



Whiteford | Taylor | Preston<sup>LLP</sup>

PRESS RELEASE: Monday, December 20, 2021

CONTACT: Morgan Kelly, Communications Director, ACLU-DE, [mkeller@aclu-de.org](mailto:mkeller@aclu-de.org)  
Mindee Mosher, Director of Marketing, Whiteford Taylor Preston LLC, 410.659.6437

## Two Injured Men File a Lawsuit Over Violent Abuse at Sussex Correctional Institution

GEORGETOWN, DE—On Friday, December 17, 2021, William Davis and Isaac Montague [filed a complaint](#) in the federal District Court of Delaware against the Delaware Department of Correction's (DOC) Sussex Correctional Institution (SCI) facility.

*William Davis and Isaac Montague v. Kirk Neal et. al* outlines two separate — but equally egregious — attacks on people living at SCI by DOC employees, as well as the lack of action taken by leadership at SCI. It states that the attacks are violations of the plaintiffs' right to be free from cruel and unusual punishment, a protection guaranteed by the U.S. Constitution.

According to the lawsuit, in September 2021, several SCI officers brutally attacked Isaac, completely unprovoked. Three officers led the attack, while other officers watched — and even videotaped — the attack. The victim was placed in solitary confinement without adequate medical care for three weeks after the incident.

A separate attack occurred the following month, according to William Davis, the second plaintiff in the complaint. Davis was held at SCI despite the fact that his release from the facility had been Court ordered. He states that a SCI officer, the same one who initiated the attack a month prior, began beating him after Davis unknowingly answered a question incorrectly.

In [an interview with Delaware Online](#), Davis recalled the brutal attack. He talked about how officers blasted pepper spray into his nostril, clogging his airways. “Imagine taking a glass bottle, smashing it up and grinding it up and snorting that up your nose,” Davis said, recounting the sensation. “Then times that by 1,000. I felt it burn for days.”

The officer accused of initiating both attacks is Kirk Neal, who is listed as a defendant in the complaint, along with at least six other officers, SCI's Deputy Warden, Truman Mears, and SCI's Warden, Jon Beck. The complaint states that Deputy Warden Mears and Warden Beck both knew about the attack in September, and had access to the video footage, and chose to do nothing about it.

“No person deserves to be the subject of such a brutal attack at the hands of our government,” said [Daniel A. Griffith, partner at Whiteford, Taylor, and Preston, LLC](#). “Corrections officers are entrusted with providing safety and care for incarcerated people,



Whiteford | Taylor | Preston<sup>LLP</sup>

and these officers not only failed, but significantly harmed the lives of those they were supposed to protect.”

“People who are incarcerated are under the care of the Department of Correction,” said Susan Burke, ACLU of Delaware legal director. “DOC is directly responsible for any harm that comes to these individuals at the hands of people on their payroll. This is about basic safety and human dignity — SCI must do better.”

This press release can be found online here:

<https://www.aclu-de.org/en/press-releases/two-injured-men-file-lawsuit-over-violent-abuse-sussex-correctional-institution>

The full complaint can be found online here:

[https://www.aclu-de.org/sites/default/files/montague - complaint filed 12.17.21pdf.pdf](https://www.aclu-de.org/sites/default/files/montague_-_complaint_filed_12.17.21pdf.pdf)

The case page for this lawsuit can be found online here:

<https://www.aclu-de.org/en/william-davis-and-isaac-montague-v-kirk-neal-et-al>

###