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October 28, 2014

BY U.S. MAIL & E-MAIL

Sheriff Mitch Ralston
Gordon County Sheriff's Office
2700 U.S. Highway 41 North
Calhoun, GA 30701
mrals@gordoncounty.org

**Re: Failure to Provide Adequate Nutrition to People in the
Gordon County Jail**

Dear Sheriff Ralston:

We have received numerous credible complaints from people who state that they are being deprived of an adequate amount of food while detained in the Gordon County Jail. People report that they are fed twice per day in such meager portions that they experience constant hunger, weakness, and discomfort. While our office receives many complaints about food served in prisons and jails across the South, the reports we have received from the Gordon County Jail stand out as abnormal and worthy of prompt attention.

Under Georgia law, the Gordon County Jail must provide inmates with at least two "substantial and wholesome meals" each day. O.C.G.A. § 42-4-32. The state and federal constitutions also require that jailors provide adequate amounts of food to people in their custody. *See, e.g., Helling v. McKinney*, 509 U.S. 25, 32 (1993). Detainees report that the Gordon County Jail does not provide substantial and wholesome meals. They consistently describe very small portions at breakfast and dinner, which are the only two meals that they can count on for sustenance. The meals are served 10 to 14 hours apart and detainees report remaining hungry after eating.

Numerous Gordon County Jail inmates have told us that they are so hungry they eat toothpaste and toilet paper. Most reported losing a significant amount of weight. They also report chronic headaches, weakness, irritability, and difficulty sleeping because they are so hungry. One man had only two bowel movements during 19 days in the Jail. Some people describe trying to combat their hunger by licking syrup packets (saved from the breakfast meal) throughout the day. Others try to combat their hunger by drinking excessive amounts of water, which they call "water sandwiches."

We understand that some men and women receive a third meal as members of work details, while others can afford to supplement their diets by purchasing food from the commissary. But most indigent people without "trustee" status rely on the Jail for their nutritional needs. They have no other way to obtain food.

The Jail's failure to provide adequate nutrition is particularly injurious to indigent people who have medical conditions like diabetes. We spoke to one 54-year-old man who appears gaunt and emaciated. He states:

- He feels hungry all the time;
- He regularly eats toothpaste and toilet paper to try to "feel full";
- He requested a diabetic meal, but has never received one;
- He goes to sleep each night with a pounding headache due to hunger;
- He tries to sleep all day to conserve energy and avoid thinking about food;
- He has repeatedly asked to become an inmate trustee so that he may obtain a sack lunch, but his requests have been denied.

This man and others state that they have made numerous complaints both to officers and via the Jail's computerized kiosk, but their requests have been ignored.

We are aware of the County's contract with Trinity Services Group for food services. We are also aware of Trinity's written assurances regarding the quantities and caloric content of food it serves. Numerous, consistent reports from detainees, however, indicate that Trinity does not actually serve Gordon County Jail detainees food quantities required under its contract and claimed in its menus and other printed materials.

Our preliminary investigation indicates that the Gordon County Jail has reduced food portions so drastically that it is out of compliance with state and federal law.¹ We ask that you review the Jail's feeding practices and Trinity's compliance with its contract to ensure that inmates receive substantial and wholesome meals, as required by law.

We would welcome a meeting with you and your attorney to resolve this matter without litigation. Thank you for your attention.

Sincerely,



Sarah Geraghty

cc: James F. Ledbetter, County Attorney
Christopher G. Paul, Chief Circuit Defender
Board of County Commissioners

¹ See *Prude v. Clark*, 675 F.3d 732, 734 (7th Cir. 2012) (finding that "[d]eliberate withholding of nutritious food" coupled with "substantial weight loss" or other severe hardship would violate the United States Constitution). Civil Contempt Order, *Maynor v. Sheriff Greg Bartlett*, No. 5:01-cv-851 (N.D. Ala. Jan. 7, 2009) (holding the Sheriff of Morgan County, Alabama, in civil contempt for "consistently failing to provide a nutritionally adequate diet" to jail inmates); *Graves v. Arpaio*, No. CV-77-0479, 2008 WL 4699770, at *46 (D. Ariz. Oct. 22, 2008) (finding violation of pretrial detainees' constitutional right to adequate nutrition).