

# ACLU Wisconsin: Following Class Action Civil Rights Lawsuit, Wisconsin Legislature to Close Lincoln Hills and Copper Lake

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*Advocates applaud closing; serious concerns about securing safe and rehabilitative programs and services for youth remain*

Milwaukee, WI – The Wisconsin State Legislature passed a bill, which Governor Walker has pledged to sign, to close Lincoln Hills and Copper Lake, two controversial and beleaguered youth correctional facilities, by January 1, 2021. This 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 bill requires the state to establish new Type 1 juvenile correctional facilities and authorizes counties to establish secured residential care centers for children and youth.

“Closing Lincoln Hills and Copper Lake is the right move,” said Jessica Feierman, Associate Director of Juvenile Law Center. “Unfortunately, the current legislation also directs too many resources into secure care for young people. Now the key for all stakeholders – including the study committee created by the Act, the legislature, and the public – will be to ensure that the harsh and unconstitutional practices used at Lincoln Hills and Copper Lake are never replicated.”

“The best way to do this is to ensure that as many young people as possible are in their own homes receiving any needed services,” said Feierman. “Any youth placed outside the home should be in as family-like settings as possible. Policies should be guided by evidence about what works and responsive to the input of youth in the juvenile justice system, their families, and their communities.”

Children at Lincoln Hills and Copper Lake have routinely been placed in solitary confinement, put in mechanical restraints, pepper-sprayed, and strip-searched. Prior to state and federal raids on the facility in December 2015, staff also regularly physically abused youth in the facility, even breaking their arms and legs in some cases. Horrific conditions persisted – approximately 15 to 20% percent the young residents are confined in seven by ten-foot solitary confinement cells for 22 or 23 hours per day.

“While this is a step in the right direction, we will continue to pay attention to how young people are treated so long as they remain at the Lincoln Hills and Copper Lake Schools and while they are being moved from the current facilities,” said Larry Dupuis, Legal Director of ACLU of Wisconsin. “Our lawsuit is against the Department of Corrections officials and we will continue to fight to ensure that any resolution of our lawsuit protects the children in the custody of the state.”

This bill also creates a Juvenile Corrections Study Committee, which is required to research and develop recommendations for locations of Type 1 facilities, services, and programming for children and youth and DOC’s rules for governing detention centers. The bill requires the committee to submit these recommendations to DOC no later than July 1, 2020.

Juvenile Law Center and ACLU of Wisconsin’s complaint asserted that these unconstitutional 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).

The ACLU of Wisconsin is a non-profit, non-partisan, private organization whose 24,000 members support its efforts to defend the civil rights and liberties of all Wisconsin residents. For more on the ACLU of Wisconsin, visit our website at [www.aclu-wi.org](http://www.aclu-wi.org), like us on Facebook or follow us on Twitter at @ACLUofWisconsin and @ACLUMadison.