

Children in Custody at South Carolina Juvenile Justice Centers Held in Nightmarish Conditions, New Lawsuit Alleges

News

April 27, 2022

A lawsuit filed in the United States District Court for the District of South Carolina alleges horrific living conditions for the more than 250 children detained by the South Carolina Department of Juvenile Justice, the agency tasked by law with providing South Carolina's detained children with care and rehabilitation rather than punishment.

Children held in DJJ facilities are routinely subjected to violence, months-long isolation in solitary confinement, and a lack of meaningful educational or mental health services, according to the lawsuit, which was brought on behalf of the South Carolina State Conference of the NAACP, Disability Rights South Carolina, and Justice 360.

"These children are in danger every day and every night, and DJJ has consistently failed to contain the violence," said Lindsey Vann, Executive Director of Justice 360. "These are systemic problems that need appropriate resources, authority, and support to enact real change."

According to the lawsuit, there is sewage water in the cells, feces on the walls, and cockroaches in the food of the facilities. The lawsuit alleges that youth-on-youth violence is rampant, with staff often turning a blind eye or even instigating assaults on children. The lawsuit further alleges that DJJ has resorted to 23-hour-a-day solitary confinement as a default management tool to house sick kids, "protect" children from violence, or address even the most minor of infractions.

"South Carolina exposes the children in its juvenile justice system—most of whom are Black—to barbaric conditions," said Brenda Murphy, President of the NAACP South Carolina State Conference of Branches. "Children in custody suffer from constant violence, are isolated for weeks and months, and are denied the basic rehabilitative services they need and are entitled to. Our most vulnerable children must receive support, not punishment."

Despite claims that it operates its own accredited school district, helps youth pursue workforce development opportunities, and provides rehabilitative services, most children receive no educational services, according to the lawsuit. The lack of educational resources at DJJ facilities is especially damaging for the children who suffer from learning impairments or physical disabilities,

as no special education services are provided, the lawsuit says. One child, who struggles with verbal communication, reported receiving only a single day of education over a period of nine months.

“DJJ holds some of our State’s most traumatized and vulnerable children,” said Allen Chaney, Legal Director for the ACLU of South Carolina. “If conditions don’t immediately and dramatically improve, then the only adequate remedy will be to release children from these horrific conditions.”

The DJJ has a well-documented track record — dating back to the 1960s — of violating the constitutional and statutory rights of the children in its care. Even with decades’ worth of findings and interventions, DJJ has failed to make substantial progress in implementing lasting solutions, the lawsuit says.

“DJJ has been aware of the ongoing violence and unconstitutional conditions at their facilities for years, and yet they still fail to protect the children entrusted to their care,” said Jenner & Block Partner Previn Warren. “Our hope is to create lasting and meaningful reform right away to end the trauma these children are experiencing.”

The lawsuit, filed jointly with the ACLU of South Carolina, the NAACP, and the law firms Wyche and Jenner & Block, asks the court to declare that the department is violating the constitutional rights of South Carolina children and seeks judicial intervention to facilitate immediate remedies such as clean water, dry beds, healthy food, safety from violence, freedom from unconstitutional uses of solitary confinement, meaningful access to education and mental health resources, and accommodations for children with disabilities.

Mr. Warren and Partner Jeremy M. Creelan led this effort and received support from Associates William R. Weaver, Mary E. Marshall, Jessica J. Sawadogo, Jacob D. Alderdice, Jeremy H. Ershow, and Amit B. Patel, and Paralegal Adam H. Weidman.

Related Attorneys



Jacob D. Alderdice

Partner

jalderdice@jenner.com

+1 212 891 1625



Jeremy M. Creelan

Partner

jcreelan@jenner.com

+1 212 891 1678

Amit B. Patel

Associate

apatel@jenner.com

+1 212 407 1779



Will Weaver

Partner

ww Weaver@jenner.com

+1 202 639 6870

Related Capabilities

Litigation

Related Locations

Chicago

New York

Washington, DC

© 2026 Jenner & Block LLP. Attorney Advertising. Jenner & Block LLP is an Illinois Limited Liability Partnership including professional corporations. This publication, presentation, or event is not intended to provide legal advice but to provide information on legal matters and/or firm news of interest to our clients and colleagues. Readers or attendees should seek specific legal advice before taking any action with respect to matters mentioned in this publication or at this event. The attorney responsible for this communication is Brent E. Kidwell, Jenner & Block LLP, 353 N. Clark Street, Chicago, IL 60654-3456. Prior results do not guarantee a similar outcome. Jenner & Block London LLP, an affiliate of Jenner & Block LLP, is a limited liability partnership established under the laws of the State of Delaware, USA and is authorised and regulated by the Solicitors Regulation Authority with SRA number 615729. Information regarding the data we collect and the rights you have over your data can be found in our Privacy Notice. For further inquiries, please contact dataprotection@jenner.com.

Stay Informed

