



JI-AL-004-001

IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

CHARLES JEROME STOCKTON, et al.,

Plaintiffs,

v.

ALABAMA INDUSTRIAL SCHOOL FOR  
NEGRO CHILDREN, et al.,

Defendants,

UNITED STATES OF AMERICA,

Applicant for  
Intervention.

CIVIL ACTION  
NO. 2834

COMPLAINT IN  
INTERVENTION

The United States, plaintiff-intervenor, as a  
claim against the defendants, alleges:

1. This is a class action brought pursuant to  
42 U.S.C. §1983 on behalf of Negro juveniles who are  
confined to, or may be confined to, the Alabama Industrial  
School for Negro children, seeking relief from the denials  
of equal protection of the laws on account of race and  
from denials of liberty without due process of law.

2. The Attorney General has certified that this  
case is of general public importance within the meaning  
of Section 902 of the Civil Rights Act of 1964 (~~42 U.S.C.~~  
~~§2000h-2~~). His certificate is attached to this Complaint  
in Intervention.

3. Defendants are the Alabama Industrial School for Negro children, an agency of the State of Alabama (hereinafter referred to as Mt. Meigs), R. E. Belser, Chairman of the Board of Trustees, E. B. Holloway, Superintendent (Warden), various named employees, and various unnamed members of the Board of Trustees of said agency.

4. Mt. Meigs is one of three institutions operated by the State of Alabama for the confinement of juvenile "delinquents". Mt. Meigs has traditionally been maintained for Negro juveniles, and as of August 15, 1969, there were 351 Negro boys, 90 Negro girls and no white boys or girls at Mt. Meigs. The other two institutions, the State Training School for Girls at Chalkville, Alabama, and the Alabama Boys Industrial School at Birmingham, Alabama, have traditionally been maintained for white juveniles. As of August 15, 1969, there were 79 white girls and 1 Negro girl at the School for Girls at Chalkville, and 202 white boys and no Negro boys at the Boys Industrial School at Birmingham.

5. The institutions described in paragraph three were created under Alabama law for the purpose of rehabilitating juvenile offenders who have been committed to these institutions under state juveniles proceedings.

6. While the School For Girls at Chalkville and the Industrial School at Birmingham are administered as rehabilitative institutions and offer courses and programs to meet this end, the defendants administer Mt. Meigs as a penal institution, and punish rather than rehabilitate the Negro juvenile offenders committed there.

7. The defendants have deprived Negro juveniles at Mt. Meigs of a proper rehabilitative program, among other ways, as follows:

a) Corporal punishment is administered freely and excessively to the juveniles confined there at the unfettered discretion of the various staff members.

b) The programs, facilities, counseling services, and educational services at Mt. Meigs are inferior in every way to the two rehabilitative institutions traditionally maintained for white children by the State of Alabama, and to any other institution which provides an adequate rehabilitative program for juveniles.

c) The juveniles confined to Mt. Meigs are required to spend large amounts of time performing manual farm labor for the sole purpose of producing income for the institution; this labor is not reasonably calculated to serve any rehabilitative function.

d) There are no uniform standards and procedures for taking disciplinary action.

8. The juveniles who are in custody at Mt. Meigs have been committed there pursuant to juvenile court proceedings which do not incorporate the constitutional safeguards of criminal trials, and it is constitutionally impermissible to commit or to confine such juveniles through these procedures to institutions which are not adequate to serve as rehabilitative institutions for juveniles.

9. The conditions and practices described herein deprive plaintiffs and members of their class of the equal protection of the laws on account of race, and of their liberty without due process of law as guaranteed by the Fourteenth Amendment to the Constitution of the United States.

WHEREFORE, the United States prays this Court to enter an Order enjoining the defendants, their agents, employees, successors in interest and all others in active concert with them from:

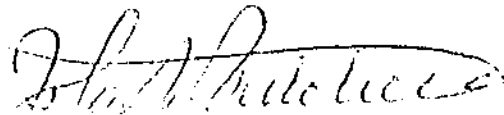
a) Failing to immediately establish and implement a program designed to serve the rehabilitative needs of the juveniles confined to Mt. Meigs.

b) Failing to immediately establish and maintain reasonable standards and procedures for the administration of discipline.

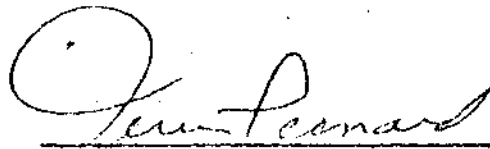
c). Requiring the juvenile inmates to engage in farm labor until such time as this Court approves the limited circumstances, if any, under which farm labor may be required.

d) Administering corporal punishment until such time as this Court approves the conditions, if any, under which corporal punishment may be administered.

The United States further prays this Court to grant such other injunctive and declaratory relief as the needs of justice may require together with the costs and disbursements of this action.



JOHN N. MITCHELL  
Attorney General



JERRIS LEONARD  
Assistant Attorney General

IRA DE MENT  
United States Attorney



JOHN M. ROSENBERG  
Attorney  
Department of Justice

UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA

NORTHERN DIVISION

CHARLES JEROME STOCKTON, et al., )

Plaintiff, )

v. )

ALABAMA INDUSTRIAL SCHOOL )  
FOR NEGRO CHILDREN, et al., )

Defendants. )

UNITED STATES OF AMERICA, )

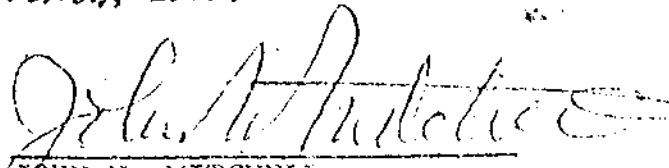
Applicant for )  
Intervention )

CIVIL ACTION  
NO. 2834-N

CERTIFICATE OF THE  
ATTORNEY GENERAL

I, JOHN N. MITCHELL, Attorney General of the United States, hereby certify that the above-styled case, which has been commenced in the United States District Court for the Middle District of Alabama, Northern Division, seeking relief from the denial of equal protection of the laws on account of race or color, and from other denials of constitutional rights, is of general public importance within the meaning of Section 902 of the Civil Rights Act of 1964 (42 U.S.C. §2000h-2).

Signed this 6<sup>th</sup> day November, 1969.

  
JOHN N. MITCHELL  
Attorney General