

Statement to the First Congressional Hearing on Solitary Confinement

Hearing before the Senate Judiciary Subcommittee on the Constitution, Civil Rights, and Human Rights

Date: Tuesday, June 19, 2012

Time: 10:00 a.m.

Location: Dirksen Senate Office Building Room 226

Hearing : The Honorable US Senator Dick Durbin D-IL

Subject: Solitary Confinement Equals Torture and Abuse

From: Shandre Delaney

Parent of Inmate in Solitary Confinement

Inmate Advocate for Human Rights & Civil Rights

I am writing this first from the view of a parent and also from the view of an advocate. This is written in honor and on behalf of my son and those inmates whom I have communicated with regarding inmate treatment in solitary confinement units in Pennsylvania. I was forced to become a Human Rights advocate because after many years of fighting to right abuses done to my own son, I found that he was not alone; that others people's sons were being abused as well. I also found that the situation was not only a single incident but that the exact same situations were occurring at every prison within the Pennsylvania Department of Corrections and these situations are more concentrated within the solitary confinement units which are referred to as RHU, SMU, SHU and a bunch of other acronyms. In my opinion, you can call it RHU, SHU or whatever kind of unit you want. But, it all equals torture and is the modern day version of the torture chamber and can end up being death chamber for those who don't make it out alive.

My son's story, not unlike just about every other account I have received to date, began with a minor infraction and was supposedly to be a 30-90 day stay in solitary confinement. Once he was in the torture chamber, a history of racist terror and harassment began. Actually, the hatred and retaliation began before he was in solitary, when he began being denied receipt of African American newspapers. Upon filing complaints, he received false misconducts, which are write-ups for violation of rules. He was also being harassed and called racist names by guards who threatened his life daily because of religious belief and skin color. This was mild in comparison to what happens once in the torture chamber.

In solitary confinement, the guards stepped up their game. They began a routine of torture by beating, starvation and deprivation of human contact. I was told I could not visit when in fact I could. He was denied meals, mail and commissary items. When he did receive meals, they were often spit in or had foreign objects in it. At one institution he received food with glass in it. He was able to be quickly moved from this place because I called and wrote and told them if he was not moved his death would be at their hands. But when injustices are systemic and accepted, there is really no place you can go without a chance of it rearing its ugly head again. Specifically, if a guard whom you have filed a grievance or legal complaint on is placed at your new place of confinement. Also, other guards are warned and threaten you about filing complaints against their comrades.

With my help, my son filed complaints with PA State police, DOC Office of Professional Responsibility and state and federal government agencies on numerous occasions. Since government agencies and state police rely on the prison to investigate itself, filing complaints can be tricky. As the guards were made aware of complaints against them, by their superiors no doubt, the threats turned into beatings. In one incident, while taking him to shower he was thrown down steps and had his nose broken. More complaints were filed and he was assigned to camera surveillance any time he was in the presence of guards. The beatings did not stop; they would just turn the camera off, which is conveniently reported as a malfunction in case footage is needed for evidence. Coincidentally, this exact malfunction happens at every PA prison to every camera anytime it shows positive in favor of an inmate's claim.

Eventually, he was starved to the point of losing 20 pounds and told by the staff nurse that it was acceptable to be over 6 feet and weigh 140 pounds and that he should just take a Tylenol. After he was thrown down the steps and beaten so many times while going to yard or shower, he was afraid to come out the cell and would go for days without shower or yard. Even when he did want to come out he was often denied that right. Because the guards knew I wrote and called a lot to complain, they would show him my mail and then throw it away. If he tried to mail out they would do the same. I am thankful, that other prisoners would still write and let me know what was going on.

There are many factors which stimulate the ill effects of solitary confinement, primarily, being confined in a small bathroom size room for 23 hours per day. When you factor other elements in it equals torture. My son, as well as many inmates in solitary, complained of lights being on for 24 hours and the inability to sleep because of this and the 24 hour noise. In PA, the mentally ill are confined with those who are not mentally ill. The mentally ill inmates constantly yell out and harm themselves daily. From what all the inmates have told me that in itself is enough to cause a once normal person to become mentally ill. It is bad enough that prisoners have to fight to keep their sanity in solitary confinement but with the addition of mixing in with those with mental illness it becomes overwhelming. Many inmates contemplate and carry out suicide who had never been suicidal. A key cause is the abuse that the guards inflict upon all the inmates. You don't expect a guard to be extra courteous or even sociable. You do expect them to not intentionally harass, threaten, shout racial slurs, provoke suicide and retaliate because you have complained about their professionalism and ethics. You do not expect to go in for 30-90 days and end up doing 10 years in solitary.

Not only are minorities abused but those with mental and medical problems are abused to the same degree. You have medical and mental health staff that are either poorly trained or just don't care. At the same time, you have corrections officers whose role is to enforce and who are not professionally trained to deal with certain circumstances. Any inmate who, like my son, chooses to stand up for civil and human rights are subjected to terroristic abuse and torture. To date, he has spent more than 10 years in solitary confinement and is 8 ½ years beyond his minimum sentencing due to being in solitary confinement. In Pennsylvania, prisoners are not given the chance to progress out of solitary. A major proportion of those in solitary have been there for extended periods of time. So many are buried in these units and either max out, die, commit suicide or are murdered. I say murder because there is extreme lawlessness and recklessness within these units that occasionally a prisoner is pushed into committing suicide or is killed in retaliation as happened recently to inmate John Carter at SCI Rockview.

Throughout the years, as I contacted one government agency after another to report abuses against my son, I found it hard to understand why the same complaints were heard from all prisons by people who had no communication with one another nor had ever met one another. It was unthinkable that no one could see the evidence in front of their eyes. I found very little intervention from any government agency if any at all. In fact it appeared to be a hands-off policy in that each letter I wrote was redirected back to the PA Department of Corrections thus giving them the responsibility of self investigation. It is also an opportunity to warn the offenders who then retaliate further against the prisoners. This is not a coincidence! This systemic tax-funded abuse is so well rooted in Pennsylvania that it seems to be a part of the training and modus operandi of the Pennsylvania Department of Corrections.

Racism, murder, torture, starvation, suicide, mail tampering, deprivation from human contact and deprivation from intelligent coherent communication, are only some of the mistreatment that an inmate has to endure while in the Solitary Confinement units. These are the bowels of the Pennsylvania corrections system. These bowels are ready to burst from the inhumane, predominantly racially motivated abuse that takes place at the hands of guards and wardens who oversee the prisons and a Department of Corrections administration that does nothing or in effect condones the acts. Most prisons are in rural areas with a small amount or zero minorities. Due to that fact this group of people overseeing these prisons more than likely haven't had much communication with other races. These areas are also usually financially dependent on these prisons for income; the people would probably otherwise be unemployed if not for the existence of the prison. Keeping a prison full is job security. This in itself gives power to those who perform and promote racial injustices on a daily basis. Solitary as a form of punishment along with the other facts, has created a subculture of people who are being paid while promoting racists attitudes and discrimination.

Solitary confinement has no logical role. It is used as a retaliatory tool in many instances. The effects of solitary confinement are debilitating to the human psyche and do not build upon rehabilitation but hinders mental and physical capability. Prisoners have no way out of solitary and some are kept there because there is no place to put them. Human rights and civil rights are violated consistently within the solitary confinement system. It is a mixture of unethical actions partnered with blatant racism and the abuse of power that defines the fabric and state of punishment by solitary confinement. Moreover, solitary confinement is an atrocious, overburdened, overused form of punishment that amounts to torture.

The one fact that I can assure you I have found in my history of corresponding with inmates over the last 12 years is that no one wants special treatment, they want fair treatment. They only want to come into a place do their time, rehabilitate and return to society. These inmates are not asking for sympathy; they merely want to do their time without being subjected to racist harassment and violence. They want a fair chance at rehabilitation and freedom. They want an outside agency that has no affiliation with the DOC, to monitor the prisons thus providing an unbiased mediation and decision making process when there are complaints. Lastly, all inmates, once adjudicated, may have given up their right to live in a free society, but they are all human and have the right to be treated as such. In a time where the USA is pointing the finger at every other country for its human rights violations, it is preposterous that we are the number one violator of human rights by subjecting people to an outdated form of punishment that is indistinguishable to torture.

Thank You for your time.

Shandre Delaney D-PA