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NEW ORLEANS, LA 70156

MARJORIE R. ESMAN
EXECUTIVE DIRECTOR

July 8, 2010

OPEN LETTER CONCERNING SUICIDAL PRISONERS IN ST. TAMMANY PARISH

Via Fax (985) 898-5237
& U.S. Mail-Delivery Confirmation
Kevin Davis
St. Tammany Parish President
St. Tammany Parish Government
P.O. Box 628
Covington, LA 70434

Via Fax (985) 809-8285
& U.S. Mail-Delivery Confirmation
Sheriff Jack Strain
St. Tam. Parish Sheriff's Office
P.O. Box 908
Covington, LA 70434

Dear Mr. Davis and Sheriff Strain:

The ACLU Foundation of Louisiana has determined—after numerous interviews and review of St. Tammany Parish government documents—that suicidal people detained in St. Tammany Jail are regularly held in what staff refer to as “squirrel cages.” The “squirrel cages” are metal cages approximately three feet wide and three feet in length. People deemed suicidal are typically held in the cages for at least 72 hours. The cages are used on all suicidal prisoners, including those who have only expressed symptoms of suicide but who have not behaved violently toward themselves or others.

According to several reports, many have been held for days, weeks, and even over a month in the metal cages. The “squirrel cages” are too small to allow prisoners to lie down, causing physical pain and affecting the person’s ability to sleep. We have reports that suicidal prisoners placed in the squirrel cages are stripped of their clothes and some have been made to wear short bright orange shorts with “HOT STUFF” scrawled in marker across the rear end. We have also received numerous reports that the cages are also used to hold prisoners who are being punished. We understand that the cages have been frequently used to hold more than one prisoner at a time, and that staff often ignore prisoners' requests to use the bathroom, forcing people to urinate in discarded milk cartons. Some prisoners report seeing pools of urine under the “squirrel cages.”

These conditions are clearly unconstitutional. According to the St. Tammany Parish Code they are also inhumane. St. Tammany Parish Code 4-121.10 states that dogs must be kept in cages at least 6’ wide x 6’ feet deep, with “sufficient space [...] to lie down.” Sick prisoners in your care are afforded approximately one quarter of the space required for animals under the Parish Code. In addition to violating the parish standards for housing animals, the cages also violate national standards for housing suicidal prisoners. Both the National Institute of Corrections (NIC) and the National Commission on Correctional Health Care (NCCH) disfavor

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the use of isolation and caution against “exacerbating (prisoners’) psychiatric symptoms.”¹ In St. Tammany Parish, the cages have left prisoners with acute physical and psychological pain, and prisoners are hesitant to report suicidal thoughts, out of fear that they will be placed in the cages.

You have both recently worked to ensure that St. Tammany Parish Jail receives \$2 million for brick and mortar improvements.² As a component of the scheduled improvements, we urge you to ensure that a safe and humane environment is created for people on suicide watch in the St. Tammany Parish Jail. We appreciate that the housing and responding to mentally ill people can be difficult. However, jails all across the country house persons who are mentally ill. They accomplish this—and protect the safety of their communities-- without placing human beings in 3’ x 3’ cages. We encourage you to investigate how other jails handle mentally ill people, as well as what national best practices are for responding to suicidal prisoners. St. Tammany is one of the wealthiest parishes in Louisiana; not only can you afford to treat your sick better than this, but the Constitution mandates that you do so.

We hope that you will take corrective action, both for the safety of the prisoners, as well as to avoid legal liability for what are clearly unconstitutional and inhumane conditions.

If you have any questions or concerns, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Marjorie Esman', with a long horizontal flourish extending to the right.

Marjorie Esman
Executive Director

¹ See, U.S. Department of Justice, National Institute of Corrections, *Prison Suicide: An Overview and Guide to Prevention* at p. 20 (June 1995); National Commission on Correctional Health Care, *Standards for Mental Health Services in Correctional Facilities*, Appendix D- Suicide Prevention Protocols at p. 125 (2008).

² Jeff Adelson, “St. Tammany to receive \$2 million upgrade after report on February escape, The Times Picayune (June 14, 2010) available at: http://www.nola.com/crime/index.ssf/2010/06/st_tammany_jail_to_receive_2-m.html.