

 Print This Article

Monday, Jul 7, 2008

Posted on Fri, Jun. 13, 2008

ACLU sues TYC, alleges abuse

By JIM VERTUNO

The Associated Press

The American Civil Liberties Union filed suit Thursday against Texas' correctional system for juveniles, citing the use of solitary confinement, strip searches and other practices at a lockup for girls in Brownwood.

Filed in federal court in Austin on behalf of five girls, the suit states that the Texas Youth Commission violates inmates' constitutional rights and international standards protecting children from abuse and cruel treatment.

"It's in the interests of both the children and TYC to stop these practices," said Lenora Lapidus, director of the ACLU's women's rights project.

TYC spokesman Jim Hurley said agency officials will try to resolve the dispute with the ACLU.

The TYC is already undergoing an overhaul ordered by the Legislature after inmate abuse and possible cover-ups came to light in early 2007. Several top administrators either resigned or were fired.

The ACLU and other groups have since zeroed in on TYC policies on the use of solitary confinement, pepper spray and other techniques for restraining unruly inmates.

What's in the ACLU suit?

Girls at the Brownwood facility are regularly punished with solitary confinement in cold concrete cells with a metal slab as a bed. Solitary can last for months, according to the suit.

Young inmates are regularly subjected to strip searches even when they have not left the facility, and guards use force, such as pepper spray, handcuffs and leather straps, when they resist, according to the suit.

The five inmates, all of whom are referred to by initials in court papers, experienced sexual, physical or emotional abuse before going to TYC. Treatment described in the suit can trigger flashbacks to childhood rapes and make the girls feel degraded and humiliated, the ACLU contends.

"The link between psychological trauma and delinquent behavior is well-established," said Lisa Graybill, executive director of the ACLU of Texas. "Instead of helping girls learn to cope with their experiences, TYC is retraumatizing them through the use of solitary confinement and strip searches."

TYC officials respond

Hurley said he had not seen the suit and so would not discuss specific accusations. But in general, he said, TYC already is trying to improve how it deals with female inmates. For example, he said, the agency recently stopped a long-term isolation program at a different facility.

Calling the suit "disappointing," Hurley said TYC has been working with inmate advocacy groups. Officials created a Girls Task Force to identify specific needs.