom at the Mississippi State Penitentiary at Parchman.
Mississippi Health Department



A bird is inside a cell window at the Mississippi State Penitentiary at Parchman.
Mississippi Health Department



A bird eats off inmates' food trays at the Mississippi State Penitentiary at Parchman.
Mississippi Health Department



Water floods inside Unit 29 at Parchman, the Mississippi State Penitentiary, regularly when it rains.

Special to Mississippi Center for Investigative Reporting