

March 3, 2020

Mayor Lyda Krewson
City of St. Louis
1200 Market Street, Room 200
St. Louis, MO 63103

Dear Mayor Krewson:

We write to express our concern about the treatment of our local unhoused community, and, consequently, whether the City of St. Louis is in compliance with its legal obligations under the *Graham v. Schoemehl* consent decree and the *Johnson v. Board of Police Commissioners* settlement agreement.

Around NHL All-Star weekend, we received concerning reports from community members that law enforcement forced unhoused individuals living in the Downtown area to move from where they slept. As a result of these actions, numerous people were displaced from where they sought safety and shelter, and lost important personal documents and belongings in the process. These reports serve as an unfortunate reminder of the disturbing history of local law enforcement efforts “to target homeless and homeless-appearing individuals to remove them from public areas.”¹

As we work to confirm the information and support individuals’ attempts to regain property and shelter, we are increasingly concerned that the City is acting in direct contravention of its obligations under the aforementioned consent decree and settlement agreement. As such, we seek your response to the following questions:

1. Under the *Graham v. Schoemehl* consent decree, the City agreed to “provide necessary shelter and services for the homeless.” In order to comply with this commitment, the City promised to provide a reception center, transportation services, a day center, and transition services; increase the availability of 24-hour temporary shelter; provide permanent housing; and expand temporary shelter provisions during periods of extreme cold or heat.

Does the City believe it is in compliance with the Graham v. Schoemehl consent decree? If so, what practices and policies are in place to ensure that the City is providing necessary shelter and services for the homeless?

2. Under the *Johnson v. Board of Police Commissioners* settlement agreement, the City recognized that homeless individuals are entitled to a number of rights and protections, including the right to be “in any public place...so long as their activities are lawful.”

The settlement also placed a number of restrictions upon the St. Louis Metropolitan Police Department (SLMPD). In particular, the settlement prohibited police from arresting, detaining, or custodially interrogating individuals because they are homeless;

¹ *Johnson v. Board of Police Commissioners*, 351 F.Supp.2d 929, 946 (E.D. Mo. 2004).

ordering people to move from a location where they have a legal right to be; telling homeless individuals that “any particular area of the City of St. Louis, including Downtown St. Louis, is off-limits to them;” and destroying, damaging, or causing homeless people to abandon their personal property.

Does the City believe it is in compliance with the terms of the Johnson v. Board of Police Commissioners settlement agreement? If so, what practices and policies are in place to ensure that the City and the SLMPD are in compliance with the agreement?

3. As indicated above, we have received numerous reports that unhoused individuals were targeted and displaced by local law enforcement around NHL All-Star weekend.

Did the City and/or SLMPD move or intend to move unhoused individuals from where they sought shelter in the days preceding, during, or following NHL’s All-Star Weekend? If so, under what authority did local officials order unhoused individuals out of certain areas? Moreover, what precautions were taken to ensure that individuals’ personal property was protected, and have affected individuals successfully retrieved the property they were forced to leave behind?

We would like to receive a response to these questions by March 31. We look forward to your office’s response to these questions.

Sincerely,



Blake A. Strode
Executive Director, ArchCity Defenders



Brendan Roediger
Director, Saint Louis University School of Law’s Litigation Clinic



Jacki J. Langum
Director of Advocacy, ArchCity Defenders



Karen Wallensak
Executive Director, St. Francis Community Services



John Bonacorsi
Skadden Fellow & Staff Attorney, ArchCity Defenders



Amy Diemer
Managing Attorney, St. Francis Community Services’ Catholic Legal Assistance Ministry