



U.S. Department of Justice

United States Attorney's Office
Middle District of Florida

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Civil Rights Division

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December 22, 2020

VIA FEDERAL EXPRESS

The Honorable Ron DeSantis
Governor of the State of Florida
400 S. Monroe Street
Tallahassee, FL 32399

Re: Investigation of Lowell Correctional Institution

Dear Governor DeSantis:

We write to report the results of the investigation of the conditions of confinement at the Lowell Correctional Institution and the Lowell Annex (Lowell), the women's prison located in Ocala, Florida, pursuant to the Civil Rights of Institutionalized Persons Act (CRIPA), 42 U.S.C. § 1997. Consistent with the statutory requirements of CRIPA, we provide this Notice of the conditions that we have reasonable cause to believe violate the Constitution. We also notify you of the supporting facts giving rise to, and the minimum remedial measures that we believe may remedy, those alleged conditions.

After carefully reviewing the evidence, we conclude that there is reasonable cause to believe that conditions at Lowell violate the Eighth Amendment to the Constitution and that these violations are pursuant to a pattern or practice of resistance to the full enjoyment of rights protected by the Eighth Amendment. Specifically, we have reasonable cause to believe that Florida fails to keep women prisoners at Lowell reasonably safe from staff sexual abuse. These violations are exacerbated by systemic deficiencies in staffing, investigations, and procedures that discourage prisoners from reporting sexual abuse and allow sexual abuse at Lowell to occur undetected, undeterred, and unresolved.

We are obligated to advise you that 49 days after issuance of this Notice, the Attorney General may initiate a lawsuit under CRIPA to correct the alleged conditions we have identified if Florida officials have not satisfactorily addressed them. 42 U.S.C. § 1997b(a)(1).

We hope, however, to resolve this matter through a more cooperative approach and look forward to working with you to address the alleged violations of law we have identified. The lawyers assigned to this investigation will be contacting the State's private counsel to discuss this matter in further detail. Please also note that this Notice is a public document. It will be posted on the Civil Rights Division's website.

If you have any questions, please call Steven H. Rosenbaum, Chief of the Civil Rights Division's Special Litigation Section, at (202) 616-3244 or Randy Harwell, Chief of the Civil Division at the United States Attorney's Office for the Middle District of Florida at (813) 274-6000.

Sincerely,

s/Eric S. Dreiband
Eric S. Dreiband
Assistant Attorney General
Civil Rights Division

s/Maria Chapa Lopez
Maria Chapa Lopez
United States Attorney
Middle District of Florida
United States Department of Justice

cc: Ashley Moody
Attorney General of Florida

Mark S. Inch, Secretary
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