

ACLU of Wisconsin, Juvenile Law Center: Lincoln Hills Lawsuit Settlement Provides Critical Protections for Youth

Posted on Friday, Jun 1, 2018

>> **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.](#)**

Cass Bowers ACLU of Wisconsin, Office: 414.272.4032 ext. 217 Cell: 414.436.6029
Email: cbowers@aclu-wi.org

Katy Otto Juvenile Law Center, Office: 215-625-0551 ext. 128 Cell: 240-478-9387
Email: kotto@jlc.org

Agreement includes restrictions on solitary confinement, pepper spray and strip searches

Milwaukee, WI: The State of Wisconsin today agreed to settle a class action lawsuit, *J.J. vs. Litscher*, brought against the Lincoln Hills and Copper Lake youth prisons. The young plaintiffs in the case challenged abusive practices such as solitary confinement and use of pepper spray and were represented by the ACLU of Wisconsin, Juvenile Law Center and pro bono attorneys at Quarles & Brady. This settlement, pending court approval, comes a few months after the state of Wisconsin passed legislation to close the controversial facilities by 2021.

“I am happy that the children will no longer be subject to such cruel treatment,” said Gloria Norwood, the grandmother of a youth at Lincoln Hills. “I was very concerned by the unfair treatment of my grandson and the other children, especially the harmful use of pepper spray and solitary confinement. Thank you to everyone involved in looking out for these kids, and trying to help improve their situation. I am glad that more positive things are coming for these kids.”

“We applaud the bravery of the youth and families who came forward to share their experiences, speak out against the appalling conditions to which they were subjected, and advocate for the rights of all youth in Lincoln Hills and Copper Lake,” said Sharlen Moore, co-founder of Youth Justice Milwaukee.

The settlement is subject to final approval of the court. Key terms of the settlement include the following agreements:

Punitive solitary confinement will phase out and will be fully eliminated within 10 months of court approval of the settlement.

All other forms of solitary confinement will be strictly limited.

The use of pepper spray will be phased out and will be fully eliminated within 12 months of court approval.

All forms of mechanical restraints, such as belly chains or handcuffs, will be strictly limited, and youth will not be cuffed to fixed objects like tables. Their use will be the exception, not the rule.

No strip searches will be conducted without individualized probable cause.

Within 3 months of court approval of the settlement, all facility staff will receive de-escalation training from a nationally recognized provider.

A monitor – an individual with expertise in juvenile corrections – will visit the prisons, interview youth, and review records to ensure that Lincoln Hills and Copper Lake follow the terms of the settlement.

“While biggest step forward for youth is the closure of Lincoln Hills and Copper Lake, today’s settlement is also an important win,” said Jessica Feierman, Associate Director of Juvenile Law Center. “The agreement establishes crucial safeguards against the harms of solitary confinement, restraints, pepper spray, and strip searches.”

“This is a major step in the right direction for Wisconsin and the protection of children in the custody of the state,” said Timothy Muth, staff attorney of ACLU of Wisconsin. “We hope this settlement and the closure of Lincoln Hills and Copper Lake signals a larger shift in Wisconsin’s juvenile justice system toward an approach that recognizes the unique needs and vulnerabilities of youth and respects their constitutional rights. We’ll need to remain vigilant to ensure that shift comes to fruition.”