

UNITED STATES DISTRICT COURT
ORDER

This case is before the Court on Plaintiffs' motion to extend the consent decree to impose a corrective-action plan or, in the alternative, hold Defendant Hinds County, Mississippi, in contempt. Pls.' Mot. [131] at 1. For the following reasons, prospective relief remains necessary, so the decree will be extended under a corrective-action plan.

Plaintiffs originally filed this case in 2011 against Hinds County, Mississippi, for unconstitutional conditions at the Henley-Young Youth Detention Center. On March 28, 2014, the Court signed a negotiated consent decree [33]. It named a court-appointed monitor and established 71 provisions for which Hinds County was expected to reach substantial compliance by March 28, 2014. On March 25, 2014, the Court extended that period to March 28, 2014, because Hinds County had reached substantial compliance as to only three of the 71 provisions. *See* Apr. 25, 2014 Order [50]. The Court also held the County in contempt. *Id.*

After that, the County dedicated more resources to the facility, and things improved. However, the progress did not result in substantial compliance as to all provisions, so on March 28, 2016, the parties submitted, and the Court signed, an Amended Consent Decree [64]. That decree eliminated a few provisions for which the County reached substantial compliance and extended the decree for two more years until March 2018. When that deadline arrived, the parties submitted a Second Amended Consent Decree [120] extending prospective relief through

Again, some progress was made, but more work remained. So on November 14, 2018, Plaintiffs filed the present motion seeking another extension, a corrective-action plan, or alternatively a contempt order. Pls.' Mot. [131] at 1.

should hire a full-time PhD-level clinical psychologist. *See, e.g.*, Monitor's Report [140] at 9. Yet no one has demonstrated to the Court that the Constitution requires a full-time PhD-level clinical psychologist.

These are just two examples; there are many more. And while the County spends time

Having reviewed the Third Amended Consent Decree, the Court is convinced that it is a step in the right direction. It removes unnecessary yet time-consuming objectives and will give the County clear and obtainable guideposts to achieve substantial compliance and remedy the remaining constitutional issues. While “prospective relief remains necessary to correct a current and ongoing violation of the Federal right,” the parties’ proposed plan “extends no further than necessary to correct” those violations, “is narrowly drawn,” and reflects the “least intrusive means to correct the violation.” 18 U.S.C. § 3626(b)(1)(3). The Court will therefore approve the Third Amended Consent Decree and extend this matter until March 28, 2021. Because the Court grants the corrective-action plan reflected in the Third Amended Consent Decree, it declines to address the Plaintiffs’ alternative request for an order of contempt.

SO ORDERED AND ADJUDGED this the 3rd day of April, 2019.

s/ Daniel P. Jordan III
CHIEF UNITED STATES DISTRICT JUDGE