



United States Department of Justice
Civil Rights Division
civilrights.justice.gov

Thank you for submitting a report to the Civil Rights Division.

Report successfully submitted



Your record number is: **328905-RTK**

What to expect

① We review your report

Our specialists in the Civil Rights Division carefully read every report to identify civil rights violations, spot trends, and determine if we have authority to help with your report.

② Our specialists determine the next step

We may decide to:

Open an investigation or take some other action within the legal authority of the Justice Department.

Collect more information before we can look into your report.

Recommend another government agency that can properly look into your report. If so, we'll let you know.

In some cases, we may determine that we don't have legal authority to handle your report and will recommend that you seek help from a private lawyer or local legal aid organization.

③ When possible, we will follow up with you

We do our best to let you know about the outcome of our review. However, we may not always be able to provide you with updates because:

We're actively working on an investigation or case related to your report.

We're receiving and actively reviewing many requests at the same time.

If we are able to respond, we will contact you using the contact information you provided in this report. Depending on the type of report, response times can vary. If you need to reach us about your report, please refer to your report number when contacting us. This is how we keep track of your submission.

What you can do next

① Contact local legal aid organizations or a lawyer if you haven't already

Legal aid offices or members of lawyer associations in your state may be able to help you with your issue. American Bar Association, visit www.americanbar.org/groups/legal_services/flh-home or call (800) 285-2221 Legal Services Corporation (or Legal Aid Offices), to help you find a legal aid lawyer in your area visit www.lsc.gov/find-legal-aid

② Get help immediately if you are in danger

If you reported an incident where you or someone else has experienced or is still experiencing physical harm or violence, or are in immediate danger, please call [911](tel:911) and contact the police.

Your submission

Contact

Contact information

Your name

[REDACTED]

Email address

[REDACTED]

Phone number

[REDACTED]

Address

[REDACTED]

[REDACTED]

Are you now or have ever been an active duty service member?

No

Primary concern

What is your primary reason for contacting the Civil Rights Division?

Something else happened

Location

Where did this happen?

Organization name

Adair County Youth Development Center

Address

401 Appleby Dr

-

Columbia, Kentucky

Personal characteristics

Do you believe any of these personal characteristics influenced why you were treated this way?

Age

Date

When did this happen?

11/11/2022

Personal description

In your own words, describe what happened

The American Civil Liberties Union (“ACLU”) of Kentucky requests that the Department of Justice open an investigation into (i) the Adair County Youth Detention Center; and/or (ii) Kentucky’s juvenile detention system writ large.

In 2019, one of the largest youth detention facilities in the state, the Louisville Metro Youth Detention Center, was closed. Incarcerated children from Louisville are now transferred to ACYDC, nearly two hours away. We have heard about ACYDC’s unacceptable conditions from community members. Former employees have also recounted witnessing dangerous treatment of youth. Two former nurses recently filed a whistleblower lawsuit, *Burton v. Justice & Public Safety Cabinet*, 23-CI-00095 (Franklin Co. Circuit Court) detailing the conditions in ACYDC:

- ACYDC is understaffed; many of those on staff are untrained or undertrained
- Children are held on lockdown for 24 hours a day without food, mental health treatment, education, or access to religious services
- Children are confined to cells for extensive periods of time, against the advice of medical professionals
- Staff withhold medications as a punitive measure
- Staff accuse children in mental distress of faking illness
- Staff fail to provide basic nutrition
- ACYDC fails to ensure working plumbing
- Staff misrepresent details of incidents between children and ACYDC staff

Three of these issues are immediately worth highlighting. First, ACYDC staff routinely ignore the advice of medical professionals. The nurses allege staff: placed children in physical restraints without notifying medical staff as required, refused to allow nurses to review video footage of physical restraints being applied, failed to administer prescribed medications, denied existence of youth’s mental health issues, refused to allow medical staff access to youth for examinations after altercations, and more.

Second, living conditions in ACYDC have become unsanitary and nearly uninhabitable. Children are isolated in cells and detained around the clock without access to a shower. A former staff member gave a media interview in which she explained that there is no freedom to move around, no recreation, and terrible food. [Link here](#). The children’s meals are delivered to their cell — the same place they use the bathroom.

Lastly, ACYDC is out of compliance with KRS § 15A.020(a), due to the facility not having an ombudsman for most of 2022. Thus, when concerned employees wanted to escalate complaints, there was no one to turn to, other than their direct superiors that had already turned a blind eye to the inhumane conditions. Some or all of these worsening conditions led incarcerated youth to start what has been described as a “riot” in November of 2022, during which an incarcerated girl was reportedly sexually assaulted. The recent complaints about ACYDC are only the latest evidence of a flawed juvenile justice system. For years, the system has been riddled with chaos, disruption, and even death (see, e.g., the 2017 death of 16-year-old Gynnya McMillen at a Hardin County juvenile detention facility). Clearly, the system is failing incarcerated children. Change and oversight are well overdue. We request the DOJ investigate. We are available for follow-up questions.