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St. Louis City Jail's Walls Come Tumbling Down Long History Of Deplorable Conditions Will Finally Be Addressed

**By Denise Lieberman
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When ACLU Cooperating Attorney Frank Susman agreed in 1982 to monitor overcrowding conditions at the St. Louis City Jail, little did he know that he would still be working on the case 17 years later.

In a long-awaited action, city officials have begun demolition of the St. Louis City Jail to replace it with a new city Justice Center. Citing "deplorable conditions," and calling the city jail "an accident waiting to happen," city officials in April announced that the city jail would be shut down and inmates moved to the St. Louis County Justice Center in Clayton awaiting completion of the new city justice center.

Construction on the new center is expected to begin this year, with a target completion date of January 2002.

All this must come as a relief to Susman, who has been working on the case the better part of two decades. But the case starts even earlier — in 1974, when, because of overcrowding, federal courts imposed a court order limiting the

jail population to 228. But jail populations consistently exceeded the court-ordered maximums, making conditions dangerous and unsanitary for inmates. The inmates did not have anyone representing their interests to ensure their safety. In 1982, Judge Clyde Cahill appointed ACLU attorney Susman to represent the inmates concerning compliance with the 1974 order. He's been working on the case ever since.

The story of the city jail really starts before Susman and before the 1974 court order. Grand juries called upon to inspect the jail over the years have lodged scathing criticism over conditions there since the 1930s.

Way before the oft-violated 1974 court order limiting the jail population to 228, back in the 1950s the crowding became so bad that the jail population often hit 600. In 1954, inmates staged a hunger strike protesting the poor conditions. Inmates repeatedly demonstrated against overcrowding again during the late 1960s, bringing the issue to the public's attention and resulting in

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ACLU/EM Cooperating Attorney Frank Susman has spent more than 17 years on the St. Louis City Jail case.

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recommendations for a new jail. More inmate riots occurred during 1968 and 1969. In 1972, Judge Theodore McMillan ordered an

inquiry into jail conditions. Later that year, inmates staged a two-week protest in the jail chapel. After 12 inmates escaped from the jail in 1973, a task force was appointed and recommended a new jail.

Finally, in 1974, after a class action lawsuit initiated by inmates, Judge John Regan ordered the city

to close the jail unless it could improve standards, and set the 228 cap. The city then began farming inmates out to the St. Louis City Workhouse, and to jails outside the city. Some inmates were even housed in hotels.

Voters rejected several attempted bond issues to finance a

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Interns' Impressions Of City Jail's Horrors Provide Understanding Of Inmates' Plight

After years of court hearings and injunctive orders, the St. Louis City Jail is finally coming down. Citing "deplorable conditions," city officials in April announced that the jail was being demolished in anticipation of a long-awaited city justice center, slated to be complete in 2002. Just days before the city closed the jail, ACLU interns toured the city jail and saw conditions first-hand. The following are excerpts of their accounts:

After our visit today, I'm embarrassed by my own naivete and by the blind eye that I've turned towards people accused of crimes. I see now that jails and prisons are more than just an institution to protect society from criminals; they are a reflection of society, and of our own prejudices and inability to overcome those prejudices, even as much as we profess our disgust for them.

I don't think I took prisoners' complaints lightly before our tour this morning, but I never fully understood the horrible conditions that many of them have to deal with daily. Seeing the cramped, dirty cells, the filthy toilets, the psychiatric holding cells filled with bugs and hearing our guide tells us about the problems of housing 200 men in a 150-year old building with-

out AC or sufficient heating has made me much more sympathetic to the complaints we receive from prisoners.

I spoke with friends about the horrible conditions of the jail downtown, and many of them didn't seem fazed. They seemed to have the attitude that jail is supposed to be a miserable experience, and the more horrible the conditions in jail, the more likely people are to stay out of them. I'm not saying that jail should be a pleasant experience, but I don't think that any of the inmates I saw this morning really benefit from such a miserable, oppressive situation. There is a difference between telling people who have committed crimes that they are in trouble and need to be punished, and telling criminals that they are worthless by throwing them in filthy, small dark cells. — Sarah Miller, 1999 graduate of Washington University.

The jail is a hot, stuffy, stinky hole. ... Should an inmate attempt to kill himself, he is encouraged to see that life is worth living by being held in a moldy and discolored cell with one small window, barely recognizable toilet and bugs. I was nauseated and appalled at what I saw. The tour made me reconsider my opinions of the American justice system, and ask myself if it is any better than that of a

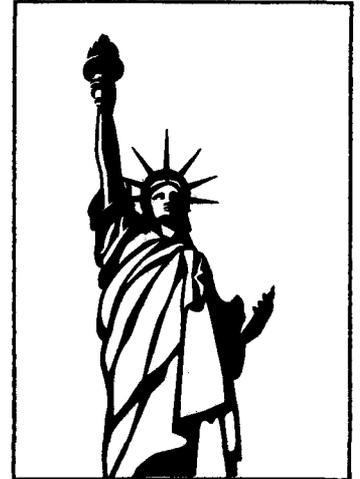
third-world country. — Sonya Pasquini, 1999 graduate of Washington University.

I was relieved to leave the facility after an hour. I cannot even imagine what it is like after one, two ... years. As startled as I was about conditions in the jail, I was not all that surprised. However, it was interesting to see the high percentage of African-Americans incarcerated at the facility. Even though St. Louis has a larger African-American population than other cities in Missouri, it seems like this population is even higher in the St. Louis City Jail, above what demographics suggest. — Ian Schindelman, 1999 graduate of Washington University.

It is easy to dismiss the needs and concerns of the prison population; most citizens do not see or hear from prison or jail inmates on a daily basis, and they rarely have the opportunity to think about or discuss the conditions of local correctional facilities. ... Residents [in the lockdown wing] remain in their individual cells for the entire day; they are allowed an hour each day to pace the hallway outside their cells and have little or no contact with others. ... Most of the residents did not seem like dangerous criminals; instead many seemed removed and dejected. The residents, a forgotten segment of the population, must sense society's indifference to their situation. — Monica Matts, 1998 graduate of Washington University.



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City Jail

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new jail. Nothing seemed to work, and then Susman was appointed in 1982. He diligently inspected jails, issued compliance reports and remained a dedicated advocate for the oft-forgotten inmates who suffer the poor conditions daily. The case was expanded to include conditions at the St. Louis City Workhouse, and in 1984, the court issued an order affirming the 228 limit on the city jail and setting the workhouse limit to 450, later raising that limit to 550.

But the overcrowding continued, and the court began issuing fines of \$100 per prisoner per day for each prisoner over the maximum. In 1994, Judge Cahill issued more than \$34,000 in fines and ordered the city to plan construction of a facility to hold 950 to 1,000 inmates.

The court, acknowledging the city's financial constraints, tried to look for alternate methods to reduce overpopulation and in 1994, issued a series of injunctive orders establishing population ceilings that the city appealed in light of new federal law. By 1996, the court

had not reconsidered those 1994 orders, and by that time, Congress had passed the Prison Litigation Reform Act, which severely restricts a court's authority to regulate prison conditions. Nevertheless, the court then granted those injunctive orders, and the city sought to have them dissolved as a violation of the PLRA. The court rejected the motion, and then the 8th Circuit Court of Appeals stayed all the proceedings and sent them back to the district court to consider their validity in light of the changes in federal legislation.

Finally, some 15 years after Judge Cahill's order to increase jail space to between 950 and 1,200, the city appears to be making good on this obligation. The city jail is being demolished, and its inmates are being temporarily housed at the St. Louis County Justice Center in Clayton pending the completion of the new city justice center. Inmates at the medium security workhouse will stay where they are until construction of the new justice center is complete.

But for his many years of work, Susman can't take a reprieve just yet. Motions on issues in the case are still pending. And, until these inmates' rights are secure, Susman and the ACLU won't give up.

Tributes

**In Honor of Becky Walsh
Becoming a Member of
the Gallop, Johnson &
Neuman, L.C. Law Firm**
Lenny Frankel

**In Honor of
Vivian Eveloff's Birthday**
Marcia Mellitz

**In Honor of
Sally Barker's Birthday**
Marcia Mellitz

**In Memory of
Milly Cohn's Brother,
Sidney A. Schneider**
Marcia Mellitz

**In Memory of
Leon Strauss**
Jill & Richard Claybour

