



JI-MO-003-001

Fl.
412 F. Supp. 469
(D.C. Mo., 1975)

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI,
CENTRAL DIVISION

FREDERICKA HARRIS, as next friend
and in behalf of her minor child,
LAVON HARRIS, and on behalf of
all other persons similarly sit-
uated,

Plaintiffs,

v.

No. 73-CV-115-W-4

RICHARD J. BELL, III, Superinten-
dent, Training School for Boys,
Boonville, Missouri; MAY BRAND,
Director of the Division of Youth
Services, Department of Social
Services, State of Missouri;
LAWRENCE GRAHAM, Director of the
Department of Social Services,
State of Missouri,

Defendants.

CONSENT DECREE

The parties hereto are mutually desirous of disposing of the issues raised by this suit without litigation, and for this reason plaintiffs and defendants are willing to consent to the entry of the following judgment, the provisions of which, when fully implemented and complied with shall govern the procedures and conditions relating to the care, treatment, and confinement of children who, for disciplinary purposes or any other lawful reason, are segregated from the general population of youths presently or in the future at the Training School for Boys in Boonville, Missouri (hereinafter referred to as T.S.B.).

The court being fully advised in the premises, and having conferred with the parties and their attorneys hereto, having reviewed all aspects of this case to date, including the stipulations of fact jointly agreed upon and filed by the parties hereto, having fully considered the desirability of disposing of the matters herein by means of a consent judgment and knowing the same to be freely agreed to by the plaintiffs and defendants herein as is evidenced by the signatures of their counsel hereto does HEREBY

5. Each juvenile who is confined in a cell shall be visited on each school day by the basic education teacher in whose class he was enrolled at the time of his incarceration. This teacher shall provide the student with all materials necessary for keeping him current in his studies. Whenever practical the student shall be permitted to work with his teacher, or study, outside his cell.

6. Juveniles confined in such cells shall be afforded the opportunity to shower once each day.

7. The parents or guardian of any juvenile who is committed to such a cell shall be promptly notified about the commitment.

8. Incoming mail may be physically inspected for contraband in the presence of the juvenile-addressee; other than such physical inspection, no tampering, delaying, opening, reading, copying or censoring of any mail shall be permitted. Attorney-client mail shall be neither opened nor inspected. There shall be no limitations as to how often or with whom a child may correspond unless a complaint is received from the person being corresponded with.

9. Juveniles who are confined in their cells shall be notified at the time of their incarceration that they may see a minister or priest on request.

10. Juveniles committed to the cells shall be provided a minimum period of one hour's recreation daily outside the cells, such recreation to include vigorous physical exercise.

11. Non-academic reading materials of a broad variety shall be regularly provided by the librarian to juveniles who are confined in such cells.

12. Juveniles confined in such cells shall be allowed to eat at least two of their daily meals outside their cells whenever practical.

13. Juveniles confined in the cells shall be allowed to wear normal, casual clothing appropriate to the season. No juvenile shall be compelled to wear pajamas during the day unless he is ill and confined to bed.

14. Each cell shall be adequately heated, cooled and ventilated according to the season.

be informed of the holding of any juvenile in the detention unit for trial as an adult if such incarceration will exceed seven days. In the event of her death, or her resignation from the National Juvenile Law Center, prior to the expiration of the two-year period, the attorney who is then Director of the National Juvenile Law Center shall choose another staff attorney who shall have such access to the T.S.B. and the juveniles confined therein.

Respectfully submitted,

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