

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

KATRINA BURLET,

Plaintiff,

v.

JOHN BALDWIN, in his official and
individual capacities, and GLADYSE
TAYLOR, in her individual capacity,

Defendants.

No.

JURY TRIAL DEMANDED

COMPLAINT

Katrina Burlet, through her counsel, Uptown People's Law Center, complains against defendants John Baldwin and Gladyse Taylor as follows:

JURISDICTION AND VENUE

1. This is an action brought pursuant to 42 U.S.C. § 1983 to redress the deprivation under color of law of Plaintiff's rights as secured by the United States Constitution.
2. This Court has jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1367.
3. Venue is proper in this district under 28 U.S.C. § 1391(b) because plaintiff resides in this judicial district and the events giving rise to the claims asserted in this complaint occurred in this judicial district.

PARTIES

4. Plaintiff Katrina Burlet is a 26-year old resident of Wheaton, Illinois. From approximately October 2017 to April 24, 2018, Ms. Burlet taught a debate class for prisoners at Stateville Correctional Center in Crest Hill, Illinois, a maximum security prison for adult men operated by the Illinois Department of Corrections. From approximately April 2017 to April 2018, Ms. Burlet also taught a debate class and coached a competitive debate team for incarcerated youth at IYC-Warrenville in Warrenville, Illinois.

5. Defendant John Baldwin is the Director of the Illinois Department of Corrections, and he has held that position at all times relevant to this complaint. He is sued in his official and individual capacities.

6. Defendant Glaydse Taylor is the Assistant Director of the Illinois Department of Corrections, and she has held that position at all times relevant to this complaint. She is sued in her individual capacity.

7. At all times relevant to this complaint, Defendants Baldwin and Taylor were acting within the scope of their employment with the Illinois Department of Corrections and under color of state law.

Ms. Burlet's Background in Debate

8. Ms. Burlet is an accomplished figure in the competitive debate community.

9. Ms. Burlet began competitive debate during her time as a student at Wheaton College, where she won multiple intercollegiate tournaments and awards.

By her third year in college, Ms. Burlet taught her team how to engage in international styles of debate, and she was asked to help coach the team.

10. Immediately after graduating from Wheaton College with honors, Ms. Burlet was offered and accepted a position at the college as lead coach of the Wheaton debate team. In her first semester, she coached the most successful female-female debate partnership in the country, and she brought students to compete internationally for the first time, paving the way for Wheaton students to travel and compete overseas multiple times since then.

11. After college Ms. Burlet also started a competitive debate team at Hinsdale Central High School in Hinsdale, Illinois. In its very first year, Ms. Burlet's team achieved notable success, bringing home awards from every tournament in which it competed. The debate program is popular among students at the school, with the maximum number of students participating and students on the wait-list to join.

12. In 2017, Ms. Burlet also started a debate program at the Illinois Youth Center in Warrenville, Illinois (IYC-Warrenville), an Illinois youth prison.

13. As part of the program, Ms. Burlet visited IYC-Warrenville twice a week to teach a youth debate class. Ms. Burlet worked successfully with youth and IYC staff to arrange for her students to compete in outside tournaments, alongside teams from area public high schools.

14. Although the IYC-Warrenville debaters were at a disadvantage in many ways – they did not have access to computers for research and they were

unable to attend as many competitive tournaments as their non-incarcerated peers – they still excelled in competition and were extremely well-received by the entire high school debate community.

15. On information and belief, the IYC-Warrenville team was first group of incarcerated youth anywhere to participate in regular organized competitive high school debate.

16. The debate program that Ms. Burlet started at IYC-Warrenville not only enjoyed competitive success, but it gave youth an opportunity to develop confidence and excitement about pursuing higher education.

17. Ms. Burlet also founded and became the director of Justice Debate League, a non-profit organization devoted to forming prison debate teams nationwide to involve incarcerated people into the broader debate community. Although Justice Debate League grew to include debate teams in prisons outside of Illinois, Ms. Burlet's programs in Illinois prisons were the most significant programs in the organization.

Ms. Burlet Starts the Stateville Debate Team and Organizes a Public Debate

18. In October 2017, Ms. Burlet was approved by the appropriate officials of the Illinois Department of Corrections, and began volunteering as a teacher of a debate class at Stateville Correctional Center. There were 14 students in the class, all men serving very lengthy prison sentences. The class met once a week for approximately three hours at a time.

19. A few weeks into the class, the participants decided to focus on parole as a practice debate subject. Members of the class were in agreement that Illinois should provide opportunities for prisoners with long and/or life sentences an opportunity for parole, and they wanted to debate how Illinois might implement a parole system.

20. The class decided to focus on this issue because they considered it an important public policy issue as well as an issue that affected the participants personally.

21. The class also prepared draft legislation that would restore a system of parole in Illinois.

22. As the class engaged in practice debate, a plan was made for the class to hold a debate on this subject within the prison that would be open for non-class participants to watch.

23. The class planned to invite legislators to attend the public debate so that the class's ideas on the subject of parole could reach their attention. The class also planned to invite a limited number of ordinary members of the public who might be interested in the subject.

24. Ms. Burlet sought and obtained approval from IDOC officials for the debate to take place on December 15, 2017 with legislators and members of the public in attendance.

25. Ms. Burlet was careful to follow all IDOC rules and protocols of which she was made aware. She wanted to be sure that all attendees would be allowed to enter into Stateville for the event.

26. Ms. Burlet provided a list of all attendees to IDOC officials by October 13, 2017, more than 60-days in advance of the event.

27. On November 30, 2017, IDOC issued an official gate pass for the scheduled attendees to attend the debate on December 15, 2017. The pass listed all of the individuals that Ms. Burlet confirmed would attend, including nine state legislators.

28. On December 4, 2017, plaintiff was notified by the then-Stateville Warden Randy Pfister that the December 15 event had been cancelled by Michael Lane, the Chief of Intergovernmental Affairs for the Illinois Department of Corrections.

29. Mr. Lane is IDOC's designated lobbyist and liaison between IDOC and state legislators.

30. According to Mr. Lane, the debate could not go forward as planned because Ms. Burlet provided insufficient notice of the legislators who were scheduled to attend. Mr. Lane stated that he needed 10-days' notice in order to clear the legislators to attend the debate.

31. Ms. Burlet was perplexed by Mr. Lane's explanation. First, Ms. Burlet had already submitted the list of all expected attendees, including the legislators, to IDOC weeks prior, and IDOC officials subsequently issued a gate pass so that all of

those attendees could be admitted into the facility on the day of the debate. As far as Ms. Burlet knew, all of the attendees had been approved for attendance by prison officials.

32. Second, Mr. Lane's assertion that he needed 10-days to "clear" legislators did not make sense because Mr. Lane cancelled the debate on December 4, more than 10 days prior to the event date.

33. Furthermore, it did not make sense that Illinois government officials would need an extra layer of "clearance" above and beyond what was required of ordinary attendees.

34. On belief, the claim that Mr. Lane needed advance time to "clear" legislators was mere pretext. On belief, defendant Baldwin, defendant Taylor, and Mr. Lane, and other as-yet-unidentified government officials simply did not want to afford Ms. Burlet's class a platform to communicate with Illinois legislators about correctional matters.

35. Ms. Burlet nevertheless pressed forward with Mr. Lane and other IDOC officials to reschedule the debate with legislators. Ms. Burlet was again careful to comply with each and every requirement of which she was made aware by any IDOC official.

The March 21, 2018 Public Debate

36. As a result of Ms. Burlet's efforts, a public debate, with legislators and other members of the public, was finally approved, appropriate gate passes were issued, and that debate occurred on March 21, 2018.

37. The debate was attended by approximately eighteen members of the Illinois General Assembly. A number of journalists, IDOC officials, members of the Illinois Prisoner Review Board, and other members of the public were also in attendance.

38. The debate began with opening remarks by Ms. Burlet and four of the incarcerated debate participants. The debate participants told personal stories and expressed their personal views about their experience in the criminal justice system.

39. During the debate participants expressed views about why a system of parole should be implemented in Illinois and why the Illinois criminal justice system should focus on rehabilitation. The respective sides of the debate examined the relative advantages and disadvantages of different systems for implementing parole in Illinois, with particular focus on promoting justice, advancing public safety, honoring victims, reducing recidivism, and conserving taxpayer dollars. Debaters also drew upon their own personal experiences in expressing their views.

40. The debate was followed by a brief “Q & A” session. During this session, one legislator posed pointed and thoughtful questions to the debaters, indicating that the legislator was taking the class’s views seriously and was giving genuine consideration to the policy proposals that had been discussed.

41. The Q & A session was followed by a “meet and greet session,” at which time audience members were allowed to interact personally with members of the class. During this session, legislators continued to engage with the class about

specific policy questions, indicating that they were giving serious consideration to proposals discussed at the debate and that they wished to continue the policy discussion with members of the class.

The Stateville Debate Program Was Successful

42. Response to the public debate was overwhelmingly positive, both inside and outside of IDOC.

43. Even after the debate was over, several legislators expressed interest in resuming conversation with the class and with IDOC officials about the class's policy proposals.

44. Members of the class reported that participating in the debate gave them confidence, hope for the future, and the ability to express their views to their elected officials in a meaningful and humanizing way.

45. Following the debate, other Stateville residents thanked members of class for starting a conversation about parole with policymakers and for showing Stateville residents in a positive light.

46. Several IDOC officials similarly congratulated members of the team and Ms. Burlet on the quality of the debate.

47. Ms. Burlet made plans with IDOC for the class to do a re-creation of the debate, this time in front of an audience of Stateville prisoners. The debate re-creation was scheduled to proceed on April 26, 2018. At Ms. Burlet's request, IDOC agreed to record the April 26 debate so that an even wider audience inside and outside of the prison could hear what the class had to say.

48. Ms. Burlet also made arrangements for her class to participate in a competitive debate at Stateville with Wiley College, one of the highest-rated college debate teams in the nation.

Defendants' Retaliation

49. Although the Stateville debate program was widely well-received, high-ranking IDOC officials were unhappy about it.

50. On April 3, 2018, defendant Taylor showed up unannounced at a regularly-scheduled debate class and expressed her dissatisfaction about the debate to the class and to Ms. Burlet in person. She informed the class that she did not approve of the class's communication with legislators on the topic of parole and she did not want any more state legislators to hear the class's views on parole.

51. Ms. Taylor elaborated that the class's message was getting in the way of IDOC's pursuit of its own legislative agenda. On that score, Ms. Taylor said, "We don't need the legislators thinking about this issue, we just need them to give us the money we need," or words to that effect.

52. Ms. Taylor also stated that the class's message was inconsistent with her own personal policy initiatives within IDOC. According to Ms. Taylor, it would be detrimental to her personal agenda if legislators continued to pay attention to the class's message about parole, and she was not going to allow that to happen.

53. Ms. Taylor also told the class about an interaction that she had with one of the legislators during the debate. As Ms. Taylor reported it, she told the

legislator, “Do not introduce any legislation that you don’t have the Department’s perspective on, because I will get you,” or words to that effect.

54. Ms. Taylor also made veiled threats that she would not tolerate opposition to her position. She stated, “I better not see my name in any lawsuits,” or words to that effect. She also questioned whether inmate members of the class were “appropriately-placed” at Stateville—a statement that the inmates took to mean that she had power to transfer them to less-favorable IDOC institutions, located further from Chicago, where the families of many members reside, in retaliation.

55. In a separate meeting that occurred with Ms. Burlet (but not with members of the class) on April 16, 2018, Ms. Taylor told Ms. Burlet that IDOC needed to “control the message” with respect to the debate team and legislators. Ms. Taylor posited that gun violence in Chicago would have been an appropriate topic for debate, as that is a subject that the Governor would like discussed.

56. On some as-yet-undetermined date following the March 21 debate, defendant Taylor and other as-yet-unidentified government officials decided to cancel Ms. Burlet’s debate class, cancel the April 26 live debate, cancel the Wiley College debate, and ban Ms. Burlet from all IDOC facilities.

57. In addition, upon information and belief, an unknown IDOC official or officials advised the Illinois Department of Juvenile Justice (an independent state agency) that Ms. Burlet had been banned from all IDOC facilities, causing her to be similarly banned from IYC-Warrenville and all other juvenile facilities.

58. As a result of the actions of Baldwin and/or Taylor, the debate class was cancelled, the April 26 live debate was cancelled, the Wiley College debate was cancelled, and Ms. Burlet was banned from all IDOC facilities.

59. In addition to being banned from entering any IDOC facility to teach her debate classes, but the actions of Taylor and/or Baldwin caused Ms. Burlet to be banned from entering any IDOC facility for any purpose.

60. There was no legitimate penological purpose for any of these actions.

61. Rather, these actions were taken because defendants and other as-yet-unidentified government officials did not approve the content of the class's speech. They also wanted to stop the direct line of communication that the class had established with legislators on the issue of parole and they wanted to retaliate against plaintiff.

62. In the aftermath of these decisions, on or around May 17, 2018, a member of the class wrote an "Open Letter" to Illinois Governor Bruce Rauner, imploring him to reverse defendants' decisions. The letter was signed by all members of the debate team and was subsequently posted on the internet, garnering media attention.

63. On May 26, 2018, Ms. Burlet and other supporters of the debate class hand-delivered a copy of the "Open Letter" to Governor Rauner's office at the James R. Thompson Center in downtown Chicago. They also held a press conference in at the Thompson Center that was critical of defendants' actions. The events of May 26, 2018 also garnered media attention.

64. In a subsequent recorded interview, a National Public Radio reporter pressed defendant Baldwin for an explanation of defendants' actions. In order to further retaliate against Ms. Burlet and in order to cover up the unconstitutional acts of IDOC employees, Baldwin gave a false and defamatory answer.

65. Baldwin asserted that the class was cancelled because Ms. Burlet somehow jeopardized institutional safety. Specifically, Baldwin said: "[T]his was about somebody who chose not to follow basic corrections safety and security practices. And that cannot happen in an institution." See *Prisoners in Illinois Ask Governor For Help Getting Their Debate Team Back*, All Things Considered, National Public Radio, June 21, 2018, *transcript available at* <https://www.npr.org/2018/06/21/622377600/prisoners-in-illinois-ask-governor-for-help-getting-their-debate-team-back>.

66. Defendant Baldwin's statement was untrue. To the contrary, Ms. Burlet always took care to follow IDOC rules. Ms. Burlet did nothing to jeopardize safety or security in IDOC facilities.

Harm Resulting from Defendants' Misconduct

67. In addition to suppressing protected speech, defendants' misconduct was damaging in several more concrete ways.

68. The debate programs that Ms. Burlet ran at Stateville and IYC-Warrenville gave prisoners confidence, a sense of purpose, and hope for the future. Defendants' actions denied these adults and youth access to a meaningful program.

69. Defendants' actions have also caused harm to Ms. Burlet's professional interests and reputation.

70. During the period of time that Ms. Burlet ran the debate programs at Stateville and IYC-Warrenville, she gained recognition in the debate community for her innovative work with incarcerated debaters. She has a professional desire to continue these programs but she has been prevented from doing so.

71. Although IDOC did not compensate her for her work, people who supported her mission and efforts contributed money to Justice Debate League, which in turn paid her salary. As a result of IDOC's decision to cancel the debate programs, Justice Debate League has lost two of its most high-profile programs and contributions have declined.

72. Defendants' decision to ban Ms. Burlet from IDOC facilities without any due process is also highly damaging to Ms. Burlet's other pursuits.

73. For example, Ms. Burlet is associated with an organization called Prison Fellowship, a national Christian prisoner ministry program. As a devout Christian, Ms. Burlet has a strong religious calling to minister to prisoners. After going through the Prison Fellowship screening and training program, Ms. Burlet led worship services for incarcerated people within Stateville and volunteered at other religious programs within other IDOC facilities. These activities were an expression of Ms. Burlet's religious faith. Ms. Burlet wishes to continue these religious ministry activities, but she has been banned from doing so.

74. In addition, in 2017 Ms. Burlet began working with an elderly parole-eligible prisoner at Pinckneyville Correctional Center to help with his application to the Prisoner Review Board. Now she is unable to meet with him in person to assist with his application.

75. Ms. Burlet has also lost the ability to visit with her former students and debate team members, with whom she formed meaningful relationships during the course of her teaching and coaching activities.

76. Furthermore, defendants' actions (Baldwin's false statements in particular) have also cast a cloud over Ms. Burlet's reputation, both within the prison ministry community and the debate community.

Count One
42 U.S.C § 1983 – First Amendment

77. Plaintiff repeats and realleges all of the paragraphs in this complaint as if fully set forth herein.

78. As described in further detail above, defendant Taylor violated plaintiff's rights under the First Amendment of the U.S. Constitution by restricting plaintiff's debate class from engaging in protected First Amendment activity for no legitimate penological purpose.

79. The misconduct described in this count was undertaken intentionally, with malice, and/or with reckless disregard to plaintiff's rights.

80. As a result of the misconduct described in this count, plaintiff's rights were violated and she suffered harm.

Count Two
42 U.S.C § 1983 – First Amendment Retaliation

81. Plaintiff repeats and realleges all of the paragraphs in this complaint as if fully set forth herein.

82. As described in further detail above, plaintiff and the members of the debate class engaged in protected First Amendment activity, defendants caused her to suffer a deprivation likely to deter further First Amendment activity, and this First Amendment activity was the motivating factor in defendants' decision-making.

83. The misconduct described in this count was undertaken intentionally, with malice, and/or with reckless disregard to plaintiff's rights.

84. As a result of the misconduct described in this count, plaintiff's rights were violated and she suffered harm.

Count Three
42 U.S.C § 1983 – Procedural Due Process

85. Plaintiff repeats and realleges all of the paragraphs in this complaint as if fully set forth herein.

86. As described in further detail above, defendants deprived plaintiff of a protected interest when they cancelled her debate programs and banned her from IDOC facilities, and they provided no procedural protections surrounding the deprivation.

87. The misconduct described in this count was undertaken intentionally, with malice, and/or with reckless disregard to plaintiff's rights.

88. As a result of the misconduct described in this count, plaintiff's rights were violated and she suffered harm.

Count Four
42 U.S.C § 1983 – Failure To Intervene

89. Plaintiff repeats and realleges all of the paragraphs in this complaint as if fully set forth herein.

90. As described in further detail above, plaintiff suffered a deprivation of her constitutional rights. One or more of the defendants had notice and a realistic opportunity to prevent the violation of plaintiff's constitutional rights but failed to take reasonable steps to prevent it from occurring.

91. The misconduct described in this count was undertaken intentionally, with malice, and/or with reckless disregard to plaintiff's rights.

92. As a result of the misconduct described in this count, plaintiff's rights were violated and she suffered harm.

Count Five
42 U.S.C § 1983 and 42 U.S.C § 1985 – Conspiracy

93. Plaintiff repeats and realleges all of the paragraphs in this complaint as if fully set forth herein.

94. As described in further detail above, defendants Baldwin and Taylor reached an agreement to silence the Stateville debate class, particularly vis-à-vis Illinois lawmakers. In furtherance of that agreement, one or more of the defendants took action that resulted in the deprivation of plaintiff's constitutional rights.

95. The misconduct described in this count was undertaken intentionally, with malice, and/or with reckless disregard to plaintiff's rights.

96. As a result of the misconduct described in this count, plaintiff's rights were violated and she suffered harm.

Count Six
State Law Defamation

97. Plaintiff repeats and realleges all of the paragraphs in this complaint as if fully set forth herein.

98. As described in further detail above, defendant Baldwin acting in his individual capacity made false and defamatory statements about plaintiff.

99. Baldwin's statements were per se defamatory because they imputed an inability to perform or a lack of integrity the discharge of plaintiff's duties in her job and harmed plaintiff in her profession.

100. Baldwin's statements were made with malice, deliberate indifference, and/or reckless disregard for the truth.

101. Baldwin's statements were made and published to a third party, namely National Public Radio.

102. Baldwin's statements harmed plaintiff.

WHEREFORE, plaintiff Katrina Burlet respectfully requests that the Court enter judgment in her favor and against all Defendants, for preliminary and permanent injunctive and equitable relief including but not limited to reinstatement of the debate programs at Stateville Correctional Center and IYC-Warrenville and reversal of IDOC's decision to ban her from IDOC facilities; and for monetary relief including compensatory damages, punitive damages, and attorneys' fees and costs, and for any other relief that this Court deems just and proper.

Jury Demand

Pursuant to Federal Rule of Civil Procedure 38, plaintiff demands a jury trial on all issues so triable.

Respectfully Submitted,

KATRINA BURLET

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