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# Youths moved to Charleston County jail as lawsuit proceeds over juvenile lockup conditions

BY FLEMING SMITH FSMITH@POSTANDCOURIER.COM

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The Charleston County Juvenile Detention Center is located on Headquarters Road in North Charleston. Just weeks after a lawsuit claiming inhumane conditions for children at the juvenile center, the youths held there were moved down the road to the county jail. Brad Nettles/Staff

Just weeks after a lawsuit claiming inhumane conditions for children at the Charleston County Juvenile Detention Center, the youths held there were moved down the road to the Sheriff Al Cannon Detention Center, which is the county jail.

Officials cleared the fourth floor of the jail and moved the juveniles there Tuesday, Assistant Sheriff Mitch Lucas said.

State law mandates that juvenile detainees be kept separate from jailed adults.

“We looked at it and the sheriff realized we had another option,” Lucas said. “He thought it would be a better situation than what we had.”

He said authorities intend to house the juveniles at the jail until a new juvenile facility is completed, currently scheduled for fall 2021.

The move was prompted by a July 25 lawsuit against the juvenile facility. Lucas said Sheriff Al Cannon looked at the allegations and felt that moving the juveniles to the adult jail was an important step.

“If the sheriff had known or seen these allegations before, he would have listened earlier,” Lucas said.



**NEWS**

**Lawsuit filed against Charleston County juvenile lockup alleges 'inhumane' conditions**

BY FLEMING SMITH [FSMITH@POSTANDCOURIER.COM](mailto:FSMITH@POSTANDCOURIER.COM)

Boys and girls are held on the same floor but in different rooms, as was the case at the juvenile facility, Lucas said.

The lawsuit against the sheriff over the juvenile facility was filed by the group Protection and Advocacy for People with Disabilities, which is represented by the Nelson Mullins Riley & Scarborough law firm. The suit names as defendants the Charleston County sheriff, assistant sheriff and chief deputy, along with the Charleston County School District.

The complaint accused defendants of “deliberate indifference” toward an allegedly inhumane environment at the juvenile detention center. It asks the court to force the defendants to drastically improve the facility’s conditions.

The Post and Courier published an investigation of the juvenile lockup in March, finding that children ages 11 to 16 — but not convicted of any crime — often spent up to 24 hours a day in cramped cells, having little time for recreation and virtually no time outdoors or for education.

Parents, attorneys and observers condemned the facility and its operators, saying they’ve ignored complaints for years.

Lucas said the juveniles’ schedules won’t change substantially due to the move, and their access to education and recreation should proceed normally. The fourth floor will be completely isolated from the rest of the jail, he said.

Moving the juveniles shouldn't affect the staff's ability to contain COVID-19 at the jail, according to Lucas.

"It was getting more and more difficult to operate there," Lucas said of the current juvenile facility, which was built in 1967 and has had issues with the roof and plumbing.

"The sheriff is in a catch-22 because currently the juveniles are housed in a much worse facility than the adult inmates and it makes no sense to continue to pour taxpayers' money into fixing a crumbling building when a new one is already underway," said Cannon's legal representation, state Sen. Sandy Senn, R-Charleston.



The Sheriff Al Cannon Detention Center is located at 3841 Leeds Ave. in North Charleston. Just weeks after a lawsuit claiming inhumane conditions for children at the Charleston County Juvenile Detention Center, the youths held there were moved down the road to the Sheriff Al Cannon Detention Center. Brad Nettles/Staff

She said Cannon hopes state regulators will allow the new arrangement to continue while the separate juvenile facility is being built.

"Barring regulatory interference, this move should resolve every issue raised in the lawsuit," Senn said. "The lawsuit, however, did not result in the sheriff's getting the new jail designed and funded, as he had been working on that for decades but was forced to wait to build until the county provided the funding."

Tuesday's transfer isn't the first time juveniles have been moved to a wing of the adult jail. During hurricanes, children held at the juvenile facility are moved to the jail for safety, as the juvenile facility is old and dilapidated.

Robert Brunson, an attorney for plaintiffs in the lawsuit, said moving the children is a step in the right direction, but the suit isn't just about the building.

"It is about making sure that these vulnerable and often disabled children entrusted to the county are not kept in solitary confinement or put in a restraint chair as a punishment, and that they are not exposed to excessive force, such as through the use of rubber bullets and Tasers," Brunson said.

Mental health services, medical care, programming, outdoor access and proper education are also concerns he wants addressed.

"The conditions at the detention center did not pop up overnight, and it is the culture that must change, not just the building," he said.



**NEWS**

**Parents, attorneys condemn Charleston County juvenile lockup: 'It's not a safe place'**

**BY FLEMING SMITH FSMITH@POSTANDCOURIER.COM**

“Putting so many children behind bars while subjecting them to the kinds of indignities no one should endure is not a viable strategy for turning lives around, and much remains to be done to ensure that the children placed in the hands of the county are healthy and safe, and that they also are given a chance to improve their lives.”

Brunson said he and the plaintiffs will continue to seek a court order that would require the defendants to make more changes, along with a monitor to enforce those changes.

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Reach Fleming Smith at 843-937-5591. Follow her on Twitter at @MFlemingSmith.

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#### **FLEMING SMITH**

Fleming Smith covers crime and public safety for the Charleston area. A native Georgian, she previously covered breaking news and features for The Wall Street Journal and The Atlanta Journal-Constitution.