By Valerie Kiebala

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 families, are surfacing, as 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 work.”

The new law in New Jersey closely resembles the Mandela Rules of Long-Term (HALT) Solitary Confinement Act in New York. After working a year for secure enough votes, advocates had high hopes for the passage of the HALT Solitary Confinement Act this year. As the legislative session wound down, dozens of advocates even went on a hunger strike in solidarity with people held in one of the nation’s most populated prisons. The legislature failed to bring the bill to the floor for a vote, instead accepting an upglossed bill that provided 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 solitary confinement as punishment for minor 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 exceptions, for pregnant women.

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- **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

By Valerie Kiebala

NATIONAL—An investigation conducted by NBC News, The Intercept, and the Consortium of Investigative Journalists (CIJ) exposes the widespread use of solitary confinement in U.S. Bureau of Prisons (BOP) and Immigration and Customs Enforcement (ICE) facilities, based on a review of over 8,400 agency documents and interviews with hundreds of people held in solitary. The report finds that conditions in solitary confinement violate the Eighth Amendment of the Constitution, which bans cruel and unusual punishment. As Americans with Disabilities Act and the Rehabilitation Act. About 10,000 people are confined in solitary at any given time in Florida prisons currently live in solitary confinement, which is more than double the national average. The BOP’s own policy states that people incarcerated there, many of whom have significant mental illness. In 2017, expert witness and clinical psychologist Dr. Craig Haney visited the prison and declared the situation “one of the most psychologically traumatized facilities in the world.” In 2018, he had ever assessed in his career. The report offers some of them no way out. While VDCC claims that their prisons do not use solitary confinement, ACLU says, “An endless maze of classifications, vague and confusing processes, and highly institutionalized practices have granted VDCC staff effectively make it impossible for many people to get out of solitary.”

M A S S A C U S E T T S —The Massachusetts Department of Corrections (DOC) has introduced restrictions up until 90 days for certain people held in 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 of 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 was the “greatest blow to the independent oversight,” Senate Judiciary Committee Majority Leader Bruce S. Martino told a Senate hearing. “This serves no purpose beyond stifling dissent and impeding effective oversight.”

NATIONAL—The Stop Solitary for Kids Campaign released a report in June, directing youth correctional administrators to end in-room confinement, the term often used for periods of solitary confinement in juvenile facilities. The report identifies structures models and developments from Colorado, Massachusetts, Oregon, and Memphis, Tennessee. Highlights from these models include practices based on adolescent development research, enhanced staff training, increased staffing ratios, therapy programs based on behavior management, and monitored and reviewed use of incident footage. In Massachusetts, the Department of Youth Services de-emphasized solitary confinement by at least 65 percent between 2008 and 2016, and during that time, assaults and suicide rates decreased. In Tennessee, assistant chief of the Shelby County Sheriff's Office in Memphis said, “It’s a lot easier to work in a room like that. Room confinement causes mental illness. You’re teaching violence when you use force.”

About Solitary Watch

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Founded in 2009, Solitary Watch 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 ten 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 policymaking.

The print edition of Solitary Watch is available free of charge to currently and formerly incarcerated people. To receive future print issues, please send a request to the address or email above. We will not release your name or address to anyone. Additionally, we post 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 advice or assistance 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.