

4 City Officials Named in Legal Aid Lead Poison Suit

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The Legal Aid Society filed suit Wednesday — on behalf of three mothers — against three city department heads and the city counselor, alleging they have poorly administered and enforced the city's lead poison control ordinance.

Named defendants in the action are: Health Commissioner Dr. William C. Banton Jr.; Building Commissioner Kenneth O. Brown; Parks, Recreation and Forestry Director Louis W. Buckowitz; and City Counselor Robert Van Dillen.

The suit is on behalf of Mrs. Kathrine Willis, 1323 North Vandeventer ave.; Mrs. Mary Jones, 1635 Madison st.; and Mrs. Mary Wooten, 1805A Prairie ave. All said they have children who have been poisoned by lead-based paint and plaster around their homes.

THE PLAINTIFFS are representatives of the Coalition Against Lead Poisoning and North Side Parents Against Lead Poisoning, two community action groups.

The suit alleges that home inspections to determine if levels of lead in the home violate the ordinance are only done after a child is reported poisoned, and no preventive home testing

is done by the health or building departments.

It further alleges that once a home is found to violate the lead ordinance, referral to the building department for a notice of violation to the owner often causes delays which allow children to be further poisoned.

Buckowitz is named in the suit on the basis of unofficial tests conducted by community health workers at St. Louis University, who found lead-based paint on playground equipment at a public housing project. Henry Freund, legal aid attorney, told The Globe-Democrat.

FREUND SAID the suit seeks a court-ordered step up in prosecution of owners who do not bring dwellings into compliance within the 14-day grace period after notification, and seeks preventive and extensive testing of children and homes.

The defendants are ordered to show cause Feb. 11 before Circuit Judge Gary Gaetner why a court-ordered writ of compliance should not be granted.

The lead ordinance was enacted last May, but to date

there have been no convictions. A Health Department spokesman said the first cases for prosecution are due for trial next week.

The ordinance requires the owner of record to remove lead-based paint and plaster on a dwellings interior in excess of 1 per cent concentration, or face condemnation of the structure and fines of between \$100-\$500 and imprisonment for not more than 90 days.

Since the city began large-scale testing for lead poisoning last spring through Jan. 16 of

this year, 1,585 children have been tested — 186 of them found to have been poisoned, and 587 others were found to have "dangerous" lead levels.

When informed of the suit, Dr. Banton remarked: "All I can say is that the health division is doing the best it can with limited resources. I don't have the answer of how you raise \$16 million dollars (the city has projected a \$6 million budget deficit this fiscal year, and another \$10 million deficit for fiscal '72)."

Banton said St. Louis' and

high infant mortality rate is more serious than lead poisoning in his judgment, but agreed that lead poisoning was a crucial problem.

Attempts to reach the other officials named as defendants were unsuccessful.