

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

WILLIAM ANDERSON,

Plaintiff,

v.

No. 3:21-cv-476

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

Defendants.

Complaint for Damages

Introduction

1. William Anderson was placed in a restrictive housing cell at Miami Correctional Facility from March 12, 2021, through March 19, 2021, even though the only window in the cell was completely obstructed by a sheet of metal and even though the one light in the cell was broken. This left Mr. Anderson in complete darkness in his cell. Live electrical wires hung from the ceiling and on a number of occasions he was received painful shocks as he tried to navigate in his dark cell. Defendants were aware of the conditions under which Mr. Anderson suffered, yet allowed him to remain in total and dangerous darkness. This represented cruel and unusual punishment and caused Mr. Anderson

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. William Anderson is an adult who is confined to the Miami Correctional Facility in Miami County, Indiana, following conviction of criminal offenses.
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. The cells in restrictive housing are usually for one prisoner only.
10. Prisoners in restrictive housing spend all the time in their cells, except when they are released for shower or solitary recreation that occurs at most for five one-hour periods

each week but, in reality, frequently occurs less often. Other than that, they are isolated, alone, in their cells.

11. The restrictive housing cells contain a single window to the outside and a solitary light fixture that supplies the only light in the cell.

12. The door to the cell is solid with a very small window at about eye level.

13. 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.

14. At all relevant times defendants were aware that many of the restrictive housing cells had broken windows and no operable light source. Yet, these obvious problems were not remedied.

15. Defendants' solution to the broken windows was not to replace the windows, but to cover the windows with sheet metal so that no light came through the windows.

16. Many of the cells in the restrictive housing unit did not have operational lights and had windows covered with sheet metal.

17. Defendants were aware that prisoners were being placed into cells without lights and with windows covered by metal plates.

18. On March 12, 2021, William Anderson was placed into a restrictive housing cell at Miami Correctional Facility that had a broken window and a broken, non-operational, overhead light although the wires that went to the broken light fixture were still live and hung from the ceiling.

19. Mr. Anderson had no role in the breaking of the window or light.
20. The broken window had been covered with a piece of sheet metal so that no light came through it.
21. Although there was a small window in the otherwise solid door to Mr. Anderson's cell, there was very little light that came through into his cell.
22. Mr. Anderson had no light source in his cell and the cell was pitch dark. He could not see anything in the cell.
23. On three occasions, as he tried to navigate the cell, Mr. Anderson ran into the exposed wires that draped from the ceiling. He received very painful shocks. These were exacerbated by the fact that the floor of his cell was wet through no fault of Mr. Anderson.
24. On one occasion the wires hit his eye and he was shocked into his eye. This was particularly painful.
25. On a number of occasions, he ran into his toilet as he tried to move through his cell. He had painful bruises on his legs. He still has a scar on his left shin from one of these painful injuries.
26. During the week he was in the dark cell, Mr. Anderson was removed from the cell only one time and this was to be taken to a brief shower. He received no recreation.
27. Mr. Anderson has a history of depression and suicide attempts.
28. With the lack of light in his cell, he lost track of time. This increased his depression.

29. On the fifth day of his confinement in the dark, Mr. Anderson cut his face and arms with a razor blade that had been left in his cell.

30. An officer saw that Mr. Anderson had done this but left him in the cell without seeking medical attention for Mr. Anderson.

31. Mr. Anderson filed a grievance about his confinement in the dark cell stating, among other things, that the lack of light “made my mental state unstable and almost committed suicide.” He also noted that even though he was removed from the cell on March 19, prisoners continued to be placed into the cell. He also said in the grievance that he had been shocked on several occasions by the live wires hanging from the ceiling. He asked for financial compensation.

32. The grievance response from the facility indicated that financial compensation was not available through the grievance process and that hopefully the problem of placing prisoners in dark cells “has been remedied since this grievance was filed.”

33. Mr. Anderson timely appealed this response but has never received a response to his appeal and has therefore exhausted all grievance remedies available to him.

34. Placing a persons in prolonged, isolated darkness for an extended period is a form of torture.

35. Defendants denied Mr. Anderson the minimal civilized measures of life’s necessities by subjecting him to darkness in a cell where he was shocked by exposed electrical wires.

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

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

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

Claim for relief

39. Defendants' actions and inactions in allowing plaintiff to be held in darkness in a cell with exposed electrical wires 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 attorneys' fees pursuant to 42 U.S.C. § 1988.
5. award all other proper relief.

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