

Widespread abuse of juvenile inmates in Michigan prisons

By Naomi Spencer
14 December 2013

A lawsuit filed on behalf of seven juvenile prisoners describes appalling sexual abuse by both adult inmates and guards in Michigan prisons. Filed December 9 in Washtenaw County Trial Court and with the federal court in Detroit, the suit names Governor Rick Snyder, the Michigan Department of Corrections (MDOC), and numerous prison officials at facilities across the state as defendants for their failure to separate juvenile prisoners from adults.

“Defendants’ policy and practice of housing youthful and adult prisoners together without taking adequate steps to protect youth from a known harm constitutes deliberate indifference to their safety,” the suit states.

The plaintiffs represent more than 500 juvenile prisoners who have been sentenced since 2010 to serve a year or longer in adult prison facilities. Michigan allows children as young as 13 to be incarcerated alongside adults.

The immaturity of juvenile prisoners makes them extremely vulnerable to sexual and physical violence and psychological trauma. They are forced to shower, exercise, and sleep in cells alongside adult prisoners without protection, and they are subjected to body searches and viewing by guards while going to the bathroom. According to federal data, incarcerated youth are eight times more likely to be subjected to sexual violence in adult facilities.

The plaintiffs, listed in the suit as John Doe 1-7, accuse prison staff of systematically ignoring physical and sexual assault, and punishing youth who reported the abuse by putting them in solitary confinement.

At least two of the plaintiffs said they were raped repeatedly because their cellmates were selling access to their cell, with the knowledge of MDOC staff members.

Two other plaintiffs describe being coerced into sex

by female MDOC officers. The plaintiffs also detail being subjected to taserings by guards, and being deprived of rehabilitative programming and education.

The officials named are accused of failing to address grievances, and of providing no secure channel through which young prisoners can file grievances or challenge their treatment. “Moreover, Plaintiffs were and are routinely discouraged from using the grievance system as a mechanism for addressing individual assaults and mistreatments, by threats and intimidation by MDOC staff and other prisoners and by virtue of MDOC’s own policies,” the suit states.

According to a motion filed by the plaintiffs Monday, defense attorneys appointed to represent them were intimidating them into signing prepared affidavits and confidentiality agreements. “One youth was told that if he was asked about being raped or harmed, he ‘better not say a word,’ ” the motion stated.

The 32-page lawsuit details hellish conditions in prisons across the state. John Doe 1, a 17-year-old prisoner at Handlon Correctional Facility, was repeatedly raped and forced to engage in oral sex with male prisoners in his cell and in the shower.

“Over an extended period, corrections officers witnessed men cycling in and out of John Doe 1’s cell, sexually assaulting him. Several of the officers knew that his cellmate was selling access to John Doe 1,” the court document states. “The sexual abuse, forced sex, and trafficking abuse of John Doe 1 was open and obvious to MDOC staff and his attempts to get help were rejected.”

He was eventually placed in solitary confinement, where he remains, receiving no educational services or necessary medical or mental health care.

John Doe 2, a 16-year-old, was “brutally beaten and raped by his adult cellmate” shortly after his arrival at

the Thumb Correctional Facility in 2012. Medical staff noted his rectal bleeding, but MDOC officials returned the boy to the same cell with his assailant, where the abuse continued. “An MDOC staff member at TCF facilitated the abuse and assault of John Doe 2 by opening John Doe 2’s cell to allow an adult prisoner in the cell to assault him.”

When he reported the abuse, staff issued him a “misconduct ticket” and put him in solitary confinement. After he was released, he was assaulted with a knife, “resulting in a scar across the face and marking him as a victim and as an ongoing target for other prisoners.” The teen was denied education and health care, and suffers severe emotional distress.

The stories of the five other plaintiffs are similar, suggesting that such abuse is commonplace throughout the Michigan prison system. The sexual violence that permeates the prisons is an expression of the reactionary justice system in the United States, one element of which is routinely trying and sentencing children as adults.

The US is the only country in the world where courts hand down life sentences to people who are found guilty of crimes committed before they turn 18. The practice is banned under the United Nations’ Convention on the Rights of the Child. Nationwide, some 10,000 life-sentence inmates were juvenile offenders, according to a recent report by the Sentencing Project.

In Michigan alone, 363 prisoners are serving life sentences without parole for offenses they committed as children. Although the Supreme Court ruled last year that sentencing minors as adults to life without parole constituted “cruel and unusual” punishment, Michigan attorney general Bill Schuette has appealed a federal court order to require parole hearings for these prisoners.

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