

poverty law Report

A REVIEW OF ADVANCES IN THE LEGAL RIGHTS OF THE POOR

Volume 7, Number 5

A publication of the Southern Poverty Law Center

November/December, 1979

Court to name receiver for mental health system

MONTGOMERY — The Alabama Department of Mental Health reluctantly admitted in October that it has failed to comply with a Court order issued seven years ago to upgrade treatment and facilities for the care of the mentally ill.

The admission came in pretrial briefs for compliance hearings that were to have begun in coming months but are no longer necessary.

The case, *Wyatt v. Hardin*, was reopened a year ago in response to a motion setting out indications of serious and widespread failures to meet the standards imposed by then-U.S. Dist. Judge Frank M. Johnson, Jr., in 1972.

Attorneys for the Southern Poverty Law Center, who represent the plaintiffs, have worked closely with attorneys Robert Dinerstein, Mary McClymont and Andrew Barrick of the Department of Justice, and U.S. Attorney Barry Teague, all of whom represented the United States as a friend of the Court, and William Mills, representing plaintiff-intervenors, to determine the extent of the system's deficiencies.

Events surrounding the department's decision to admit noncompliance are indicative of developments in the case over the past few months, during which as much substantive business has taken place outside the judicial process as

within it.

Alabama's Governor, "Fob" James, and its Commissioner of Mental Health, till recently Taylor Hardin, were both defendants in the court case. Out of court, however, their relations clearly were less than harmonious. One of Hardin's last proposals — a request that the Court delay its trial for nine months on the strength of a singularly ill-planned proposal for a bond issue for new mental hospital construction — was met by formal objection from the Governor in a counter-pleading. More commonly, the action apparently was behind the scenes.

As trial approached, the pace of

events quickened. Commissioner Hardin resigned, and after some delay the Board of Mental Health — which in Alabama is legally independent of the Governor — selected the Governor's nominee, Glenn Ireland II, as the new Commissioner.

On October 9, plaintiffs, plaintiff-intervenors and the United States filed a joint pre-trial brief, setting out 60 pages of detailed contentions concerning the defendants' violations of the Court order. On October 15, the day before a scheduled pre-trial conference, Governor James filed his pretrial brief,

Continued to page 2

Million-dollar suits filed against two cotton mills

"I don't like to say that the company was all bad. But when we took on a job, we agreed to give our labor, not our lungs."

A disabled millworker

MONTGOMERY — The Southern Poverty Law Center has sued two of the country's largest textile firms, Burlington Industries and West Point-Pepperell for \$15 million each for intentionally exposing workers to conditions which lead to a disabling lung disease, and then defrauding them out of worker's (sic) compensation benefits.

The illness, chronic obstructive pulmonary disease, is contracted by exposure to heavy concentrations of cotton dust over a long period of time. It diminishes the capacity of the lungs to intake oxygen, and eventually results in disability or even death. So far there is no cure for it.

The textile industry has known about diseases related to the inhalation of cotton dust, chronic bronchitis, emphysema, and brown lung, all of which are chronic obstructive pulmonary di-

seases, for many years.

Brown lung, for example, was discovered more than 200 years ago, and textile workers in England have been compensated for it since 1941. But the American textile industry has shielded its workers from facts about the disease and has taken virtually no precautions in the mills to prevent it.

Estimates suggest that there are 35,000 to 40,000 active or retired cotton mill workers in the Carolinas alone who are completely or partially disabled by brown lung. Most of them are denied worker's compensation benefits because of restrictive laws framed by textile interests and the deceptive practices of the mills.

The case of Nat Wilkins is typical. Wilkins, who is named as plaintiff in the \$15 million class-action suit against West Point-Pepperell, worked at the company's Opelika, Ala., plant for 27 years. His job was in the card room, where the first steps in processing the raw cotton are taken, and where the concentration of cotton dust is as great as anywhere in the mill.

Continued to page 4



At a press conference at the Center in October, staff attorney Dennis Balske announces the filing of a \$15 million class-action suit against one of the nation's largest textile firms for intentionally exposing its workers to conditions which lead to disabling lung diseases. The suit's named plaintiff, Nat Wilkins (center), later explained how mill officials defrauded him of worker's compensation benefits after he was disabled by lung disease. Beside him is Mrs. Wilkins.

Mental health department admits noncompliance

Continued from page 1

admitting serious and system-wide violations of the court order. In a one-page statement, the Board of Mental Health concurred in this brief.

Governor James asked the Court to give the defendants up to three months to develop a plan for coming into compliance with the court order, and not less than a year to implement the plan. Judge Johnson rejected this proposal, and made clear that in his judgment the facts established by the briefs left him no alternative but to appoint a Receiver for the state's mental health system.

The defendants responded with a motion to appoint Governor James himself as receiver. James already is the

receiver for the state's prison system, a position to which Judge Johnson appointed him last winter in an effort to bring the prison system into line with the Constitution.

In this suit, however, all parties — other than the defendants — have opposed the appointment of Governor James. As Stephen Ellmann, handling the case for the Center, explained, "We opposed his selection because we felt that the Governor could not bring the mental health system either the time or the expertise which it needed, and because his commitment to improvement in this system is undercut by the competing needs to which he must respond as Governor."

Plaintiffs and the United States also did not support the possible selec-

tion of the new Commissioner, Glenn Ireland, as the Receiver. Like James, Ireland is a named defendant already. In a second brief, filed just before this paper went to press, plaintiffs and the United States argue that the system needs a Receiver who is both a mental health professional (Commissioner Ireland is not) and wholly independent of the parties to the case.

Plaintiffs and the United States have asked Judge Johnson to grant them two weeks in which to complete a search process already under way, to find such an independent, professional Receiver. At this writing, the Court has not yet ruled on this request.

Plaintiffs and the United States, as well as plaintiff-intervenors, have all joined in two additional requests which are now before the Court. First, they ask the Court to require the Receiver — whoever he may be — to prepare a detailed Plan of Implementation of the Court order, and submit it to the Court for its approval or modification after comment from all sides. Second, because it is clear that the mental health system cannot achieve compliance without sufficient funds for the purpose, they have asked the Court to issue orders which would explicitly assure that needed funds are made available.

The reason for such extraordinary relief, Ellmann explained, is simple: the defendants have had seven years to comply with the Court's order, and have not approached doing so. Much of the reason for this failure lay in the absence of leadership in the Central Office. No system requiring the hospitals to report regularly to the Central Office was ever instituted. No one in the Central Office

was placed in charge of determining the extent of compliance with the Court order. In fact, the head of the Department's Division of Mental Illness testified that he could not remember ever being asked to do any task related to the Order's standards.

Naturally, without leadership, institutions in the field made no significant progress. As attorneys and mental health experts toured the state's institutions preparing for trial, they found none was in full compliance with the Court's orders.

In every institution there were staff shortages, and — often blatant weaknesses — in the training of available personnel. Privacy for the 1800 or more residents of the state's largest mental hospitals was often almost nonexistent, and patients whose main need may be for guided, therapeutic activity were too often idle. Instances of over-prescription of psychotropic drugs were common, and many patients exhibited serious physical side-effects of such drug abuse, like tardive dyskinesia. The institutions were often gloomy, and violations of the space-per-person standards set out by the Court were widespread. Individualized treatment plans, meant to assure the provision of intelligent, coordinated treatment to every patient, were persistently flawed by vague, rote statements unlikely to assist in meaningful individualized treatment. Even the treatment that is provided is undercut even further by the critical problems in post-hospitalization services and followup. The net result, Ellman said, is that the constitutional rights of Alabama's mentally ill are still being denied.

Poverty Law Center hires attorney; ex-Johnson law clerk

Ira A. Burnim joined the Southern Poverty Law Center in October as a staff attorney.

Burnim was graduated Phi Beta Kappa from Harvard College in 1973 and received his law degree *magna cum laude* from Harvard Law School in 1977.

Until recently he served as Regional Heber Smith Community Lawyer Fellow for the Legal Assistance Foundation of Chicago.

Burnim has held a number of other positions reflecting a concern for the rights of prisoners, minorities, indigents, and juveniles. In 1976 he worked for the National Prison Project of the ACLU as a law clerk.

As a Smith Fellow, he was lead counsel in law reform cases involving educational rights of the deaf and rights of minor wards in mental hospitals.

After receiving his law degree, Burnim clerked for a year under U.S. Circuit Judge Frank M. Johnson, Jr., who was then a federal district judge in Alabama.

Since his arrival Burnim has be-

gun work on the brown lung suits (see story on page 1).

He will also work with staff attorney Stephen Ellmann on *Wimbley v. Bergland*, a suit charging the U.S. Department of Agriculture and the Alabama Department of Public Health with improper administration of a nutrition program for pregnant mothers and infant children.



Burnim

Savannah denies Center look at files on Earl Charles case

SAVANNAH, Ga. — The police chief, the district attorney, and other city officials here have refused a request by Southern Poverty Law Center attorneys to examine official files relating to the 1975 conviction of Earl Charles of two murders he didn't commit.

Charles, who subsequently was sentenced to death, was exonerated and released in 1978 after an investigation by the prosecutor's office, and last summer filed a \$7.2 million lawsuit against the city.

Center attorneys are handling the suit. They want the files to help them establish wrongdoing on the part of police officers who conducted the murder investigation leading to Charles' conviction. The district attorney's investigation that formally cleared Charles indicated that two key witnesses to the killings may have been coached and that police detectives withheld exculpatory evidence from defense attorneys.

But lawyers for the defendants in the suit claim the files contain "privileged information" pertaining to ongoing investigations and have even closed the files of the district attorney's investigation to Center attorneys.

SPLC staff attorney Dennis Balske

will ask a federal judge hearing the suit for an order to compel the defendants to release the files.

Charles is a black man who was sentenced to death for the robbery-murder of two white furniture-store owners. Until the murder conviction he had never been found guilty of anything more than a misdemeanor. His release came after a law enforcement officer in Tampa, Florida, where Charles was working at the hour the murders were committed in Savannah, was located and verified his presence in Tampa.

The Chatham County jail in which Charles spent three-and-a-half years of his life has been closed down since his release, in the face of a lawsuit alleging unconstitutional conditions.

AI releases study on death penalty

Amnesty International, the international human rights organization, published in September a study on the use of the death penalty throughout the world. It reported that the U.S. is one of the few industrialized nations still executing prisoners.

poverty law Report

Volume 7, Number 5

November/December, 1979

The *Poverty Law Report* is published five times a year by the Southern Poverty Law Center, 1001 S. Hull St., Montgomery, Alabama 36101.

President Emeritus
Julian Bond

Legal Director
John L. Carroll

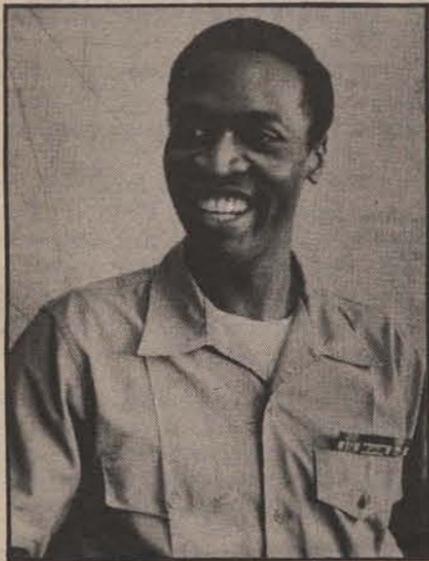
President
Joseph J. Levin, Jr.

Staff Attorneys
Morris S. Dees, Jr.
Stephen J. Ellman
Dennis N. Balske
Ira Burnim

President's Council
Lucius Amerson
Anthony G. Amsterdam
Hodding Carter III
Charles Morgan

Editor
Bill Stanton

Associate Attorneys
David Walbert
Candace Carraway



Patterson

Georgia judge rejects appeal of Patterson

REIDSVILLE, Ga. — A Georgia superior court judge in September turned down the request of Roy Lee Patterson, a decorated former Marine sergeant, for a new trial in the self-defense killings of two white law enforcement officers. Patterson is black.

Poverty Law Center Legal Director John Carroll argued at a hearing before the judge late in August that Patterson was denied a fair trial in 1975 because the grand jury lists from which the jury that sat on Patterson's case was chosen systematically excluded blacks.

Underrepresentation of blacks on the grand jury lists of Crisp County, Georgia, where Patterson was tried, ranged from 81 per cent in 1971 to 37 per cent in 1975, based on the county's population, which is about 40 per cent black.

Carroll has filed an appeal of the judge's ruling with the Georgia Supreme Court. If it is denied, the appeal will be taken into federal court.

Patterson has now been imprisoned more than four years. He was jailed for killing two lawmen who tried to stop him from leaving the Cordele, Ga. police department to get a lawyer for his brother, who had been arrested for having a faulty taillight on his car. A fight between Patterson and his brother's arresting officer, who had a history of harassing blacks, led to the shootings.

Mobile settles discrimination suit, agrees to hire blacks as firefighters

MOBILE, Ala. — The code of segregation most Southerners lived by until the mid-1960s proscribed a variety of interracial activities. It said blacks and whites shouldn't marry each other, go to school together, work side-by-side in equality, or play on the same athletic teams or even against each other.

In Mobile even fighting fires was a racial question. Separate firefighting companies representing the city's black, white, and Creole inhabitants existed until 1971. In that year the companies were consolidated and integrated, and the city was ordered to promote equal employment opportunities, but the number of minority firefighters has declined.

Early this fall two Mobile attorneys, aided financially by the Southern Poverty Law Center, won a settlement with Mobile officials that should give blacks equal access to firefighter jobs.

The case, *Rankins v. Mobile*, was brought to court in a class-action suit by Arthur Rankins, a black who applied for the position of firefighter, passed a written test, and was placed on the employment register but never hired.

In that respect he was not alone. Since 1972 only 1.9 per cent of all black applicants for firefighter have been hired, a figure one-tenth that of whites.

"The bottom line is that the defendants' recruitment, screening, testing, and interview procedures have screened out all but two black persons since 1972," Greg Stein, a Mobile attorney who handled the case, said.

Stein found that the initial disadvantage facing blacks who wanted to become firefighters was the word-of-mouth advertisement by which many friends and relatives of employed firefighters learned of job openings.

Since 1972 more than 60 per cent of white applicants have listed one or more incumbent Mobile Fire Department employees as references or relatives on application forms.

But Stein said the black applicant who found out about an opening in the department still faced insurmountable obstacles: a written test required of all applicants which was never validated and was prepared in 1956 by the personnel board without consultation with the fire department; a subjective

interview by an all-white panel to establish "personal qualification ratings;" and non-job-related prerequisites to hiring, including regulations that applicants be high school graduates, registered voters, and willing to pay medical-exam costs.

The settlement worked out by Stein provides for completely revamped recruitment and testing procedures. It will be monitored by a federal court for at least four years, and requires that:

- Recruitment messages be broadcast on black-oriented radio stations;
- Flyers advertising openings be posted in all busy public buildings and at city-county recreational centers, trade schools, and junior colleges, and distributed among black community leaders;
- Fire department officials establish more-than-occasional relationships with Mobile's black community;
- The registered-voter requirement be dropped;
- The department advertise that its hiring practices have been redesigned to promote equal opportunity;

Equally important, the settlement prohibits city officials from using any selection devices that will have an adverse racial impact. Results of the recruitment campaign and reports of validation studies performed on the selection process will be submitted to the Court periodically for examination.

"They've built a new hiring system from the bottom up," Stein said. "I'm satisfied with it. But the proof's in the pudding. We have to wait and see what the reports say. If they're not good, we'll have to go back to court."

A monetary settlement of \$35,000 was made to the plaintiffs.

Supreme Court to review Alabama death penalty law

The United States Supreme Court agreed in October to hear arguments on the constitutionality of a section of the Alabama death penalty law.

The petition for a writ of certiorari was granted by the Court in the case of Gilbert Beck, who was convicted under the Alabama law in 1978 of robbery-murder.

Earlier this year the Court passed up several chances to review the statute by rejecting similar petitions of other Death Row inmates. It picked Beck's case to consider only a narrow facet of the law: whether a death verdict can be returned constitu-

tionally in a case where the facts support a conviction on a lesser offense.

The Alabama law precludes a jury trying a capital case from considering or finding guilt on a lesser charge, such as second-degree murder, even when the evidence substantiates a lesser offense. Instead, the only sentence available to it upon an affirmative determination of guilt is death.

Oral argument of the case is expected to be sometime early next year. John Carroll, Legal Director of the Poverty Law Center, is associate counsel and has assisted in Beck's appeal.

Bishop executed

On October 22 Jesse Bishop became the third person executed in the U.S. in three years.

Final statement denied Spenklink, report says

John Spenklink went to his execution in Florida last Spring without making a final statement to the press because prison authorities refused to let him speak, a report ordered by Florida Gov. Robert Graham concludes.

The report, released September 30, is a product of a month-long investigation into widely publicized charges by Spenklink's family, chaplain, attorneys, and friends on Death Row that his legal rights were violated in the week leading up to the execution.

Spenklink was electrocuted May 25, the first person executed in Florida in 15 years.

The investigation was conducted at Graham's request by Florida Inspector General Dick Williams and Irwin Block, a Miami attorney opposed to the

death penalty. They concluded that then-Florida State Prison Superintendent David Brierton denied Spenklink access to the press in violation of prison regulations that specifically entitle condemned inmates to at least one interview in the week before their execution.

Then, the report says, as Spenklink was being secured into the chair, a strap stretching across his chin to keep his head from lurching at the jolt of electrocution, Brierton asked if he wanted to make a final statement.

Spenklink, according to the report, replied something to the effect that "I can't talk, the strap is too tight." Brierton said he took this to mean Spenklink had nothing to say.

Brierton has since been promoted

to a job investigating complaints of inmates in the Florida prison system.

In all, Williams and Block investigated more than a dozen major charges against officials involved in the execution. In addition to the clear violations of Spenklink's rights, other instances were found of violations of the spirit of prison regulations.

Among these was that Spenklink was refused the right of having the minister of his choice accompany him to the execution chamber.

Prison rules state that "ministers of religion may be present at the execution." Brierton refused to allow Spenklink's personal minister to walk with him to the chair, though, ruling that the regulation's reference to "minister" meant only the prison chaplain.

Spenklink rejected the chaplain's company because he refused to declare himself against the death penalty.

Before that, prison officials refused to allow Spenklink's minister to give him final communion until his attorneys threatened to hold a press conference.

Charges that Spenklink fought with his guards as he was taken to the chair were unverifiable, the report said, but there was evidence that several guards verbally taunted him in his final hours.

The report concludes, "The activities surrounding the execution of John Spenklink . . . were not as sterile and placid as the prison officials would want us to believe."

COTTON DUST KILLS.



Cotton mill officials defraud workers

Continued from page 1

Over the years Wilkins and his co-workers began to develop symptoms of cotton-dust-related diseases. In 1972 West Point began a medical surveillance program of some of them. At that time, Wilkins was first tested for lung-function impairment.

Sometime in 1974 or 1975 he was told by company medical personnel that he had some type of lung disease. Although company officials knew, they did not tell Wilkins it was occupationally related. Nor did they require or encourage him to wear a respirator. Late in 1977 he was forced to take medical leave.

Early in 1978 West Point sent Wilkins, who is a moderate smoker, to Emory University in Atlanta for further examination. A doctor there diagnosed his ailment as chronic obstructive lung disease, including brown lung. But the company still failed to inform him of the work-related nature of his disability. Soon after his return from Atlanta he was put on permanent medical leave of absence. In October he was terminated without even being offered

Because West Point-Pepperell failed to inform Wilkins that his disability resulted from working in the mill, he did not apply for benefits under worker's compensation. By the time he found it out, through his random selection for a medical exam by a "60 Minutes" television crew doing a story on the mills, and had sought legal help from the Center, he was no longer eligible. Alabama law provides for filing worker's compensation claims within a year of the last exposure to the substance causing the disability.

West Point not only diverted Wilkins from the worker's compensation benefits to which he was entitled, but it steered him to apply for Social Security benefits. This is common strategy among firms in the industry, and is typical of the shrewd, unemotional way workers are manipulated. It gives the appearance that the company is concerned for the disabled worker's well-being, while maneuvering him or her away from the potential remedy of worker's compensation.

Equally important, in this way the industry shifts financial responsibility for workers it has disabled from its own resources to the federal government's. This costs American taxpayers millions of dollars each year.

Conditions like those at the West Point Mill led Center attorneys to file a similar suit against Burlington Mills in Greenville, S. C. on behalf of David Burdette and other disabled workers.

After safety inspections revealed that some of its workers had been exposed to dangerous levels of cotton dust, Burlington officials at the F. W. Poe plant in Greenville implemented a medical surveillance program. Company officials learned from it that between 61 and 81 workers were suffering from chronic obstructive disease and related illnesses caused by inhalation of cotton dust, but they informed none of them.

By 1977 some of the Poe workers, including Burdette, began learning about the relationship between cotton dust and brown lung, but they did not know that chronic bronchitis, emphy-

Center attorney challenges unrepresentative governments

NEW ORLEANS — The Fifth U.S. Circuit Court of Appeals in October reversed a lower-court ruling that would have allowed the small town of Darien, Georgia, to continue electing its city officials under a system that has effectively barred blacks from public office.

The case, *McIntosh NAACP v. Darien*, attacks the town's manner of electing candidates to the city council on an "at-large" basis. Since 1929, when the system was implemented in Darien, 244 of 245 elected officials have been white.

The case is one of several similar suits being handled by Poverty Law Center associate counsel David Walbert of Atlanta, who specializes in voting dilution litigation.

Walbert worked on a number of dilution cases with Georgia Legal Services and in private practice before being hired by the Center as an associate attorney in 1977 to develop a concen-

trated attack on discriminatory election systems in Georgia and other Southern states. In all, he has litigated more than 40 such suits.

Walbert's work lies mainly in the rural, farming areas of Georgia, below the Piedmont, which stretches south of a line running east-west across the state from Atlanta. Blacks there comprise a significant, but often voiceless, part of the population.

They can vote, often making up 30-45 per cent of the electorate, but fail to elect many candidates because of white bloc voting and other obstacles that the "at-large" plan poses for minorities.

Walbert is concerned that the pace of forcing local governments to implement fair election plans is so slow. Right now it's being accomplished on a case-by-case basis. Considering that Georgia alone has 159 counties and hundreds of municipalities, it is clear that equal representation for many blacks is a long time off, short of some legislative remedy.

For it is equally clear that the U.S. Supreme Court can't be expected to help. Its decisions to require plaintiffs in discrimination suits to prove the intent of the defendant to discriminate have made dilution cases harder to win.

Nevertheless, Walbert has opened up access to political power to thousands of people in a number of Southern communities. Many of the cases he takes to court today are settled by local governments that seem to be uninclined to spend their money on drawn-out court battles, only to lose.

Last year, in *McIntosh County NAACP v. McIntosh County*, he settled a dilution suit against the county in which the town of Darien is located. This year one of the plaintiffs chairs the county commission.

sema, and related diseases could also be contracted from working in the mills.

Company officials used the workers' incomplete knowledge to continue to deceive them about the role their jobs played in their illnesses. When Burdette specifically asked a nurse at Burlington's corporate headquarters whether he had brown lung, she told him he had emphysema, which he interpreted to mean was not a work-related ailment.

Burdette, who has tried to get a job at other mills since the Poe plant closed in 1977, has been rejected each time because of the lung impairment he suffered at Poe.

"Our representation of Mr. Wilkins and Mr. Burdette and their fellow workers represents a broadening of the goals and functions of the SPLC," Dennis Balske, staff attorney handling the suits, said.

"In the past the Center has limited its civil practice almost exclusively to class-action, civil rights cases. The filing of these suits indicates an expansion of the scope of the Center's work to include issues affecting workers' rights."

Ross sues over prison punishment

DEQUINCY, La. — You'll get no argument from Johnny Ross about justice being blind.

Ross is the Center's young client who was tried as an adult and sentenced to death at the age of 16 for allegedly raping a white woman. He is black.

At his one-day trial Ross was represented by a court-appointed attorney who had met with him only once beforehand. The mostly white jury that sentenced him to the electric chair did so despite the inability of the rape victim, a federal law enforcement officer, to pick him out of a police lineup.

Ross, who is now 20, was saved from execution when the U.S. Supreme Court struck down the Louisiana death penalty law in 1976, but Poverty Law Center attorneys continue to appeal his conviction in hopes of winning a new trial.

Now young Ross has become a victim of prison justice.

The trouble goes back several

months to a day when Ross was working at the garment factory at the Louisiana Correctional and Industrial School. A free-world supervisor, a white woman, left the production room to go to the women's restroom. While there she heard a noise in the hallway outside the restroom, and as she opened the door to leave she saw a black inmate running down the hall, his back to her.

She reported the "incident" to a guard, who concluded that the man must have been peeping through a keyhole-sized slit in the restroom door, a claim the woman never made.

Because Ross worked in the general area, and perhaps because of the nature of his offense, he was immediately (and against prison rules) placed in maximum security.

About a week later a hearing was held. It followed a pattern established at his rape trial four years earlier.

The only evidence presented to the disciplinary board against Ross was a

statement signed by the woman supervisor that she thought he was the man she had seen running down the hallway. She signed the statement shortly after the incident, but at the hearing she hedged on her identification of Ross, saying she couldn't be at all certain that he was the right man, whose face she never saw.

Nevertheless, Ross was found guilty of peeping through the restroom door. He appealed the decision, and about two months later the secretary of the Louisiana Board of Corrections reversed the conviction.

All that time Ross spent in a small maximum-security cell with another inmate, confined all but 15 minutes a day, not allowed to exercise or go outdoors, to attend religious services, or to acquire legal materials.

John Carroll, the Center's legal director, has filed a \$100,000 suit against the prison officials for violating Ross' constitutional rights.