**Lawsuit: Syracuse Jail is Harming Children with Abusive Solitary Confinement Conditions**

FOR IMMEDIATE RELEASE

**September 21, 2016 –** The New York Civil Liberties Union and Legal Services of Central New York filed a lawsuit in district court today against the Onondaga County Sheriff’s Office for locking up children ages 16 and 17, many of whom are mentally ill, in near-complete isolation in solitary confinement for months at a time. The children are sexually harassed by adults, housed in disgusting conditions, denied education and, in some cases, pushed to contemplating suicide. Children are routinely sent to solitary for “offenses” such as speaking loudly, wearing the wrong shoes or for no other reason than the sadistic pleasure of guards. The lawsuit contends that the Onondaga County Sheriff’s Office’s use of solitary confinement violates the U.S. Constitution and federal education laws.

“Any time you send a child to solitary confinement, you risk damaging them permanently,” said Donna Lieberman, executive director at the NYCLU. “Punishing children with solitary doesn’t improve public safety nor serve any disciplinary value -- it is simply torture and has to stop.”

“Onondaga County is well aware of the harm they are inflicting on 16- and 17-year-old young members of our community, yet they continue the unconscionable practice of regularly placing them in solitary confinement,” said Josh Cotter, co-lead counsel on the case and a staff attorney at LSCNY. “This practice, combined with the complete lack of meaningful educational or rehabilitative programming offered at the Justice Center, makes it nearly impossible for these children to re-assimilate into the community.”

Since October of 2015, the sheriff has placed at least 86 children in shocking and dehumanizing solitary confinement conditions over 250 times, forcing them to spend 23 hours a day locked in tiny cells where, in some instances, there is visible feces and urine on the floor. Young girls in solitary are watched by adult male guards as they are forced to shower without a curtain. One girl,16-year-old Charnasha, described a deputy guard making comments about her naked body and calling her and other girls “little bitches.”

”I felt uncomfortable and exposed. I still can’t sleep at night because of the nightmares. I think what happened to me was wrong,” said Charnasha, who wrote her mother a letter saying she was going to take her own life.

Because under New York law children starting at age 16 can be housed in adult facilities, the sheriff puts children in solitary cells next to adults who threaten them with violence, sexual harassment, and sometimes throw feces at them or urinate on them. One child described an adult threatening to force him to perform fellatio on him and masturbating while watching the child walk to the shower.

“For children, even a short stint in solitary at the Justice Center can alter their entire lives,” said Philip Desgranges, co-lead counsel on the case and staff attorney at the NYCLU. “Their mental health deteriorates and some have thoughts of suicide after just a day in solitary. A justice system that puts anyone, especially vulnerable children, through long periods of abuse for such trivial reasons has forgotten the meaning of justice.”

As in many jails, the majority of those at the Justice Center, including the children, have not been convicted of a crime, but are held because they are too poor to afford bail. Nonetheless some wind up with over a hundred days of solitary time during which they are not allowed to talk to other detainees, receive essentially no education or mental health care, and are limited to one-hour of “recreation” in small chain-linked filthy cages.

Solitary is dangerous for anyone, causing psychosis, trauma, depression and self-harm. As the tragic suicide of Kalief Browder reminds us, the effects of solitary on a child’s developing brain can be fatal. But at the Justice Center jail officials have deliberately ignored warnings that children are especially vulnerable to solitary. Instead, children who reach their breaking point and want to kill themselves are put on suicide watch for a short period, only to be returned right back to solitary.

“You can’t see anything, just black walls closing in. I kept thinking about killing myself,” said Randy, who was 16 when he was sent to solitary for arguing with another kid over a basketball.  Randy later tried to cut his own wrists.

“This is child abuse. Parents would be locked up for treating their children the way the Justice Center is treating them every day,” said Walta Williams, Randy’s mother, who put her home up as collateral to remove her son from the center.

There is no evidence that putting children in solitary reduces further misbehavior, and the Sheriff’s Office barely bothers justifying its use of the punishment. One child was put in solitary after a deputy told a group of children that if he made a basketball shot, one of the children would be sent to the solitary.

Incarceration of children in Syracuse has been a nightmare for years. Previously housed at the Jamesville Correctional Facility, children were transferred to the Justice Center after advocates like the Alliance of Communities Transforming Syracuse complained that the children were placed in isolation for weeks and months. The county made the transfer under the pretext of ending solitary confinement for youth, only to place the children right back in the same conditions at the Justice Center. At present, the Sheriff’s Office refuses to even acknowledge it is placing children in solitary.

The lawsuit is brought on behalf of six Black and Latino children ages 16 and 17 jailed at the Justice Center and a class of similar children.  The named plaintiffs, who are identified only by their initials because they are children, include:

         R.C. is currently in solitary, in part for singing a Whitney Houston song in his cell. In solitary, guards heard the adult above him shout “I’m gonna stab you in the showers” and “I’m gonna make you suck my d\*\*k” at all hours of the night, and they responded by moving the adult directly next to him. Yesterday that same adult used a cup to throw his urine in R.C.’s face during recreation.

         V.W.is currently in solitary, and has not been able to change his clothes since Sept. 8. A pre-trial detainee who has never been convicted of a crime, he nonetheless has spent over 115 days in solitary.

         C.I., currently at the Justice Center, once tried to file a grievance in solitary, and a guard drew a penis on his form before throwing it away. “Being in the box changes you. It makes you do things like think about jumping off your table into the ground,” C.I. said.

         M.R., currently at the jail, has been sent to solitary for reasons including wearing his shower shoes at the wrong time. A deputy once responded to his complaints by threatening to “bash [his] skull in.” After being in solitary, M.R. now finds it hard to even be in a regular cell for any period of time.

The suit, filed against officials at the Onondaga Sheriff’s Office and the Syracuse City School District, charges that the use of solitary confinement violates the children’s rights and that the sheriff and school district are denying them an appropriate education in violation of the Fourteenth Amendment, the Eight Amendment and the Individuals with Disabilities Education Act. The lawsuit asks the court to order the Sheriff’s Office to stop using solitary to punish children entirely.

In addition to Desgranges and Cotter, lawyers on the case include Mariko Hirose, Mariana Kovel, Aimee Krause, Aadhithi Padmanabhan and Christopher Dunn from the NYCLU, and Susan Young and Sam Young from LSCNY.

To view the complaint, visit: <http://www.nyclu.org/news/lawsuit-syracuse-jail-harming-children-with-abusive-solitary-confinement-conditions>

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