Achiving

JUSTICE

When tales of political intrigue and financial improprieties dominated news of presidential pardons earlier this year, students and faculty in the School of Law’s Civil Justice Clinic (CJC) persevered in pursuing meritorious commutations from President Bill Clinton and the governor of Missouri. Unlike the “pardongate” cases, the clinic sought well-deserved consideration for Susan Rosenberg, a federal prisoner whose former political beliefs led to unjust treatment, and for women in state prisons who had been victims of domestic violence.

Each semester the eight students enrolled in the clinic spend much of their time handling civil adult orders of protection for low-income victims of abuse, mostly victims of domestic violence, and serving as guardians ad litem for children at risk. The clemency project creates another avenue for pursuing justice for the disenfranchised, says Jane Aiken, professor of law and the CJC director.

(continued)

Seeking

ENVIRONMENTAL

JUSTICE

Three students in the School of Law’s Interdisciplinary Environmental Clinic (IEC) took their legal and environmental expertise to the Missouri Capitol to help pass a bill requiring statewide testing of children for lead poisoning.

IEC students drafted the legislation for the nonprofit St. Louis Lead Prevention Coalition, and Missouri Representative Russ Carnahan and Senator Patrick Dougherty sponsored the bill.

In April Tiffany Meddaugh, JD ’02, and Shannon Whelan, JD ’02, testified before the House Committee on Children, Families, and Health regarding the legislation. Earlier in the month, these students had testified before the Senate Committee on Housing and Insurance, which later recommended the bills be sent to the full Senate for approval. Together with Heather Brouillet, at the time an Arts & Sciences senior majoring in environmental studies, Meddaugh and Whelan presented their arguments to the governor’s Ad Hoc Advisory Committee on Lead Poisoning.

“We learned from our work in the community that children throughout St. Louis are basically being used as lead detectors,” Meddaugh says. “It is not until they find out a child has been poisoned that steps are taken to remedy the situation, (continued)
In 1985, Rosenberg, an activist in the black and Puerto Rican liberation and anti-Vietnam War movements, was sentenced to 58 years in prison for the possession of weapons, explosives, and false identification. The judge who handed down her sentence, which was 16 times the national average for such offenses, cited her political ideology as the basis for his decision.

The parole board later kept her in prison, Aiken says, as a result of unsubstantiated allegations related to dropped conspiracy charges against Rosenberg arising out of a notorious 1981 Brinks robbery in New York. And the board made its decision even though Rosenberg’s codefendant was granted parole in 1997 and even though her political views had changed profoundly.

“This clearly was a continuing story of a miscarriage of justice,” Aiken says. “Susan never was given the opportunity to go to trial to prove her innocence in the Brinks case, yet the parole commission, in violation of her due process rights, ordered Susan to remain in prison. This decision was reached despite the fact that she was a model prisoner who developed an AIDS education curriculum for the prison system and was viewed as ‘fully rehabilitated’ by the parole commission.”

“I had the bad luck of being sentenced right at the cusp of when prison reform went out the window and vengeance became the name of the game,” Rosenberg says.

Rosenberg cites Aiken and the clinic students among the many figures who ultimately ensured that she achieved justice. “Jane is the best kind of lawyer there is—a woman not motivated by money or power, but always with her eye on justice. I didn’t buy my pardon. And I want to thank all those people who were part of a collective, five-and-a-half-year effort to get me out. The struggle for justice does not always happen. You just have to keep going after it again and again and again.”

Joan Ritchey, JD ’01, worked with Jodi Wilson, JD ’01, on a habeas corpus

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Throughout Missouri in seeking clemency for a number of women, victims of domestic violence, who had killed their abusers. The tragic death of Governor Mel Carnahan shortly before the end of his term postponed action on the clemency petitions made by the School’s clinic students on behalf of 13 women. However, the clinic’s staff attorney, C.J. Larkin, was able to build upon the clemency work done by the students to gain early parole for two women. Clemency petitions for the remaining 11 women are now with Governor Bob Holden.

Protima Pandey, LLM ’01, says that helping women who are seemingly powerless is a critical part of the clinic’s work. “As students, we sometimes forget that every person is not as privileged as we are. Those of us who are privileged must use our position to empower others. Just by being there and helping others navigate through the system, we can make a difference.”

Although lead poisoning is highly preventable, once it strikes, its most devastating effect—brain damage—is irreversible.”

Interdisciplinary Environmental Clinic students Tiffany Meddaugh (far right), JD ’02, and Shannon Whelan (second from the right), JD ’02, met with Missouri Representative Russ Carnahan (center) after testifying before the Senate Committee on Housing and Insurance. The clinic, directed by Professor Maxine Lipeles (far left) and working with Jonathan VanderBrug (second from the left), executive director of the St. Louis Lead Prevention Coalition, drafted legislation requiring children to be tested for lead poisoning. The Missouri legislature passed the bill.

Noticeable Environmental Clinic students Tiffany Meddaugh (far right), JD ’02, and Shannon Whelan (second from the right), JD ’02, met with Missouri Representative Russ Carnahan (center) after testifying before the Senate Committee on Housing and Insurance. The clinic, directed by Professor Maxine Lipeles (far left) and working with Jonathan VanderBrug (second from the left), executive director of the St. Louis Lead Prevention Coalition, drafted legislation requiring children to be tested for lead poisoning. The Missouri legislature passed the bill.

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Protima Pandey

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Protima Pandey

“Tragically, although lead poisoning is highly preventable, once it strikes, its most devastating effect—brain damage—is irreversible.”

Lipeles adds that, unlike other environmental injuries, the connection between exposure to lead and lead poisoning is widely accepted and well understood by scientists.

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Maxine Lipeles

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“The clinic has taken a leading role in this issue because there is no overall public effort to prevent lead poisoning from occurring, and efforts to identify and treat lead-poisoned children—and even to remedy hazardous conditions in their homes—are underfunded, understaffed, and uncoordinated,” Lipeles says. “We hope the clinic’s policy initiatives, community projects, and educational outreach will make lead poisoning prevention a public priority.”

Maxine Lipeles