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Injunction Positive First Step to End Unconstitutional Practices

Disability Rights Wisconsin, Wisconsin’s designated Protection and Advocacy system for people with disabilities, was encouraged by the injunction issued by U.S. District Judge James Peterson in a lawsuit by youth at Lincoln Hills School for Boys and Copper Lakes School for Girls against Department of Corrections officials. The injunction restricts the length and use of solitary confinement, as well as the conditions under which chemical restraint may be used against youth at these facilities. A significant number of the youth at Lincoln Hills and Copper Lakes have disabilities, including mental health disorders.

“Social science research has shown that solitary confinement is especially detrimental to the brains of developing youth, risking serious psychological or emotional harm,” stated Kristin Kerschensteiner, Managing Attorney at Disability Rights Wisconsin. “Over half of juveniles in correctional settings are estimated to have a mental illness, and solitary confinement can increase the risk of harm for youth with mental illnesses and disabilities, leading to more trauma and isolation.” While Disability Rights Wisconsin views the injunction as a positive first step towards reducing the harmful and unconstitutional practices of solitary confinement and chemical restraint, DRW advocates for the elimination of solitary confinement and all forms of restraint beyond very limited exceptions for immediate safety.

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