



CLINICAL LAW OFFICES
SAINT LOUIS UNIVERSITY
SCHOOL OF LAW



For more information contact:

Alec Karakatsanis, Equal Justice Under Law (202) 681-2409

Thomas Harvey and Michael-John Voss, ArchCity Defenders (314) 482-3342

Professor Brendan Roediger, Saint Louis University Legal Clinic (314) 749-0424

Professor John Ammann, Saint Louis University Legal Clinic (618) 444-2233

Professor Steven Hanlon, Saint Louis University Legal Clinic (202) 243-8098

**FERGUSON AND JENNINGS ARE SUED BY CITIZENS FOR OPERATING “DEBTORS’ PRISONS”
BY JAILING PEOPLE WHO CAN’T PAY COURT COSTS, FINES, AND FEES; SUITS CLAIM DEFENDANTS
ARE HELD IN DEPLORABLE JAIL CONDITIONS**

St. Louis (Feb. 9, 2015) – Area citizens who were jailed in deplorable conditions in Ferguson and Jennings for unpaid fines, costs, and fees for traffic tickets and other minor ordinance violations have filed class action lawsuits against those two St. Louis County municipalities in federal court in St. Louis claiming their civil rights were violated. The lawsuits are the latest litigation against municipalities for abusive practices by police and municipal courts which primarily affect people of color and the poor.

Eleven citizens have sued Ferguson on behalf of all persons jailed for non-payment, claiming they were not given hearings to determine their ability to pay, were held indefinitely, and were not provided with attorneys prior to or while being held in jail. Nine citizens have brought a separate but similar class action suit against the City of Jennings. The suits claim people are held in jail as a means of coercion to get them to pay fines, with police and jail officials arbitrarily changing the amount of fines to coerce family members or friends to bring enough cash to satisfy the amount owed.

The suits, filed in the United States District Court for the Eastern District of Missouri, also claim that people held in the Ferguson and Jennings jails face inhumane conditions, with several people crowded into small cells without regular showers, without adequate medical care, without basic sanitation, and without being given a toothbrush or toothpaste. Prisoner requests for clean clothes are refused, and the prisoners live and sleep in filthy conditions in the jails. The suits also claim the officers at the jail verbally abuse and degrade those who are being held.

The lawsuits allege that at least four area residents unable to afford to pay for their freedom have committed suicide in local jails in the past five months—a manifestation of the cycle of debt and cruel jailings orchestrated by local municipal courts. The suits also claim that Ferguson and Jennings have made millions of dollars through this scheme, and that Ferguson has averaged 3.6 arrest warrants for every household and Jennings 2.1 arrest warrants for every household in recent years, mostly in cases involving old unpaid debts.

Plaintiffs in the two suits are represented by attorneys Alec Karakatsanis of the Washington-based non-profit organization Equal Justice Under Law; Thomas Harvey and Michael-John Voss of ArchCity Defenders, a nonprofit organization serving the homeless and working poor; and Professors Brendan Roediger, John Ammann and Stephen Hanlon of the Saint Louis University Legal Clinic.

“Equal Justice Under Law has joined with a group of local attorneys and community members to put an end to debtors prisons once and for all and to fight the notion that any human being can be put in a cage because of her poverty,” said Karakatsanis. His organization has brought successful litigation in other states over debtors’ prisons and related issues.

Thomas Harvey, the Executive Director of ArchCity Defenders, which published a report about abuses in municipal courts shortly after the death of Michael Brown, said, “Although these practices are not new, many in the region just recently became aware of the ways in which municipal courts make people poor and keep them poor, especially in communities of color. These new lawsuits shine a light on the unlawful practices in these courts and the conditions the poor face when they are arrested and jailed for failing to pay fines because they do not have the means to pay them,” Harvey said. “Because they generate so much revenue, many towns in our region attempt to squeeze every dollar possible out of defendants and their families by jailing citizens who are not criminals, and who are not a threat to society,” said Harvey.

Professor Brendan Roediger of the Saint Louis University Legal Clinic said, “These suits are another step in making the public aware of the abuses which result from for-profit policing and illegal practices in many municipal courts. When cities operate their police departments and municipal courts for profit, they ignore constitutional protections for defendants and jail them in squalid conditions in the hope those defendants will beg relatives and friends to pay their fines to obtain their release.”

The suits seek a declaration that the cities’ policies violated the civil rights of the plaintiffs, an injunction to stop the illegal practices, and for damages.

Recently, the Saint Louis University Legal Clinic and ArchCity Defenders joined with the Campbell law firm to bring suits against seven cities for charging illegal fees in their municipal courts. One of those seven cities is Ferguson.