

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

JOSEPH CAMPBELL,

Plaintiff,

v.

No. 3:21-cv-943

WARDEN WILLIAM HYATTE, in his
individual capacity;
DEPUTY WARDEN GEORGE PAYNE, JR.,
in his individual capacity;

Defendants.

Complaint for Damages

Introduction

1. Joseph Campbell was placed in a restrictive housing cell at Miami Correctional Facility beginning in early 2021 for at least six weeks. He was placed into the cell even though the only window in the cell was completely obstructed by a sheet of metal and even though the one and only light in the cell was broken. For more than two weeks there was no water in the cell, and he was unable to flush the toilet, which filled up with his excrement and urine. He suffered painful injuries because of colliding with objects in his cell in the dark and falling. He had recently attempted suicide before being moved into the cell and in addition to causing him physical injuries, the lengthy confinement in the

dark increased his serious pre-existing mental health issues. The conditions of his confinement represent cruel and unusual punishment and caused Mr. Campbell damages for which defendants are liable. Defendants are also liable for punitive damages.

Jurisdiction, venue, cause of action

2. This Court has jurisdiction of this matter pursuant to 28 U.S.C. § 1331.
3. Venue is proper in this district pursuant to 28 U.S.C. § 1391.
4. This action is brought pursuant to 42 U.S.C. § 1983 to redress the deprivation, under color of state law, of rights secured by the Constitution of the United States.

Parties

5. Joseph Campbell is an adult who is currently confined in the Westville Correctional Facility, following conviction of criminal offenses, but who was formerly confined at the Miami Correctional Facility.
6. William Hyatte is the duly appointed Warden of the Miami Correctional Facility and is sued in his individual capacity.
7. George Payne, Jr., is the duly appointed Deputy Warden of the Miami Correctional Facility and is sued in his individual capacity.

Facts

8. The Miami Correctional Facility contains a restrictive housing unit where prisoners are placed as the result of disciplinary sanctions or for administrative purposes.

9. Prisoners in restrictive housing spend all their time in their cells, except when they are released for showers or recreation. Other than that, they are isolated, alone, in their cells.
10. The restrictive housing cells contain a single window to the outside and a solitary light fixture that supplies the only light in the cell.
11. The door to the cell is solid with a very small window.
12. Prisoners at Miami Correctional Facility have, in the past, broken both the outside window and the light fixture in many of the restrictive housing cells.
13. At all relevant times defendants Hyatte and Payne were aware that many of the restrictive housing cells had broken windows and no operable light source. Yet, these obvious problems were not remedied.
14. Defendants Hyatte's and Payne's solution to the broken windows was not to replace the windows, but in some cells to cover the windows with sheet metal so that no light came through the windows.
15. Many of the cells in the restrictive housing unit did not have operational lights and had windows covered with sheet metal.
16. Defendants Hyatte and Payne were aware that prisoners were being placed into cells without lights and with windows covered by metal plates.
17. Shortly after New Year's Day in 2021, Mr. Campbell was placed into cell A-329/330 in the restrictive housing unit at Miami Correctional Facility.

18. Prior to being placed in the restrictive housing unit, Mr. Campbell had attempted suicide by swallowing glass and a battery. After a brief stay in the facility's infirmary, he was discharged to A-329/330 on suicide watch.

19. The cell had no working light, and its window was covered with a metal plate.

20. Mr. Campbell had no role in breaking the light or window.

21. The water did not work in the cell. As a result, Mr. Campbell did not have drinking water, nor could he flush the toilet.

22. The only drinking water that he received was by filling up bags and bowls with ice when he was infrequently let out for a shower and recreation.

23. Mr. Campbell had a tablet, but it gave off very little light. The cell was dark. He had not television.

24. Although there was a small window in his otherwise solid cell door it was shattered, and the glass was "spider-webbed." The door window let in very little light. In any event, the lights outside the door were frequently off and, even when they were not, they let in very little light into his cell.

25. The cell always remained extremely dark.

26. Because the toilet did not flush, it quickly became filled with his urine and excrement. It was disgusting and unsanitary.

27. It took more than two weeks for water to be restored to his cell. During all this time the toilet did not flush.

28. He did not receive cleaning supplies to try to clean the cell.

29. He was forced to remain in the dark in extremely unsanitary and disgusting conditions.

30. Because it was so dark, Mr. Campbell suffered physical injuries. He suffered painful falls on at least two occasions when he tripped over his toilet unit. He also repeatedly hit his toilet in the dark because he could not see. This caused bruises and other injuries. As a child he had pins and screws inserted into his feet and colliding into the toilet unit was particularly painful.

31. While in this cell Mr. Campbell was released every 4 to 5 days for an hour or less for a shower and recreation, sometimes for only 20 minutes. This was the only time he was let out of his cell.

32. Mr. Campbell has been diagnosed with serious mental illnesses. As noted, he had recently attempted suicide. Being held under the conditions imposed by the cell increased his anxiety and depression and caused him a great deal of distress.

33. Placing a person in prolonged, isolated darkness for an extended period is a form of torture. It is particularly problematic if the person has preexisting mental health issues.

34. While in the cell Mr. Campbell filled out at least three grievances that complained of the conditions of the cell, including the lack of a light and the fact that the window was covered by metal.

35. He gave these grievances to the unit counselor and never heard anything further.

He never received a response to any of the grievances.

36. Since Mr. Campbell never received responses, he was not able to file any appeals.

37. Mr. Campbell sent messages to the DOC Ombudsman Bureau through his tablet, complaining that he had filed grievances and had not receive any responses.

38. Mr. Campbell has therefore exhausted all available grievances.

37. Mr. Campbell was moved out of A329/330 after approximately six weeks.

38. Defendants Hyatte and Payne denied Mr. Campbell the minimal civilized measures of life's necessities by subjecting him to darkness and dangerous and unsanitary conditions in the cell.

39. Plaintiff has been damaged by defendants' actions and inactions.

40. Defendants acted maliciously or with reckless disregard of plaintiff's rights and are liable for punitive damages.

41. At all times defendants acted and failed to act under color of state law.

Claim for relief

42. The actions of defendant Hyatte and Payne in allowing plaintiff to be held in a cell with a blocked window, no light, and dangerous and unsanitary conditions, violated plaintiff's Eighth Amendment rights.

Request for relief

Plaintiff therefore requests that this Court:

1. accept jurisdiction of this case and set it for hearing at the earliest opportunity.
2. award plaintiff his damages.
3. award punitive damages against defendants.
4. award plaintiff his costs and reasonable attorney's fees pursuant to 42 U.S.C. § 1988.
5. award all other proper relief.

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