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Legal Aid, Jenner and Block File Federal Class Action Lawsuit Challenging OCFS's Policy and Practice of Subjecting Youth to Solitary Confinement

Isolation Can Last Up to 24 Hours A Day, For Weeks or Months on End, Causing Lasting Harm to Youth

(NEW YORK, NY) – The Legal Aid Society and Jenner and Block LLP filed a [class action civil rights lawsuit](#) in the United States District Court for the Southern District of New York [challenging](#) the New York State Office of Children and Family Services' (OCFS) unlawful policy and practice of routinely locking children in their care in solitary confinement, at times for weeks or months on end.

At each of the five secure placement facilities operated by OCFS — located in Columbia, Orange, Cayuga, Monroe, and Tompkins counties — youth are routinely confined alone in tiny, barren cells for up to 24 hours a day, according to the lawsuit. The complaint alleges that, while locked in solitary confinement, these children are routinely denied access to mandated education, programming, recreational activities, and basic health and hygiene necessities. According to the complaint, youth are regularly forced to urinate or defecate in trash bins or buckets in their cells and required to eat their meals in these unhygienic conditions.

These confinement practices – which, the complaint alleges, are often used for alleged misbehavior or due to OCFS's failure to have sufficient staff to manage the facilities – are unlawful, inhumane and can result in serious, lasting harm to the youth in OCFS's care.

Despite a New York State prohibition against solitary confinement of youth in adult facilities, as well as widespread national recognition that it is extremely harmful to deprive a child of meaningful social interaction or mental stimulation, the complaint alleges that OCFS continues to utilize the practice of solitary confinement under different, misleadingly innocuous names.

In June, the union that represents many OCFS employees raised alarm bells about these harmful practices in a [letter](#) to lawmakers. Union leadership expressed concerns at what they said was an “escalating staffing, safety, and service delivery crisis” at OCFS's Industry Residential Center. As of Memorial Day weekend 2025, union leadership wrote, “Youth were reportedly confined to their rooms for up to 23 hours a day, often denied basic access to restrooms and served food in unsanitary conditions. The fact that these youth — predominantly Black and Brown — are forced to live in squalid, dehumanizing conditions is unconscionable.”

The class action lawsuit alleges OCFS violates the Eighth and Fourteenth Amendment rights as well as rights under the Americans with Disabilities Act of the youth housed in their facilities and seeks declaratory and injunctive relief to end these cruel practices.

Photo of a cell at Industry Residential Center in Rochester, NY: <https://tinyurl.com/2whm9f7h>

“Young people housed in secure placement facilities operated by OCFS have a right to safety, dignity, and age-appropriate treatment,” said **Dawne Mitchell, Chief Attorney of the Juvenile Rights Practice at The Legal Aid Society**. “Locking these children – the majority of whom are Black or Latinx – alone in small, unhygienic rooms for hours on end with no access to education, programming, or interaction with others is detrimental to their development and can have devastating, lasting impacts on their mental health and well-being. OCFS must immediately put an end to these barbaric unlawful and inhumane practices and ensure these young New Yorkers are provided appropriate care, including basic hygiene, education and rehabilitative services.”

“The devastating and permanent harm inflicted on young people through solitary confinement demands immediate legal intervention to force systemic change in how our state treats its most vulnerable youth,” said **Jenner and Block Partner Jeremy Creelan**. “It is a privilege to partner with The Legal Aid Society on this civil rights class action, because no one should be forced to endure conditions that violate their fundamental rights and humanity.”

“Extended isolation can severely disrupt a young person’s emotional and developmental growth, increasing trauma, anxiety, and long-term harm. This practice is deeply inconsistent with our commitment to restorative justice and rehabilitation. We must continue working toward a system that lifts young people, addresses root causes such as adverse childhood experiences, and give them the tools they need to succeed when they return to their communities,” said **Assemblyman Demond Meeks**.

Background on Plaintiffs:

Marcus F. is an 18-year-old Black young person who is currently placed in OCFS custody at MacCormick Secure Center, a secure placement facility. Previously, Marcus was placed at Brookwood Secure Center. At both facilities, Marcus has been repeatedly locked in solitary confinement for extended periods of time.

During the course of approximately six months at Brookwood Secure Center, OCFS staff placed Marcus in solitary confinement within the facility’s isolation housing unit on four separate occasions. These periods of solitary confinement often lasted weeks at a time, during which time Marcus was locked alone in his cell for up to 23 hours a day without access to education, rehabilitative programming, or meaningful contact with peers or staff.

Since his transfer to MacCormick Secure Center in July 2025, OCFS continues to place Marcus to punitive solitary confinement, subjecting him to at least three separate periods of punitive solitary confinement, each lasting days or weeks at a time. As a result of the prolonged isolation, Marcus feels a profound sense of hopelessness and defeat.

Garrett M. is a 16-year-old Black youth who is currently in OCFS custody at Industry Residential Center where he has repeatedly been subjected to solitary confinement. For approximately the first month of his placement at the facility, OCFS confined Garrett to his locked cell for 22 to 24 hours each day due to the perception that he posed behavioral problems.

As a child, Garrett was diagnosed with Attention Deficit Hyperactivity Disorder, Intermittent Explosive Disorder, and Oppositional Defiant Disorder. As a result, Garrett and other youth perceived as ‘problematic’ face harsher, more frequent punishments – including solitary confinement – and stricter limitations on out of cell time. On occasion, Garrett has remained locked in his cell for multiple consecutive 24-hour periods.

During these periods of confinement, Garrett is denied access to education, programming, interaction with his peers, and access to a bathroom. Garrett has deteriorated mentally as a result of OCFS's use of solitary confinement. He feels anxious and depressed and often acts out in order to get attention and mitigate the loneliness and isolation he suffers daily.

Christopher M. is a Black 20-year-old young person currently in OCFS custody at Goshen Secure Center where he is routinely subjected to solitary confinement. On numerous occasions, Christopher's entire housing unit has been subjected to lockdowns, resulting in solitary confinement of all youth on the unit for non-disciplinary reasons.

At times, Christopher is only allowed out of his cell for 30 minutes each day. He eats alone in his cell, is deprived of programming and recreation, and is prevented from going to the bathroom in a timely manner. These conditions, which Christopher describes as demoralizing and inhumane, are so restrictive that youth regularly urinate into plastic bottles, food containers, or garbage bins inside of their cells.

Christopher has also been completely deprived of meaningful educational services. Despite repeated requests, he has not been taken to a single GED class and has yet to be assigned a teacher, with the staff instead providing him with worksheets to complete without any feedback or teacher support.

Christopher's mental health has significantly deteriorated as a result of OCFS's imposition of solitary confinement, and in September 2025, OCFS placed Christopher on suicide watch. Nearly every day, Christopher feels compelled to trigger a disturbance solely to get the attention of staff so he can escape solitary for a brief period of time.

Isaac R. is a 17-year-old Black youth currently placed in OCFS custody at Goshen Secure Center. Despite Isaac's documented commitment to rehabilitation – including completing the Hunter College Restorative Justice Program while in pre-trial detention – Isaac is repeatedly subjected by OCFS to solitary confinement.

This past summer, OCFS confined Isaac to his room for seven consecutive days as a punishment for an incident. During that time, he was denied access to school, programming, rehabilitative services, and in-person visits. Similarly, in February and March of 2025, Isaac and all the other youth in his unit were placed in solitary confinement for approximately one month.

During this period, Isaac was held in his rooms for up to 24 hours a day with limited bathroom access. There was no school, no programming, no visitation, no recreation, and almost no opportunity to use the telephone. Isaac spent these weeks and months alone, sleeping or reading from the few books permitted in his cell.

After periods of repeated isolation, Isaac's mental health deteriorates, and his preexisting post-traumatic stress response is exacerbated. During one recent two-day period of solitary confinement, Isaac's mother was so concerned about her son's mental health that she called the facility to request that he at least have an opportunity to meet with a clinician to mitigate his worsening mental strife.

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