

ACLU of Wisconsin: Preliminary Injunction Filed in Lincoln Hills Case

Posted on Wednesday, Apr 19, 2017

>> **WisPolitics is now on the State Affairs network. Get custom keyword notifications, bill tracking and all WisPolitics content. [Get the app or access via desktop.](#)**

CONTACTS:

KATY OTTO (JUVENILE LAW CENTER)

OFFICE: 215-625-0551 ext. 128 CELL: 240-478-9387 EMAIL: kotto@jlc.org

MOLLY COLLINS (ACLU OF WISCONSIN) 414-272-4032 x215

EMAIL: media@aclu-wi.org

Milwaukee, WI – Today the ACLU of Wisconsin and Juvenile Law Center, with pro-bono assistance from Quarles & Brady, filed a request for a preliminary injunction in federal court to halt the unconstitutional use of solitary confinement and other inhumane conditions and practices for youth in state-run correctional facilities. The suit was originally filed in January on behalf of youth confined in the Lincoln Hills School for Boys and the Copper Lake School for Girls. Earlier this week, the groups filed an amended complaint with additional children incarcerated at Lincoln Hills and Copper Lake as plaintiffs.

“Isolating, handcuffing and pepper spraying children is not only dehumanizing and traumatizing,” said Larry Dupuis, Legal Director of the ACLU of Wisconsin. “It is also unnecessary and counterproductive. As experts in the field show, these practices actually undermine institutional safety and security. As a result, most juvenile correctional facilities no longer use pepper spray, restraints or punitive solitary confinement.”

Lincoln Hills and Copper Lake incarcerate about 150 to 200 youth, some as young as 14 years old. It confines about 15 to 20% percent of the youths at any given time in seven or eight by ten foot solitary confinement cells for 22 or 23 hours a day. On top of that, the guards keep many of these children in handcuffs attached to a belt

around their waists, and then handcuffed to a table or desk, during the hour or two they are allowed out of their cells. Guards throughout Lincoln Hills and Copper Lake also regularly use peppers spray on the youth, causing pain and burning and impairing their breathing and health.

“These practices are so harmful that we’re taking decisive action to stop them immediately,” said Jessica Feierman, Associate Director of Juvenile Law Center. “Putting children in solitary, shackling them to tables, and pepper spraying them isn’t rehabilitation – it’s abuse.”

As the Complaint asserts, these practices violate children’s constitutional rights, including their rights to substantive due process, as guaranteed by the Fourteenth Amendment to the U.S. Constitution, and their right to be free from cruel and unusual punishment, as guaranteed by the Eighth Amendment to the U.S. Constitution.

The plaintiffs are seeking immediate relief for the young people in these facilities while this case is being litigated.