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## **As His Inmates Grew Thinner, a Sheriff's Wallet Grew Fatter**

**By [ADAM NOSSITER](#)**

DECATUR, Ala. — The prisoners in the Morgan County jail here were always hungry. The sheriff, meanwhile, was getting a little richer. [Alabama](#) law allowed it: the chief lawman could go light on prisoners' meals and pocket the leftover change.

And that is just what the sheriff, Greg Bartlett, did, to the tune of \$212,000 over the last three years, despite a state food allowance of only \$1.75 per prisoner per day.

In the view of a federal judge, who heard testimony from the hungry inmates, the sheriff was in "blatant" violation of past agreements that his prisoners be properly cared for.

"There was undisputed evidence that most of the inmates had lost significant weight," the judge, U. W. Clemon of Federal District Court in Birmingham, said Thursday in an interview. "I could not ignore them."

So this week, Judge Clemon ordered Sheriff Bartlett himself jailed until he came up with a plan to adequately feed prisoners more, anyway, than a few spoonfuls of grits, part of an egg and a piece of toast at breakfast, and bits of undercooked, bloody chicken at supper.

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The shock in the courtroom on Wednesday was palpable: a sheriff was going to jail — if, as it turns out, only for one night — because his prisoners did not like the food. The world was upside down.

"You're never going to satisfy any incarcerated individual," grumbled the head of the Alabama Sheriffs Association, Bobby Timmons. Besides, Mr. Timmons said, "an inmate is not in jail for singing too loud in choir on Sunday."

Melanie Velez, a lawyer for the Southern Center for Human Rights in Atlanta, which represents the inmates, took a different position. "Our clients, all they want is sustenance," Ms. Velez said. "They shouldn't be punished by not being given adequate nutrition. After

every meal, they are hungry.”

The sheriff's defenders, like Mr. Timmons, said Sheriff Bartlett, who told the court his salary was about \$64,000, was merely following the law — Alabama law.

“He has not violated any laws of the state of Alabama,” Mr. Timmons said. “Everything he has done is by the rules, including the feeding allowance.”

But that was the whole problem, in Judge Clemon's view. An unusual statute here dating from the early decades of the 20th century allows the state's sheriffs to keep for themselves whatever money is left over after they feed their prisoners. The money allotted by the state is little enough — \$1.75 a day per prisoner — but the incentive to skimp is obvious.

That is what the sheriff did, Judge Clemon found. As Mr. Bartlett's wallet got fatter, according to testimony, the prisoners got thinner and thinner. One testified to losing 30 pounds in the brick jail by the railroad tracks in this quiet courthouse town of clean and empty streets near the Tennessee border.

The judge expressed no regret about sending Mr. Bartlett to jail. The Alabama law is “almost an invitation to criminality,” he said in the interview. Sheriffs, he said, “have a direct pecuniary interest in not feeding inmates.”

The practice is thought to go on in other counties, though it is difficult to be certain, as sheriffs in Alabama are notoriously unforthcoming about their finances.

“The sheriff has a responsibility to feed his inmates, but he's also got an incentive to line his own pocket,” said Ms. Velez, the human rights center lawyer. She said, “We were shocked to learn that the sheriff had pocketed over \$100,000.”

The inmates' complaints came to light because the jail, which holds about 300, was already under a federal consent decree governing conditions there.

“Given the testimony about the fairly blatant violations of the consent decree, I knew of no more efficient means of impressing on the sheriff the seriousness of the matter than by placing him in jail until he indicated a willingness to comply,” the judge said.

Sheriff Bartlett was released from jail on Thursday afternoon, after he submitted a plan that satisfied the judge. He will now spend all the food money solely on food and will “no longer keep any funds for his personal use,” Judge Clemon said.

After his release, Mr. Bartlett did not appear at his offices and could not be reached for comment. His lawyer did not return phone calls.

With precision and some wonder, Judge Clemon, who is retiring shortly, recounted a typical inmate lunch here: "Two peanut butter sandwiches, with small amounts of peanut butter, chips, and flavored water." Hunger pains were not uncommon.

One inmate interviewed from the jail, William Draper, said he had lost 15 pounds since his incarceration on marijuana trafficking charges in October. "Yeah, you stay hungry," Mr. Draper said. "Hunger is something you live with."

Inmates were forced to supplement the meager meals with purchases at the high-priced jail store, he said. "We have clients who are indigent who are very, very thin," said Ms. Velez. Some spend as much as \$100 a week at the store, a severe burden for their often impoverished families.

"If you can't catch store, you'll starve to death," Mr. Draper said. Complaints, he said, were met with cold stares from the guards: "They look at you like, 'you've got to deal with it,' " he said.

Mr. Draper said he was glad that someone in authority had finally listened to his and others' complaints. "If I'm going to be held accountable for breaking the law, other people should be too," he said.

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