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Lawsuit alleges mistreatment at juvenile facility

Jeff Barron, jbarron@lancastereaglegazette.com 5:57 p.m. EDT September 18, 2014

LANCASTER – Two Columbus law firms are suing the Multi-County Juvenile Detention Center and Assistant Superintendent Dana C. Moore on behalf of three former inmates, claiming they were mistreated while incarcerated there.

Attorney Edward Forman filed the suit in United States District Court in Columbus and said the conditions at the jail were "really bad." He is with Marshall and Morrow LLC and the Andrew Biller Law Firm is the other firm involved in the suit.

The lawsuit alleges that juveniles were repeatedly placed in solitary confinement for periods of up to 40 days with temperatures in the mid-50s in the holding cells. The lawsuit alleges the juveniles were frequently kept nearly naked without access to blankets, and as a result of this suffered symptoms of frostbite, including blisters and purplish-blue skin on their fingers and toes. Juveniles also suffered symptoms of hypothermia, including uncontrollable shivering and chattering of teeth, dizziness, nausea, and confusion, the lawsuit contends.

Additionally, it claims youths were immobilized in restraint chairs for up to a full day at a time, despite policies and manufacturers' instructions that individuals should never be continuously be immobilized in restraint chairs for more than two hours at a time. While confined in restraint chairs, youths were frequently denied liquids and/or the opportunity to urinate or defecate, the lawsuit alleges.

"My clients want the situation to be changed," Forman said. "This is a claim with monetary aspects and we are also seeking change."

He said one of the mothers of the inmates brought up the complaints and that witnesses corroborated the complaints. Forman said the three juveniles, one of whom is now over 18, are all from the southeastern Ohio area and were considered juvenile delinquents based on what he said were a variety of offenses. The suit says their Eighth Amendment rights pertaining to cruel and unusual punishment were violated.

"These conditions were truly horrific," Forman said. "No human being should ever be subjected to conditions like this, and certainly not children. How can we ever expect to reform and help juvenile offenders when we treat them this way?"

One inmate was released in August 2013, another in February of this year and the third in May of this year.

Moore and facility superintendent Kirk Davis did not immediately return a phone call seeking comment.

The county commissioners from Fairfield, Licking, Hocking and Perry counties comprise the board that runs the detention center. Fairfield County commissioner Steve Davis said he is aware of the lawsuit, but would not comment on it.

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