

Advocates Join Forces to End Long-Term Solitary Confinement in U.S. Prisons in the Next 10 Years

Note: For the past two years, Solitary Watch has been meeting with other advocacy groups working to end solitary confinement, with the aim of coordinating a national campaign to support state and local organizing across the country. That campaign, called Unlock the Box, launched in October 2018. What follows is the announcement issued by Unlock the Box.

A coalition of leading civil rights, human rights, and criminal and juvenile justice reform organizations has announced the official launch of “Unlock the Box: The National Campaign to End Solitary Confinement.”

The new campaign will back a growing nationwide movement against solitary by providing funds, strategic and technical support, and other vital resources to state-based campaigns aiming to reduce or eliminate the use of long-term solitary in prisons, jails, and juvenile detention facilities.

Unlock the Box was initiated in response to an overwhelming body of evidence showing that the isolation and sensory deprivation of solitary confinement have disastrous impacts on the mental and physical health of incarcerated people. The United Nations classifies prolonged solitary confinement as a form of “cruel, inhuman and degrading treatment” that often rises to the level of torture, and in most Western democracies it is rarely used.

Yet U.S. prisons continue to utilize solitary as a routine management tool, and as a punishment for even minor prison rule violations. On any given day in the United States, some 80,000 men, women, and children are locked down in small cells without human contact, physical exercise, or rehabilitative programming. Many remain in solitary for months, years, or even decades. And some do not survive: Rates of suicide and self-harm among people held in solitary confinement far exceed those in the general prison population. Thousands of people each year are released directly from solitary, harming their chances at successful re-entry

and reintegration into family and community life.

“People in jail and prison have already lost their freedom. Subjecting them to solitary confinement adds unconscionable cruelty to their punishment, with terrible consequences for their lives, families, and communities,” said Jessica Sandoval, Campaign Strategist for Unlock the Box. “And it is all for no reason: Solitary doesn’t correct behavior, nor does it make jails and prisons safer.”

Unlock the Box brings together advocates from national organizations that have been working on the issue for close to a decade, including the ACLU National Prison Project, Center for Children’s Law and Policy, National Religious Campaign Against Torture, and Solitary Watch. They are joined by leaders from two state-based groups with active campaigns to end solitary, the Correctional Association of New York and California Families Against Solitary Confinement.

Individually, these groups have worked to educate and influence the public, the press, policymakers, and corrections officials on the harms caused by solitary and the existence of humane and effective common-sense alternatives. In 2017, Colorado became the first state in the nation to adopt the UN’s Mandela Rules for the treatment of prisoners, which call for a 15-day limit on solitary for most incarcerated persons, a complete ban for youth, and similar protections for people with mental illness and other vulnerable populations. Other states have made more modest reductions to their use of isolation by adopting incentives for positive behavior, improvements in mental health treatment and other rehabilitative programs, and the use of “step-down programs” to transition people out of solitary.

While momentum for change is growing, the need for resources is great. In order to meet this challenge, the organizations comprising Unlock the Box have joined forces to support and nur-

ture both established and emerging state-level campaigns aimed at ending long-term solitary. Unlock the Box has already made grants to advocacy coalitions in ten states for projects ranging from data-collection to legislative campaigns to youth-focused initiatives.

In selecting states to support, Unlock the Box emphasizes campaigns that have developed targeted strategies and that sustain leadership by directly affected individuals—both survivors of solitary confinement and family members of people in solitary. “I was put in solitary confinement for the first time on Rikers Island when I was 16 years old,” said Johnny Perez, Director of U.S. Prison Program for the National Religious Campaign Against Torture. “In all, I spent three years in solitary, and the experience still haunts me. People who have been personally impacted by solitary bring vital insight and value to the struggle to end this form of legalized torture, and Unlock the Box is committed to their involvement and empowerment.”

Unlock the Box will also offer resources and hands-on assistance to state campaigns, and work to draw national attention to the issue of solitary confinement. “We hope this collaboration will help us shine a light on one of the darkest corners of our criminal justice system, and provide a real resource for change,” said Jean Casella, Co-Director of Solitary Watch.

The Unlock the Box campaign believes that solitary confinement is the most extreme expression of the punishment paradigm that pervades the U.S. criminal justice system, and that ending solitary is a key component of ending mass incarceration. And this is precisely the right moment to undertake a coordinated national campaign, said David Fathi, Director of the National Prison Project of the American Civil Liberties Union (ACLU). “We believe that, state-by-state, we and our colleagues around the country can bring this issue to the tipping point. Together, we can make solitary a thing of the past—and we must.”

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By Valerie Kiebala

Spring legislative sessions have ended, and this year has been a record-setting one for legislation related to solitary confinement. Legislation to restrict solitary has been introduced in 28 states. Eight states—Arkansas, Georgia, Maryland, Montana, Nebraska, New Jersey, New Mexico, and Texas—passed bills, most of them banning the use of solitary for certain vulnerable populations, and one setting sweeping new restrictions that apply to all.

In New Jersey, Governor Phil Murphy signed into law the Isolated Confinement Restriction Act, hailed as “the strongest legislation restricting solitary in the nation,” by ACLU of New Jersey Director Amol Sinha. Taking effect next year, the law bans solitary for longer than 20 consecutive days and demands that people separated from the general population be provided group out-of-cell time and programming. It also prohibits solitary for youth, elderly people, pregnant women, LGBTQI, and people with disabilities. The law requires routine physical and mental health evaluations, as well as meaningful 30-day reviews of placement.

Legislative Roundup

J. Amos Caley of the New Jersey Campaign for Alternatives to Isolated Confinement said, “The voices of survivors of solitary confinement, and their strength in summoning up some of the worst moments of their lives to stop the routine use of prolonged isolation, have been the moral ballast responsible for making these historic restrictions law.”

The new law in New Jersey closely resembles the Humane Alternatives to Long-Term (HALT) Solitary Confinement Act in New York. After working for years to secure enough votes, advocates had high hopes for the passage of the HALT Solitary Act this year. As the legislative session wound down, dozens of advocates even went on a hunger strike in solidarity with people held in solitary. But legislative leaders failed to bring the bill to the floor for a vote, instead accepting a proposal by the governor to make administrative changes that may improve conditions, but fall far short of what the

HALT Act would have accomplished. Advocates have vowed to reintroduce the bill next year.

Other notable new laws are as follows.

Nebraska banned solitary confinement for minors (under 18), pregnant women, and people with mental illness.

New Mexico banned solitary confinement for minors, pregnant women, and people with serious mental illness, though this definition included significant exceptions.

Georgia banned state and local facilities from placing pregnant women in solitary, and also prohibited shackling and strip searching pregnant women.

Montana banned solitary, with exceptions, for minors and pregnant women.

Maryland banned solitary, with exceptions, for minors and pregnant women, and set a standard for basic needs to be met in solitary.

Texas banned solitary, with some exceptions, for pregnant women.

Arkansas set a limit of 24 hours on the use of isolation as punishment for minors.

I Spent 16 Months in Solitary Confinement, and Now I'm Fighting to End It

The following piece was written by Kiana Calloway, a formerly incarcerated organizer with Voice of the Experienced (VOTE), a grassroots organization in New Orleans that works for policy change and for full civil and human rights for people impacted by the criminal justice system. Calloway spent 17 years of his life incarcerated for a crime he did not commit, and endured 16 months in solitary confinement at Camp J, a notorious isolation unit that has since been shut down. He spoke in New Orleans at the June release of the report Louisiana on Lockdown, published by Solitary Watch, the ACLU of Louisiana, and the Jesuit Social Research Institute at Loyola University.

By Kiana Calloway

I was just 17 years old when I was sent to solitary confinement in "Camp J," one of the most severe lockdown units at one of America's most brutal prisons, the Louisiana State Penitentiary at Angola. I languished in solitary for 16 months.

Back then I didn't know that Louisiana was the solitary confinement capital of the world. All I knew was that I'd been convicted of a crime I didn't commit, and I had to maintain my humanity in one of the most dehumanizing places on earth.

It's called "23 and 1" because you spend 23 hours alone in your cell, with one hour to take a shower or make a phone call, if allowed. There are no educational programs. You are stuck in your cell with just the voices in your own head and the cries of men who have already gone mad. Most of the other people in my unit were suffering from severe mental illness. I remember how they would ram their heads into the

bars, play with their own defecation, or throw urine or feces.

The hardest part of living in solitary is trying not to lose hope. Each morning that I woke up in solitary I would quote the same serenity prayer I remember my father reciting when I was young. "God, grant me the serenity to accept the things I cannot change, the courage to change the things I can, and the wisdom to know the difference."

The consequences are devastating. It's been 22 years since my time in solitary and 8 years since my release from prison, but I still have flashbacks and nightmares. Even when I'm with someone else, I find myself secluded in my own mind. I call it being psychologically incarcerated. I'm learning to identify and deal with it, but I am still not normal.

A new report from the ACLU of Louisiana, Solitary Watch, and the Jesuit Social Research Institute proves that the degrading conditions I experienced continue to harm other people. The report is based on a survey of more than 700 people held in solitary, and as someone who has experienced solitary first-hand, their stories ring painfully true. "These cells drive men mad," wrote Carl, one of the report's survey respondents. "I have personally witnessed one man take his life, another tried to by running the length of the tier and smashing his head into the front bars, sadly for him he still lives, if you can really call it that... Point is the cells are killing men and they know it..."

I hope that the information in this report will help prove to corrections officials

that more changes are needed throughout the system, not just for the benefit of people living in solitary—but also for their families and communities.

The report contains specific, immediate recommendations for reducing the Louisiana Department of Corrections' extreme dependence on prolonged isolation and moving quickly toward more safe, effective, and humane alternatives. The need for reform is urgent. Because putting people in dehumanizing situations pushes them to do dehumanizing things. If your life is destruction, the only thing you can give out is destruction.

That's why the United Nations has said that extended solitary confinement can rise to the level of torture, and called on countries around the world to ban the practice beyond 15 days.

Solitary confinement is an experience I will never forget. Just the other morning, my wife told me I was screaming during the night—and I knew it was a nightmare about my time in solitary.

But I'm strong, and through my work with Voice of the Experienced, a grassroots organization founded and run by formerly incarcerated people, I'm blessed to be able to use my experiences to press for reforms to combat mass incarceration and restore the civil rights of those most impacted by the criminal legal system.

For too long, the voices from Louisiana's solitary cells were silenced. Through this report and the courageous advocacy of other survivors, we can help make sure they are finally heard.

About Solitary Watch

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Founded in 2009, Solitary Watch (www.solitarywatch.org) is a national watchdog group that investigates, reports on, and disseminates information on the use of solitary confinement in U.S. prisons and jails. Over the past nine years, we have helped to expand public awareness and understanding of this once-invisible domestic human rights crisis. We have also stimulated mainstream media coverage, supported advocacy campaigns, and informed government policy-making.

The print edition of Solitary Watch is available free of charge to currently and formerly incarcerated people. To receive future copies, please send a request to the address or email above. We also welcome stories, essays, poems, and drawings about life in solitary confinement, for publication in the **Voices from Solitary** series on our website.

Note: We regret that we cannot offer legal assistance or advice and cannot respond to requests for this type of help. Legal materials sent to us cannot be returned to the sender. We also cannot forward mail to others or contact people on the outside on your behalf. Thank you for your cooperation.

By Valerie Kiebala

NATIONAL—An investigation conducted by NBC News, *The Intercept* and the International Consortium of Investigative Journalists (ICIJ) exposed the widespread use of solitary confinement in Immigration and Customs Enforcement (ICE) facilities, based on a review of over 8,400 agency reports. The investigation, published in May, found that immigrants face isolation as punishment for minor violations and for engaging in hunger strikes. A third of the people held in solitary had a known psychiatric disability and many had been victims of abuse, had attempted suicide, or identified as LGBTQ. The investigation uncovered descriptions of immigrants "mutilating their genitals, gouging their eyes, cutting their wrists, and smearing their cells with feces." According to a Department of Homeland Security (DHS) report, the rapidly rising number of immigrants detained by ICE across the country reached 42,188 by the end of 2018. Detained immigrants are technically being held civilly, not criminally, and the use of solitary confinement violates ICE's own policies.

FLORIDA—In May, The Southern Poverty Law Center filed a class action lawsuit alleging that Florida's use of solitary confinement constitutes a violation of the 8th Amendment to the Constitution, which bans cruel and unusual punishment, as well as the Americans with Disabilities Act, and the Rehabilitation Act. About 10,000 people—or 10 percent—of those held in Florida prisons currently live in solitary confinement, which is more than double the national average. Admire Harvard, who is a transgender woman and named plaintiff in the lawsuit, was first sentenced to 60 days in solitary when she was 18 years old, despite the fact that she had bipolar disorder, after staff accused her of lying in order to receive more food. Harvard's 60-days turned into 10 years in solitary confinement, which has caused her to suffer from depression, anxiety, and auditory hallucinations, and attempt suicide several times. The lawsuit claims the Florida Department of Corrections is aware of the harmful psychological and medical effects of isolation but has failed to prevent them.

ALABAMA—During the spring of this year, incarcerated men at two different Alabama prisons, Limestone Correctional Facility and Holman Correctional

News Briefs

Facility, went on hunger strike to protest the use of solitary confinement, "retaliatory transfers," and appalling conditions. The strikers at Holman, all of whom are reportedly active in either peacemaking efforts or the prisoners' rights movement, and none of whom have disciplinary infractions, claim they were not provided a reason for their isolation or transfer. The Alabama Department of Corrections justified their action as "preventative measures," but a Department of Justice (DOJ) report in March found that conditions in Alabama prisons do, in fact, violate the 8th Amendment. Prison staff force-fed one hunger striker at Limestone and in June, organizers in support of the hunger strikers gathered outside of Limestone on visitation day, calling for six demands, including a DOJ lawsuit challenging 8th Amendment violations, an end to the "abusive use of solitary confinement" and retaliation, and the implementation of rehabilitative and good time programs.

GEORGIA—In May, a federal District Court in Macon, Georgia, approved settlement terms for a class action lawsuit challenging the severely restrictive conditions in the Special Management Unit (SMU) at the Georgia Diagnostic & Classification Prison. The suit, brought by the Southern Center for Human Rights, argued that conditions at the prison violated the 8th and 14th Amendments rights of the people incarcerated there, many of whom have mental illness. In October 2017, expert witness and clinical psychologist Dr. Craig Haney visited the prison and declared the SMU to be "one of the harshest and most draconian" isolation units he had seen, with "the most psychologically traumatized persons" he had ever assessed in prison. Under the settlement agreement, the use of solitary must be limited to 20 hours a day, and people in the SMU must be provided a tablet, library access, programming, and mental health evaluations.

VIRGINIA—In May, The ACLU of Virginia filed a class action lawsuit against the Virginia Department of Corrections (VDOC), claiming that the Segregation Reduction Step-Down Program at the state's two supermax prisons, Red Onion and Wallens Ridge, continues to isolate people and

offers some of them no way out. While VDOC claims that their prisons do not use solitary, the ACLU says, "An endless maze of classifications, vague and confusing processes, and highly subjective decision-making authority granted to VDOC staff effectively make it impossible for many people to be released from solitary, ever."

MASSACHUSETTS—The Massachusetts Department of Corrections (DOC) has introduced restrictions upon an oversight committee created as part of the Criminal Justice Reform Act passed last year. The law banned the placement of people with serious mental illness and pregnant women in solitary confinement, required reviews for people held in prolonged isolation, and designated a twelve-member oversight committee to monitor implementation. But the DOC has allegedly created new housing units to circumvent the rules and have inhibited the committee from conducting unannounced visits, speaking with staff or incarcerated people without approval from the state commissioner, accessing personnel files and nonpublic documents, and speaking to the press, in what news outlets have called a "gag order." Senate Judiciary Committee Chairman Jamie Eldridge said the restriction "serves no purpose beyond stifling dissent and impending effective oversight."

NATIONAL—The Stop Solitary for Kids Campaign released a report in June, directing youth correctional administrators to safe alternatives to room confinement, the term often used for periods of solitary confinement in youth facilities. The report features models and developments from Colorado, Massachusetts, Oregon, and Memphis, Tennessee. Highlights from these models include practices based on adolescent development research, enhanced staff training and increased staffing ratios, therapy programs based on behavior management research, and monitored reviews of incident footage. In Massachusetts, the Department of Youth Services decreased room confinement by at least 65 percent between 2008 and 2016, and during that time, assaults and suicidal behavior also dropped. The Assistant Chief of the Shelby County Sheriff's Office in Memphis said, "It hurt me so much to see children in rooms like that. Room confinement causes mental illness. You're teaching violence when you use force."