

# ACLU Wisconsin: Bipartisan legislation introduced in Wisconsin to close Lincoln Hills and Copper Lake youth correctional facilities

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Milwaukee, WI (February 12, 2018) – Today the Wisconsin State Assembly introduced bipartisan legislation in the Wisconsin Capitol to close Lincoln Hills and Copper Lake, two controversial and beleaguered youth correctional facilities. The move comes after years of federal and state investigations into the facilities, and a class action lawsuit filed by the ACLU of Wisconsin and Juvenile Law Center, with pro-bono assistance from Quarles & Brady. The suit successfully resulted in a preliminary injunction this past summer meant to halt the unconstitutional use of solitary confinement and other inhumane conditions and practices against young people.

“Closing Lincoln Hills and Copper Lake is the right move,” said Jessica Feierman, Associate Director of Juvenile Law Center. “However, we urge the legislature to cap the total number of secure beds in the state, and to ensure that any new facilities are small, in keeping with best practices in the field. The goal here shouldn’t be to incarcerate more youth, but rather to move youth out of large facilities where they are at risk of serious harm, and either back to their own homes or into the most family-like setting possible.”

“The legislation also establishes a Council on Juvenile Corrections and a Juvenile

Grant Committee. These bodies should include system-involved youth and their families,” said Feierman. “Youth and families bring valuable insights into the needs of youth and the approaches that will work.”

Larry Dupuis, Legal Director at the ACLU of Wisconsin, said, “While we agree these facilities must be closed as soon as possible, the legislation raises concerns. Bringing youth closer to home is important, but it won’t work without meaningful state-level oversight and accountability. The risk here is that the state will replicate the mistreatment in Lincoln Hills at the new county-level facilities.”

Lincoln Hills and Copper Lake currently incarcerate about 150 children, some as young as 14 years old. Prior to the injunction, 15 to 20% percent of the youths were confined at any given time in solitary confinement cells for 22 or 23 hours a day. On top of that, guards kept many of these children in handcuffs attached to a belt around their waists, and shackled 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 used pepper spray on the youth, causing pain and burning while impairing their breathing and overall health.

Juvenile Law Center and ACLU of Wisconsin’s complaint asserted that these practices violated 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.

Juvenile Law Center advocates for rights, dignity, equity and opportunity for youth in the foster care and justice systems.

*Founded in 1975, Juvenile Law Center is the first non-profit, public interest law firm for children in the country. We fight for youth through litigation, appellate advocacy and submission of amicus (friend-of-the-court) briefs, policy reform, public education, training, consulting, and strategic communications. Widely published and internationally recognized as leaders in the field, Juvenile Law Center has substantially shaped the development of law and policy on behalf of youth. We strive to ensure that laws, policies, and practices affecting youth advance racial and economic equity and are rooted in research, consistent with children’s unique developmental characteristics, and reflective of international human rights values. For more information about Juvenile Law Center’s work, visit [www.JLC.org](http://www.JLC.org).*

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