

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

41
60-86-104
10/76/104-7

FILED

OCT 2 1974

WILLIAM E. REED, Clerk
U. S. DISTRICT COURT
E. DISTRICT OF MO.

BILLY JOE TYLER, et al,)
)
 Plaintiffs,)
)
 vs.)
)
 SHERIFF PERCICH, et al,)
)
 Defendants,)
)
 and)
)
 UNITED STATES OF AMERICA,)
)
 Amicus Curiae.)

Cause No. 74-40-C (2)

ORDER

This matter is before the Court by reason of the Amended Complaint of Plaintiffs, individually, and as representatives of a class with the Court having heretofore ruled that the action is properly maintainable by Plaintiffs as a class action with the class represented being all persons who are now confined or have been confined or will be confined in the City Jail of St. Louis. The Court after a full evidentiary trial finds the rights guaranteed to Plaintiffs and the class by the Constitution of the United States including the Eighth and Fourteenth Amendments thereto have been violated by the conditions of the detention at the City Jail of St. Louis, and the Court ORDERS that the City Jail of St. Louis be closed as a place of confinement for the Plaintiffs and the class, and that the Defendants be enjoined from incarcerating or detaining Plaintiffs or any member of the class at the City Jail of St. Louis.

IT IS FURTHER ORDERED that this Order be stayed for a period of 30 days to afford an opportunity to bring the

Tyler v. Percich



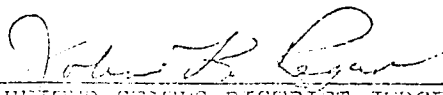
JC-MO-004-002

City Jail of St. Louis into full compliance with the requirements of the Constitution of the United States.

During the period of the 30-day stay, for the interim protection of the inmates of the City Jail of St. Louis, and effective immediately upon entry of this Order:

- (1) There shall be at all times two guards on each floor of the City Jail of St. Louis where prisoners are confined and those guards shall continuously patrol within the areas where the prisoners are housed;
- (2) A program shall be instituted forthwith so that before the expiration of the 30-day period the population of the City Jail of St. Louis shall be reduced to not more than one man per cell and not more than four men per squad room;
- (3) No inmate in the City Jail of St. Louis shall have or be given any authority over any other inmate;
- (4) During the 30 days of the stay of this order, the Commissioner of Adult Services shall file with the Court daily reports as to the population of the City Jail of St. Louis and of every unusual incident occurring within the City Jail of St. Louis; such reports are to be available to counsel for the Plaintiffs and to the Amicus;
- (5) The Sheriff of the City of St. Louis shall keep one Deputy Sheriff and one vehicle on duty at the City Jail from 3 p.m. to 7 a.m. for the purpose of transporting inmates to an appropriate medical facility maintained by the City of St. Louis and a vehicle and a Deputy Sheriff shall be available for that purpose from 7 a.m. to 3 p.m.

The Court reserves jurisdiction to make additional orders as required.


UNITED STATES DISTRICT JUDGE

Dated this 2nd day of October, 1974.