



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

February 3, 2010

The Honorable Richard J. Durbin
Chairman
Subcommittee on Human Rights and the Law
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

Please find enclosed responses to questions arising from the appearance of Deputy Assistant Attorney General Samuel R. Bagenstos before the Subcommittee on September 15, 2009, at a hearing entitled "Human Rights at Home: Mental Illness in U.S. Prisons and Jails." We hope that this information is of assistance to the Subcommittee. Please do not hesitate to call upon us if we may be of additional assistance. The Office of Management and Budget has advised us that there is no objection to submission of this letter from the perspective of the Administration's program.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Weich".

Ronald Weich
Assistant Attorney General

Enclosure

cc: The Honorable Tom Coburn
Ranking Minority Member

**Hearing before the
Subcommittee on Human Rights and the Law
Committee on the Judiciary
United States Senate**

**Entitled
“Human Rights at Home: Mental Illness in U.S. Prisons and Jails”**

September 15, 2009

**Questions for the Record
Submitted to
Samuel R. Bagenstos
Deputy Assistant Attorney General
Department of Justice**

Question Submitted by Senator Coburn:

1. Mr. Bagenstos, you mention in your testimony that since the enactment of the Civil Rights of Institutionalized Persons Act (CRIPA), your Division has investigated more than 430 facilities, and that the Division currently has 24 ongoing investigations. How many of both the total past and current investigations specifically involve deficiencies in mental health care and treatment?

Answer:

Since the enactment of the Civil Rights of Institutionalized Persons Act, the Civil Rights Division has investigated more than 430 public facilities, including jails, prisons, nursing homes, juvenile detention facilities, and facilities for persons with developmental disabilities. Although our records do not enable us to generate precise numbers for past investigations, our investigations of jails and prisons have nearly always involved allegations of deficiencies in mental health care and treatment. In all but one of the 24 jails or prisons currently under investigation, we are examining alleged deficiencies in mental health care and treatment.