

## Pattern and Practice of Abuse: Prison Lawsuit Reveals Horrific Acts of Violence at SCI

*Content Warning: This article describes in detail acts of violence perpetrated by correctional officers.*

ARTICLE BY: MORGAN KELLY,  
ACLU-DE COMMUNICATIONS DIRECTOR

Can you imagine being held down while multiple people attack you, including emptying a canister of pepper spray into your mouth or nose? That's the kind of cruel and unusual punishment people are facing at SCI. We're helping them fight back in the Courts.

On December 17, 2021, on behalf of two plaintiffs, we filed a complaint in the federal District Court of Delaware against officers at the Delaware Department of Correction's (DOC)

“Ultimately, we hope this litigation eradicates the culture of brutality that currently prevails at SCI.” — Dwayne J. Bensing, Staff Attorney

Sussex Correctional Institution (SCI) facility.

Our partner and co-counsel on this case is Daniel A. Griffith of Whiteford Taylor Preston (WTP), LLC.

On February 16, 2022, we filed an amended complaint to include a

growing list of plaintiffs — and a growing list of defendants.

*Davis et. al v. Neal et. al*, which originally alleged two egregious attacks against William Davis and Isaac Montague by several named SCI officers, now alleges a significant increase in

the number of attacks and the number of officers perpetrating those attacks — shedding light on a horrific, ongoing pattern and practice of violent abuse against people housed at the facility.

The lawsuit outlines

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## Letter from the ED

### Dear Friends,

People often ask me what I love most about working for the ACLU, and the answer is simple: **how we do our work.**

While many people may know us as an organization that primarily uses litigation to protect and defend civil liberties, we now think much more broadly about how to bring about societal change.

Rights are not won or lost simply in the courts. Look no further than recent efforts to roll back

landmark abortion and voting rights cases to see that advocates also must work in legislatures, city councils, school boards, in the media, and in the streets to bulwark our rights.

**This is the secret sauce of the ACLU of Delaware: integrated advocacy.**

It means that all parts of the organization—legal, legislative, policy, public education, communications, organizing, and fundraising are all working in tandem toward a common goal. It means that rather than just working on one front, we are approaching issues from all sides to ensure

that our actions are coordinated, muscular, and impactful.

Integrated advocacy also lends itself to highly collaborative workplaces, and the ACLU of Delaware is lucky enough to have some of the best staff in the First State who value teamwork and partnership both internally with colleagues and externally with coalition partners to develop truly innovative campaigns.

Not only does integrated advocacy make our work better, it deepens our relationships internally and externally.

*Mike Brickner*





PRISON ABUSE LAWSUIT,  
CONT. FROM FRONT PAGE

attacks on people living at SCI by DOC employees, as well as the lack of action taken by leadership at the facility. 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.

In September 2021, several SCI officers brutally attacked Isaac Montague, one of our first plaintiffs in the complaint, completely unprovoked. Led by officer Kirk Neal, three officers led the attack, while other officers watched — and even videotaped it. Isaac 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. William was held at SCI despite the fact that his release from the facility had been Court-ordered. He states that officer Neal, the same one who initiated the attack a month prior, began beating him after William unknowingly answered a question incorrectly.

A recent Delaware Online article by Xerxes Wilson spotlights some of the plaintiffs who are part of our litigation. In the article, Keith Campbell, one of the

new plaintiffs named, shared that officer Neal, one of the repeatedly named defendants, “maintains a ‘severe reputation for beating up people badly’ and has been allowed to get away with it.”

Our amended complaint filed in February goes over how officer Neal and at least 30 other officers are perpetrators of the abuse at the facility, and goes into detail about how Deputy Warden Truman Mears and Warden Jon Beck both knew about at least one attack and chose to do nothing about it.

“We’re concerned about the treatment of people housed at Sussex Correctional Institution, and we continue to

monitor that treatment as this litigation moves ahead,” said Dwayne J. Bensing, staff attorney at the ACLU of Delaware. “Ultimately, we hope the litigation eradicates the culture of brutality that currently prevails at SCI.”

Stories of abuse continue to come to light on this situation, and there may be an additional amended complaint in the coming months. People who have been victims of abuse at SCI may reach out to our litigation team by emailing [sburke@aclu-de.org](mailto:sburke@aclu-de.org).

**Learn more about this ongoing litigation, and check for updates, at [aclu-de.org/davisvneal](https://aclu-de.org/davisvneal).**

## Our Legislative Priorities, Your Voice

*Make your voice heard: Tell your legislators that the time has come to support the passing of SB 101, HB 25 and HB 75.*

ARTICLE BY: KIRA AKINS,  
ACLU-DE COMMUNICATIONS INTERN

The time has come for your voice to be heard in this year’s legislative session. It is the responsibility of our legislators to listen to your perspective on the bills they consider. As we narrowed

down our legislative priorities earlier this year, we kept that in mind. Ensuring community voices are heard is a necessary step in our work to create a smarter justice system, more fair and equitable housing, and “no excuses” when it comes

to access to the ballot.

**SB 101 Rights to Representation:** Guarantees the right to representation for renters facing eviction. Delawareans deserve a fighting chance, and help, to navigate court proceedings that have the potential to leave

them without a home.

**HB 25 Same Day Registration:** Urges our legislators to allow any qualified resident of the state to register to vote and cast a ballot all on the same day — including on Election Day. There

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## Meet Meera: Voter Campaign Manager


ARTICLE BY: MEERA DEVOTTA  
ACLU-DE VOTER CAMPAIGN MANAGER

**H**i everyone! My name is Meera Devotta (she/her) and I'm thrilled to be joining the ACLU-DE team as the Voter Campaign Manager.

I was born and raised in Delaware, however, after graduating from The George Washington University, I spent the last three years teaching English in Madrid, Spain. Prior to Madrid, I also spent time teaching in Ecuador, Croatia, Bosnia and Herzegovia.

I'm passionate about anti-racist, anti-bias teaching practices

and creating inclusive and intersectional educational materials. Outside of the classroom, I dedicated much of my time to Art Spoken Madrid, an organization that works to amplify BIPOC voices in the performing arts.

In my free time I love writing and performing spoken word poetry and trying my hand at new vegan recipes. I am so excited to return home and begin working to create a voter education curriculum and develop voter engagement practices that actively work to expand access to the ballot in Delaware. 

## MEET OUR COMMS INTERN: KIRA AKINS



ARTICLE BY: KIRA AKINS, ACLU-DE COMMUNICATIONS INTERN

As a 15 year native of Wilmington, Delaware, I have discovered a commitment to "We, the people," because I am *the people*. My advocacy is geared towards my personal experience, compassion, and understanding.

I am Kira Akins, (pronouns she/her) B.K.A. Kira Savvy, Self-help Podcaster/Vlogger of Literally Just T.A.W.K. Radio L.L.C. (To. Acknowledge. With. Knowledge.) — connecting others to thought processes and ideas through my representation as a Black Voice in Media.

I'm working to establish and implement the stories of community members directly impacted by a variety of social injustices. I've also received the opportunity to learn the ACLU-DE brand, language and tone used to deliver impactful messages to the communities we serve.

Follow blog posts and social media campaigns I'm working on at [aclu-de.org](https://aclu-de.org).



# Communities Activated for Change

*Activating communities for change and uplifting the voices of people affected by our work is a primary focus for us this year and beyond.*



ARTICLE BY: MORGAN KELLY,  
COMMUNICATIONS DIRECTOR

Last month, we released our 2022 - 2024 Strategic Plan\*, which includes five priority goals to guide our work over the next few years. One piece of that plan focuses on growing our capacity through community relationships and uplifting the voices of people affected by our work. We have already launched several community-based initiatives to help accomplish this goal — here's a quick look at some of those efforts.

## ***Scholars Engaged for Action: Activating***

### ***Students Through Engagement Programs***

Scholars Engaged for Action (SEFA), our after-school engagement program, aims to mobilize students as leaders who understand, interpret, and help in developing a school-wide culture that fosters civic engagement and community problem-solving.

SEFA is just one part of our larger Equity in Education campaign, a comprehensive initiative designed to support educators, engage parents and caregivers, and

empower students. Learn more at [aclu-de.org/sefa](https://aclu-de.org/sefa).

### ***Smart Justice Chapters: Volunteer Opportunities in Each of Delaware's Counties***

One of the primary ways that we're getting community voices involved in Smart Justice is through our volunteer Smart Justice chapters. And as of April 2022, with the launch of our Sussex chapter, we now have one in each county.

Monthly virtual chapter meetings offer members of communities the opportunity to:

- Stay informed on justice reform in Delaware;
- Discuss perspectives on issues and solutions for Smart

Justice;

- Identify action items to help the Delaware Campaign for Smart Justice; and,
- Find other ways to advocate for justice reform.

Join a chapter! To find the info for your county's chapter meeting for any given month, please visit [aclu-de.org/events](https://aclu-de.org/events).

### ***Smart Justice Ambassadors: A Paid Opportunity to be a Community Change Activator***

We launched a Smart Justice Ambassador (SJA) program in 2021 to recruit, train, and empower Delawareans who have been impacted by the justice system. After completing an extensive training that helped the ambassadors grow their advocacy skills, the group continues their work by advocating for legislation, policies and initiatives to reduce the prison population and challenge racial disparities within the justice system.

Learn more about our Smart Justice Ambassador program at [aclu-de.org/SJA](https://aclu-de.org/SJA).

\*If you missed our strategic plan rollout, you can see the full plan online at [aclu-de.org/22-24strategicplan](https://aclu-de.org/22-24strategicplan).



## Our CLE Programs Aren't Just for Lawyers — You Can Enjoy Them, Too!

*Our CLE programs offer lawyers continuing legal education credits (and Amicus Society members get those credits free!), but these programs are meant for everyone to learn from, whether you're a lawyer or not.*

ARTICLE BY: MELISSA BRYSON,  
ACLU-DE DEVELOPMENT DIRECTOR

**W**e live in a fast paced world with fast cars, fast meals, and acronyms for fast conversation - so let's slow things down for a minute and talk about the acronym C-L-E. CLE stands for Continuing Legal Education - but our CLE events are not just for lawyers!

While CLE credits are specifically for the continued learning of lawyers, you may have noticed that the ACLU of Delaware has been sending out invitations for exciting virtual CLE sessions on topics such as fines and fees, disability rights, expungement, voting rights, and more. Did you know that even if you are not a lawyer,

you can still attend these presentations - for FREE?

**All CLE events offered by the ACLU of Delaware are free if you are not receiving CLE credit and are simply coming to learn about the issues affecting our communities. So please join us, ask questions, and make suggestions for future sessions that would interest you!**

**If you're reading this as a lawyer, here's what you need to know to learn and receive free CLE credit for attending.**


Single presentations are available for a one-time fee so you can pick and choose which course to attend and purchase CLE credit for. However,



if you become a member of our Amicus Society, you'll receive free CLE credit for your attendance at any ACLU-DE CLE presentation, plus additional membership benefits.

As an active Amicus Society member, every year you will be invited to at least five CLE presentations with free credit for attendance, advance notice of important legislative and legal action, legal community event notices, and exclusive invitations to work with us on important legal issues in our

state. And if that wasn't enough, this year we are launching our Virtual CLE Library where we will have pre-recorded CLE programs available only to active Amicus Members to view at your own pace and receive CLE credit when completed. Consider joining the Amicus Society today to unlock all of those benefits and secure your free five CLE credits per year.

Visit [aclu-de.org/amicus](https://aclu-de.org/amicus) to learn more and join today. 





## Together, We DID MORE.

*Thank you for your support!*

ARTICLE BY: MELISSA BRYSON,  
ACLU-DE DEVELOPMENT DIRECTOR

**T**hank you for helping the ACLU of Delaware DO MORE!

**Thanks to your incredible support, our Do More 24 Delaware fundraising campaign was able to raise over \$24,000 in just 24 hours!**


This kind of success simply wouldn't be possible without supporters like you. **THANK YOU!**

From our \$12k board match — doubling all gifts — to every like or share of our social media posts, you helped create a groundswell of support that placed us in the TOP 20 ranking out of more than 600 organizations

statewide!

We received special recognition for our peer to peer fundraising efforts (thank you ambassadors!) as well as a bonus prize of \$500 for having the fourth highest number of donors in our category.

**Three years ago we participated in our very first Do More 24 event raising just \$50 for civil liberties, and today we are able to put \$24,000 to work providing much needed support to our programs and campaigns.**


Special thanks to Spur Impact and United Way of Delaware for organizing this impactful statewide fundraising event. 

### LEGISLATIVE PRIORITIES, CONT. FROM PAGE 3

is strong evidence that SDR increases voter participation by eliminating the current arbitrary registration deadline.

**HB 75 No-Excuse Absentee Voting:** Eliminate the excuses under the Delaware Constitution for requesting an absentee ballot. Every eligible Delawarean should have the right to vote without unnecessary obstacles, and the rules in our state Constitution should reflect that.

**IMPORTANT UPDATE: We Oppose the Substitute Bill for SB 149:** Advocates and police reform experts have been clear: meaningful police reform must come by significantly amending Delaware's Law Enforcement Officers' Bill of Rights (LEOBOR). A substitute for SB 149 (SS1 for SB 149) was introduced just before the printing of this newsletter, and we have come out in public opposition to this bill — because it removes any chance for effective change. **Please read our full statement on the substitute at [aclu-de.org/statement-on-sb149-substitute](https://aclu-de.org/statement-on-sb149-substitute).**

Learn more about each bill, other bills we're supporting, and how you can take action: [aclu-de.org/en/news/2022-legislative-priorities](https://aclu-de.org/en/news/2022-legislative-priorities). 

### '22 - '24 STRATEGIC PLAN: [ACLU-DE.ORG/22-24STRATEGICPLAN](https://aclu-de.org/22-24strategicplan)

We set out a focused and ambitious strategic plan to guide our work over the next 3 years.

**Our plan includes five priority planks:**

- Securing our right to vote,
- Ending mass incarceration,
- Ensuring every child receives a quality and equitable education,
- Growing our capacity – particularly in litigation, our presence in Southern Delaware, and outreach to the Latinx Community, and
- Living our values of equity, diversity, inclusion, and belonging.



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## WE'RE REDUCING OUR NEWSLETTER FOOTPRINT.

**Starting with this issue, you'll only receive three issues of *Connection* each year.** Cutting an extra issue of this newsletter every year will allow us to spend more time bringing you consistent content across all platforms, and of course, help to reduce our overall environmental footprint.

**You can always get the latest news, updates, and information on our work at [aclu-de.org](http://aclu-de.org).**