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U.S. Department of Justice: Federal investigation into Lincoln Hills school closed

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MADISON, WIS. – The U.S. Attorney's Office for the Western District of Wisconsin and the Civil Rights Division of the U.S. Department of Justice announced today that the federal criminal investigation of alleged civil rights violations at Lincoln Hills School (LHS) has concluded, after finding insufficient evidence to prove federal criminal civil rights charges against LHS staff members.

The U.S. Attorney's Office and the Civil Rights Division, together with the Federal Bureau of Investigation, conducted a comprehensive investigation into allegations that LHS staff members used unreasonable force against incarcerated youths on multiple occasions. As part of this investigation, a team of experienced civil rights prosecutors and federal agents conducted interviews of civilians and law enforcement witnesses, and reviewed materials and evidence generated during the course of the prior State investigations, including video footage, physical evidence, medical reports, and youth, employee, and law enforcement statements. Federal authorities also reviewed the Wisconsin Department of Corrections and Lincoln Hills School policies and procedures in place at the time, and Lincoln Hills School staff training and employment records.

To prove a violation of federal criminal civil rights laws, prosecutors must be able to

prove that the involved staff members willfully used more force than was reasonably necessary. Proving “willfulness” is a heavy burden under federal law. Federal prosecutors must not only prove that the force used was excessive, but must also prove, beyond a reasonable doubt, that the staff member acted with the deliberate and specific intent to do something the law forbids. In this instance, there was insufficient evidence to establish beyond a reasonable doubt a violation of the federal criminal civil rights statutes.

The U.S. Attorney’s Office and the Civil Rights Division remain committed to investigating allegations of excessive force by those acting under color of law and will continue to devote the resources necessary to ensure that all allegations of serious civil rights violations are investigated fully and completely.