



U.S. Department of Justice

Civil Rights Division

JMS:JP:AG:WG:
DJ 207-72-3

*Special Litigation Section - PHB
950 Pennsylvania Ave, NW
Washington DC 20530*

January 8, 2014

Via Electronic and First Class Mail

The Honorable Curtis S. Person
Juvenile Court of Memphis and Shelby County
616 Adams Avenue
Memphis, TN 38105

RE: Assessment of Shelby County's Juvenile Detention Facility

Dear Judge Person:

We write to provide you with an assessment of the Juvenile Court's compliance with the Protection from Harm provisions of our Memorandum of Agreement ("Agreement"). Our protection from harm consultant Dr. David Roush completed the assessment after reviewing documents and touring the detention facility on November 5-7, 2013. As before, your staff was cooperative and helpful during our visit.

This was the second visit to the detention facility since we entered into the Agreement. We are pleased to see continued progress addressing some of the initial concerns we raised about the safety of children at the detention center. The facility is in compliance with the requirements to prohibit use of all restraint chairs and pressure point control tactics and to equip security staff posts with suicide cut-down tools. We also commend the Juvenile Court for contracting with CCS, which provides around-the-clock nursing services and a qualified mental health professional to conduct suicide assessments of children as required in the Agreement.

Even as we recognize the Juvenile Court's continued progress, we note areas that still require attention and action by the Juvenile Court. For one, Court leadership needs to provide final approval on the modified use of force policy, which will allow for staff training on the policy. We also encourage the Juvenile Court to review staff use of physical restraints more closely in order to identify situations that are suitable for verbal de-escalation instead of physical force. We will continue to review your implementation of these provisions in future site visits.

We realize that the Juvenile Court has put in a significant amount of work to address the protection from harm issues in this first year of implementing changes required by the Agreement. We look forward to continue working with you on these issues, including facilitating more regular communication between Dr. Roush and the detention center's leadership team.

Sincerely,

_____/s/_____
Jonathan M. Smith
Chief
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