

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

JOE E. JACKSON, JR.,

Plaintiff,

v.

No. 3:22-cv-1

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

Defendants.

Complaint for Damages

Introduction

1. Joe E. Jackson, Jr., was placed in a restrictive housing cell at Miami Correctional Facility in October of 2020, where he remained until February of 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. Live wires hung from the ceiling. Although the window was covered by metal, it was not sealed and the resulting extreme cold in the cell was particularly painful to Mr. Jackson, an insulin-dependent diabetic. The cell repeatedly flooded with wastewater from other cells. The conditions of his confinement

represent cruel and unusual punishment and caused Mr. Jackson 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. Joe E. Jackson, Jr., is an adult who is currently confined in the Westville Correctional Facility, but at all times relevant to this complaint, was confined in 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. Prisoners in restrictive housing spend all their time in their cells, except when they are released for shower or 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.

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. Defendant Hyatte 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. Although the cells did not have operational lights, in some cells the wiring remained "live," so that anyone coming into contact with the wires would be shocked

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

18. In October of 2020, Mr. Jackson was placed into a restrictive housing cell, A-311, at Miami Correctional Facility.

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

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

21. It was extremely dark in the cell.

22. It was also extremely cold. Although a metal plate covered the window opening, it was not sealed, and cold air flowed into the dark cell.

23. This was particularly problematic for Mr. Jackson as he is an insulin-dependent diabetic who suffers from neuropathic pain in his extremities. The pain greatly increased because of the cold in the cell.

24. Mr. Jackson had no tablet. He was given a television a couple of weeks before he was moved out of the cell. But the electric sockets in the cell did not work and therefore his television did not work.

25. He therefore had absolutely no light source in his cell.

26. Although there was a small window in his otherwise solid cell door, the area outside of his cell was generally dark and very little or no light came into his cell.

27. As a result, his cell always remained extremely dark.

28. The room was filthy. Toilet water from other cells, containing urine and feces, constantly flooded his cell.

29. On one occasion, Mr. Jackson ran into the live electric wires hanging from the ceiling. This caused a painful electric shock.

30. Because it was so dark, and the cell was so small, on many occasions Mr. Jackson injured himself by colliding with his toilet and his bunk as he could not see them. He received painful bruises on his legs. Some of them remain to this date. Because of his diabetes he is slow to heal.

31. Being in the dark for such a long period of time caused injuries to his vision.

32. The intercom in his cell was broken and he had no way to attract attention when his sugar suddenly dropped and he was in medical distress because of his diabetes.

33. Mr. Jackson received no recreation during the time he was in A-311 and received showers infrequently.

34. Being in continuous and unrelenting darkness caused Mr. Jackson anxiety and depression.

35. While in A-311, Mr. Jackson filed at least 6-7 grievances complaining of being in a cell without a window or working light and with sewage water on its floor. He either gave the grievances to officers who worked on the unit or placed the grievances in a box for grievances when he was released for a shower.

36. Mr. Jackson never received any responses to the grievances that he filed.

37. Mr. Jackson could not appeal as he never received a response to his grievances and therefore has exhausted all grievances available to him.

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

38. Defendants Hyatte and Payne denied Mr. Jackson the minimal civilized measures of life's necessities by subjecting him to darkness and dangerous and filthy 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 defendants Hyatte and Payne in allowing plaintiff to be held in a cell with a blocked window, no light, and dangerous and filthy 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 attorneys' fees pursuant to 42 U.S.C. § 1988.
5. award all other proper relief.

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