



## PRISONERS' LEGAL SERVICES OF MASSACHUSETTS

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August 31, 2026

Mark Lawhorne, Special Sheriff  
Steven Tompkins, Sheriff  
Suffolk County Sheriff's Department  
20 Bradston Street  
Boston, MA 02118

Re: Use of force at Suffolk County House of Correction

Dear Special Sheriff Lawhorne and Sheriff Tompkins:

We write this open letter to bring attention to several issues related to the use of force at Suffolk County House of Correction ("South Bay") that threaten the health and safety of those incarcerated there as well as their rights to be free from excessive force and the rights of those held pretrial to be free from punishment.

PLS focused attention on the use of force at South Bay after correction officers killed Shacoby Kenny in December 2025. Mr. Kenny was a young, Black man incarcerated at South Bay while awaiting trial on \$2500 in bail he could not afford, whose untimely death was recently determined by the Office of the Chief Medical Examiner to be a homicide. The Medical Examiner determined that his cause of death was hypoxic-ischemic encephalopathy, brain damage caused by a lack of oxygen and blood flow from a cardiac arrest, due to physical restraint by correction officers. Our investigation into use of force practices at South Bay has revealed some repeating patterns that demand change if the Suffolk County Sheriff's Department ("SCSD") intends to avoid future tragic deaths like Mr. Kenny's and promote safety and security for all detained and incarcerated people and for all SCSD staff.

The specific issues discussed in this letter are deeply concerning on their own and are also symptoms of a broader culture of violence and impunity for staff that goes beyond any one incident or type of force. Such a culture develops when leadership fails to respond to inappropriate actions with swift and certain consequences, sending the message that these acts of violence are permissible. This is the culture that produces deaths like Mr. Kenny's. We implore you to take swift action to ensure accountability for those who use or have used inappropriate force, and to ensure that your facilities moving forward adhere to best practices in correctional use of force and prevent further avoidable injury or death.



## **The use of chokeholds and kneeling on people's necks or backs**

The SCSD Use of Force policy explicitly prohibits the use of chokeholds<sup>1</sup> and directs staff applying force to “avoid those areas of a subject’s body which are particularly susceptible to serious bodily injury. These areas include, but are not limited to, the temples, eyes, throat, spine, kidneys, and testicles.” S505(II)(C). Despite this clear policy, PLS has received repeated reports from incarcerated people at South Bay who have had staff use chokeholds on them or restrict their breath or blood flow by kneeling on their neck or upper back during a use of force or restraint. Based on witness reports<sup>2</sup> and the finding by the Medical Examiner, similar breath-restricting techniques were used on Mr. Kenny in the use of force that caused his death. In fact, PLS has learned that at least one of the same officers that, on information and belief, participated in the homicide of Mr. Kenny, used a breath-restricting technique against an incarcerated person on the same unit where Mr. Kenny was killed two months *after* his death.

This practice causes a significant risk of death to the person being restrained<sup>3</sup> and creates an atmosphere of terror, intimidation, and violence which many people experience as racially targeted, especially following the deaths of Black men such as George Floyd and Eric Garner at the hands of police using similar techniques. It is incumbent upon the Sheriff and administration of SCSD to address this impact given that the incarcerated population at South Bay is majority people of color. According to information provided by SCSD in June of this year, 52% of the population at South Bay was Black and 23% was ethnically Hispanic.

## **Unnecessary use of pain compliance techniques**

PLS consistently receives complaints about SCSD officers bending an incarcerated person’s wrists to the point of excruciating pain. Though pain compliance techniques are a regular tool on the use of force continuum, the complaints we receive frequently describe these techniques being used not to respond to a resistive action by the incarcerated person, but in routine escorts, after a person is already handcuffed and compliant. The pain caused by these techniques is described as severe and intense. The imposition of intense pain is also likely to cause an instinctual response

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<sup>1</sup> Though SCSD policy does not define chokehold, it is defined in Massachusetts statute as, “the use of a lateral vascular neck restraint, carotid restraint or other action that involves the placement of any part of law enforcement officer’s body on or around a person’s neck in a manner that limits the person’s breathing or blood flow with the intent of or with the result of causing bodily injury, unconsciousness or death.” G.L. c. 6E, § 1.

<sup>2</sup> Danny McDonald, ‘The brother was being beat on’: Inmates detail violence that preceded South Bay death, *Bos. Globe* (Dec. 27, 2025), <https://www.bostonglobe.com/2025/12/27/metro/suffolk-house-of-correction-death/> (“The witnesses described corrections officers punching Kenny, kneeling him in the ribs, and kneeling on his neck when he was down on the ground.”).

<sup>3</sup> Chokeholds were prohibited by the Department of Justice in 2021 because they are “inherently dangerous.” Chokeholds & Carotid Restraints; Knock & Announce Requirement, U.S. Department of Justice Office of the Deputy Attorney General (Sept. 13, 2021), [https://www.justice.gov/d9/pages/attachments/2021/09/14/2021.09.13\\_chokehold\\_carotid\\_restraint\\_knock\\_and\\_announce\\_policy\\_final\\_0.pdf](https://www.justice.gov/d9/pages/attachments/2021/09/14/2021.09.13_chokehold_carotid_restraint_knock_and_announce_policy_final_0.pdf). Massachusetts law prohibits law enforcement officers from using chokeholds and mandates decertification of an officer found to have used the technique. G.L. c. 6E, § 14(c); G.L. c. 6E, § 10(a)(xii).

to pull away from the cause of the pain, which would lead to more force being used. PLS has received reports of swelling, bruising, and pain lasting long after the application of pain compliance has stopped and has seen documentation of at least two fractures that appear to have resulted from officers using this technique. Overly aggressive use of pain compliance appears likely to result in broken bones or torn soft tissue. Unnecessary use of the technique, such as when a person is not demonstrating resistance, is inappropriate and instead of de-escalating the level of force, leads to increased force and injury. The routine, sadistic application of pain with no justification also contributes to a climate of hostility and distrust at South Bay, which results in increased violence and danger to incarcerated people and staff alike.

### **The use of handcuffs as a weapon during use of force**

Our office has received multiple reports of SCSD officers using their handcuffs or keys as a weapon during the use of force. Staff reportedly use handcuffs while punching a person, with the handcuff on the outside of the knuckles of their hand, frequently described as “brass knuckles.” Neither handcuffs nor keys are included in the list of approved weapons under S505(III), and S505(IV)(A) provides that restraints are not authorized for use as a weapon. PLS has seen documentation for at least two instances where the injuries resulting from this prohibited practice required staples or stitches. Additionally, in at least one of the instances where PLS has seen documentation of injuries from weaponized handcuffs, the injuries have been to the person’s face despite the fact that, as noted above, officers are supposed to avoid force directly to the face.

### **Failure to respond to problematic staff members**

PLS has found that certain officers’ names appear repeatedly in allegations of misconduct and excessive force. PLS requests the opportunity to meet with SCSD leadership to discuss specific known problem officers who continue to use force at South Bay. Despite numerous complaints against them, these officers do not appear to face any consequences or even scrutiny by SCSD as a result. To the extent that the Sheriff’s Investigative Division (“SID”) receives and investigates these allegations, it is concerning that the policy violations noted above are not identified and acted upon to prevent continued use of inappropriate force. Further, to date, SCSD has declined to answer a public records request seeking records regarding officers who have been terminated for use of force incidents, citing an exemption for personnel records which does not legally apply.

A particularly flagrant example of SCSD’s failure to take action against officers who have misused force is its treatment of the officers involved in the homicide of Mr. Kenny. Based on witness accounts and other reliable information, PLS has received the names of eight specific officers, including one sergeant and one lieutenant, who staffed Unit 3-4 (the unit where Mr. Kenny was killed) or responded as part of the Sheriff’s Escort and Response Team (“SERT”) on December 7, 2025, and escalated or directly participated in the use of force against Mr. Kenny. On April 30, 2026, SCSD made its first public statement about the status of the officers who were involved in the death of Mr. Kenny nearly five months earlier, claiming that “all officers in

question continue to serve in non-inmate/detainee contact posts, pending the outcome of the investigation.”<sup>4</sup> SCSD made the same statement again on July 21, 2026.<sup>5</sup> However, PLS is aware of officers involved in Mr. Kenny’s death working in posts that continue to put them in contact with people incarcerated at South Bay beyond December 8, 2025, both before *and* after SCSD’s April 30 statement, including multiple officers working as part of SERT, using force on incarcerated people as recently as August 2026.

On February 2, 2026, nearly two months after Mr. Kenny’s death, two of these COs were involved in a use of force against a detainee as part of responding to a call for “all available” and responding on SERT in Unit 3-4. SCSD should be aware of this, having produced records in response to a public records request documenting these officers’ involvement in a use of force incident. On June 18, 2026, another one of the involved officers used force against an incarcerated person as part of SERT. On August 11, 2026, two officers involved in Mr. Kenny’s homicide were working as members of SERT during cell searches. Some of the eight officers have also escorted incarcerated clients to meetings with PLS and other counsel. These are just the incidents PLS has been able to document; there are undoubtedly many more.

It is unconscionable that officers currently being investigated for their involvement in the homicide of an incarcerated person continue to directly interact with incarcerated people, including on teams that regularly use force against incarcerated people as part of their official duties. This raises concerns regarding intimidation and retaliation toward witnesses to Mr. Kenny’s death and it gives the appearance to all incarcerated people, their friends, families, and the public – as well as to the rest of the SCSD staff – that the SCSD is not concerned by or interested in accountability for Mr. Kenny’s death, nor with what may happen to those who remain incarcerated there now. PLS has heard from many people incarcerated at South Bay since Mr. Kenny’s death, as well as members of their families, who have expressed great fear of any interactions with the involved correction officers due to what appears to be a complete lack of accountability. The message to both officers and incarcerated people is that SCSD believes that the death of Mr. Kenny does not matter.

## **Conclusion and recommendations**

Mr. Kenny’s death has been medically determined to have been caused by physical restraint by SCSD officers during a use of force. Over the course of PLS’s investigation at South Bay following his death, we have determined that there are a number of common practices, including those used against Mr. Kenny, that continue to jeopardize the safety and security of people incarcerated there. And not only do the practices continue, but the officers involved in Mr.

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<sup>4</sup> Danny McDonald, At Boston’s South Bay, a fight. Then a death. Six months later, there’s still no official medical determination. Bos. Globe (Apr. 30, 2026), <https://www.bostonglobe.com/2026/04/30/metro/shacoby-kenny-death>.

<sup>5</sup> See, e.g., Danny McDonald, Medical examiner rules 2025 South Bay in-custody death a homicide, Bos. Globe (July 21, 2026), <https://www.bostonglobe.com/2026/07/21/metro/shacoby-kenny-south-bay-death-homicide>; Hadley Barndollar, 8 months later, death of Shacoby Kenny at Boston jail is ruled a homicide, MassLive (July 23, 2026), <https://www.masslive.com/news/2026/07/8-months-later-death-of-shacoby-kenny-at-boston-jail-is-ruled-a-homicide.html>.

Kenny's death also continue to use force on incarcerated people. Based on the foregoing observations and concerns, PLS is making the following recommendations:

- Immediately suspend all eight officers who were involved in the use of force against Mr. Kenny, pending the results of external investigations.<sup>6</sup>
- Review all uses of force, including associated video, since December 7, 2025, for use of chokeholds, officers kneeling on the necks or backs of incarcerated people, inappropriate use of pain compliance techniques, or use of handcuffs as weapons, and take appropriate disciplinary action.
- Re-train officers on SCSD policies concerning chokeholds and kneeling on the necks/backs of incarcerated people, appropriate use of pain compliance techniques, and use of handcuffs as weapons to hit people in the head and make clear that disciplinary action up to and including termination will result for anyone out of compliance with use of force policy.
- Review and improve policies and practices related to staff eligibility and selection for SERT, including those related to training, screening members (looking at grievances, disciplinary record, training, leadership, adherence to policy, evidence reflecting unsuitable temperament<sup>7</sup>), and establish automatic ineligibility for SERT where there is (1) a sustained finding of inappropriate use of force or other staff misconduct; (2) a finding of excessive force by a court, civil service commission, or independent investigative authority; or (3) a volume of grievances and/or complaints that reflect a pattern of inappropriate or excessive use of force.

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<sup>6</sup> On August 5, 2026, the Boston City Council overwhelmingly passed a Resolution calling for the Suffolk County Sheriff's Department to adopt critical-incident administrative leave standards and specifically urging SCSD "to recognize that continued assignment to active-duty positions, including non-contact posts, does not reflect the level of administrative precaution warranted by a death in government custody now officially determined to be a homicide." Resolution Calling for the Suffolk County Sheriff's Department to Adopt Critical-Incident Administrative Leave Standards in Light of the Medical Examiner's Homicide Determination in the Death of Shacoby Kenny, Boston City Council (Aug. 5, 2026), <https://boston.legistar.com/View.ashx?M=F&ID=15740057&GUID=01F3F16C-A3B9-4220-899C-A708DA2BE038>.

Whenever an officer either uses force that results in death or serious bodily injury or discharges a firearm at or in the direction of an individual, the [insert title/rank of designated role] shall immediately notify the Chief Executive Officer or their designee. The officer involved shall be removed from operational assignments pending administrative and potential criminal review. The incident will be investigated by the Chief Executive Officer or their designee: <https://www.mass.gov/doc/model-use-of-force-policy-pdf-version/download#page=11>

The Springfield Republican also released an editorial calling for the officers to be put on leave:

<https://www.masslive.com/opinion/2026/08/correctional-officers-like-police-must-be-put-on-leave-if-inmates-die-at-their-hands-the-republican-editorials.html>

<sup>7</sup> An officer who was found to have unsuitable temperament for being hired as a correction officer by the Department of Correction—a finding that was upheld by the state Civil Service Commission—nevertheless continues to be employed by SCSD as a member of SERT.

- Review and improve policies and practices related to training all officers in de-escalation in practice, professional interaction with incarcerated people, and documentation of uses of force.
- Reduce or eliminate “blind spots” where SCSD surveillance cameras do not record and require that SID investigators note in their reports when an interaction between officers and an incarcerated person takes place in a blind spot, particularly when it moves from a visible place into a blind spot.
  - Relatedly, prohibit strip searches occurring inside segregation cells where officers and incarcerated people are inside a cell together. PLS has noted that this frequently leads to uses of force where there is no independent documentation of what occurred. Strip searches should involve physical separation between officers and the person being searched while maintaining clear visibility for the safety of officers and incarcerated people.
- Review and improve policies and practices that impact SCSD’s information about uses of force, including those related to grievances – by ensuring forms and policy are available to all incarcerated people – and discipline – by holding in-person hearings and allowing witnesses to testify. These systems should serve SCSD by alerting staff and administration to problematic practices in the facilities and directing attention toward problems that need attention.
- At the most fundamental level, a reduction in the population in SCSD facilities will reduce uses of force and the risk of injury or death to incarcerated people. Therefore we recommend that SCSD use all available legal mechanisms to reduce its population safely, including but not limited to providing maximum allowable earned good time opportunities to all incarcerated people, maximizing the use of the pretrial diversion statute, G.L. c. 127, § 20B, and exercising its authority under G.L. c. 127, §§ 48, 49, and 49A to release eligible incarcerated people to the community in order to participate in community-based education, training, and employment programs that will increase successful transition from incarceration to release. *See Commonwealth v. Donohue*, 452 Mass. 256 (2008).

Sincerely,



David Rini  
Executive Director, PLS

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