

Solitary confinement—also known as segregation or restrictive housing—refers to the isolation of incarcerated people within prisons and jails for up to 24 hours a day with no meaningful human contact.¹ In the United States, solitary confinement is used to punish disciplinary infractions, separate people classified as a threat to “safety and security,” and allegedly protect vulnerable people. In U.S. state and federal prisons alone, at least 75,000 incarcerated people are held in solitary confinement on a given day.²

Since the practice began, proponents of solitary confinement have claimed that it plays an essential role in preventing violence and promoting prison safety. However, many studies over the last two decades have shown that solitary confinement is not an effective method of controlling incarcerated people or addressing prison violence.

In fact, many facilities where solitary confinement has been reduced or eliminated also saw a decrease in hostility between incarcerated people and correctional officers and overall reductions in the number of violent incidents. Additionally, many facilities have reduced violence by instituting policies that reward positive behavior, enhance programming, increase the autonomy of incarcerated people, and train prison staff in alternative approaches.

Solitary Confinement Is Used for Punishment

“It was like that old adage. If you build it, they will come... Anybody who caused any type of trouble that disrupted the norm for general population... they were put into segregation [solitary confinement].”

—Former Warden, North Dakota State Penitentiary³

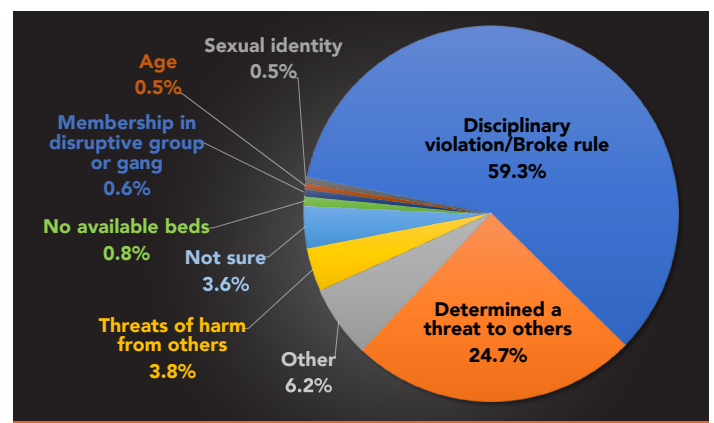
Despite the claim that solitary is necessary for those who exhibit violent behavior, data collected by the Vera Institute of Justice shows that “nonviolent, low-level disciplinary infractions—such as swearing, smoking, disrespecting authority, or possessing minor contraband—were among the most frequent reasons people were sent to solitary confinement.”⁴

In a survey of people held in solitary confinement in Louisiana state prisons, 59.3% of those responding reported they were currently in solitary for disobedience or rule breaking.⁵

According to Louisiana State Prison policy at the time, disciplinary infractions that could result in placement in solitary included possession of minor contraband (e.g. money, yeast, tattoo paraphernalia), self-mutilation, consensual sex acts, and cursing at or insulting prison staff.⁶ Some incarcerated people even reported being sent to solitary because the prison did not have enough open beds in the general population or because they were unable/unwilling to work.

“[About one week after] Hurricane Katrina struck... I was ordered to go to work in the fields. I refused because I hadn’t heard from a single family member and didn’t know if they were dead or alive, so the colonel... falsified a report stating I threatened to kill someone, and I’ve been locked in these cells ever since.”

—Harold, Louisiana State Penitentiary, Angola⁷



Reasons for placement in solitary confinement reported by respondents to a 2017 survey in Louisiana state prisons

Solitary Does Not Curb Prison Violence

In some instances, the use of short-term isolation can help to rapidly deescalate violent situations and allow those involved time to cool-off. However, individuals involved in violent altercations are often subjected to long-term or indefinite solitary confinement, which can increase emotional dysregulation and exacerbate of violent behaviors.⁸

The argument that solitary is an effective measure is based on a larger belief that strict enforcement of prison rules and punitive consequences to disobedience are the most effective methods of managing incarcerated people. However, several studies have found these methods, and solitary confinement specifically, ineffective in reducing prison violence.

A 2003 study examined rates violence in three state prisons systems—Arizona, Illinois, and Minnesota—before and after Supermax facilities were opened. In all three states, the rates of prisoner-on-prisoner violence stayed the same. Following the opening of a “Special Management Unit” in Arizona, researchers saw a significant increase in the number of staff injuries.⁹

Research published in 2015 found “that neither the experience of SC [solitary confinement], nor the number of days spent in SC, had any effect on the prevalence or incidence of the finding of guilt for subsequent violent, nonviolent, or drug misconduct.”¹⁰ For those involved with gangs, the experience of solitary confinement led to “a 9.7% increase in the expected count of violent misconduct and a 12.3% increase in the expected count of nonviolent misconduct.”¹¹

After comparing rates of violence in Colorado, Kansas, Maine, Mississippi, and Ohio before and after reductions in solitary populations, the U.S. Government Accountability Office reported in 2014, “where the use of administrative segregation has been reduced... there has been no adverse impact on institutional safety.”¹²

The ACLU found that, overall, “there is no evidence that using solitary confinement or supermax institutions have significantly reduced the levels of violence in prison or that such confinement acts as a deterrent.”¹³

Reducing Solitary Can Make Prisons Safer

In fact, several states have proven that letting people out of solitary confinement decreases prison violence.

In Colorado, the percentage of the state’s prison population held in solitary confinement decreased from 7% in 2011 to 1.2% in 2015.¹⁴ Data showed that during the same period, prisoner-on-staff assaults declined by 46% at San Carlos Correctional Facility and by 50% at Centennial Correctional Facility.¹⁵

In 2002, the ACLU of Mississippi filed a lawsuit arguing that the majority of incarcerated people housed in the Mississippi Department of Corrections’ administrative segregation unit, known as Unit 32, did not belong there. Following reassessment of administrative segregation placements, the number of people assigned to administrative segregation was reduced from over 1,000 to less than 150.¹⁶ Following the policy change, monthly data for Unit 32 “showed an almost 70% drop in serious incidents, both prisoner-on-staff and prisoner-on-prisoner.”¹⁷ Additionally, the number of incidents in which staff employed use of force declined sharply.¹⁸

Maine Corrections Commissioner Joseph Ponte stated that reductions in solitary confinement led to “substantial reductions in violence, reductions in use of force, reductions in use of chemicals, reductions in use of restraint chairs, reductions in inmates cutting [themselves] up—which was an event that happened every week or at least every other week...[The cutting has] almost been totally eliminated as a result of these changes.”¹⁹

Staff Violence Is Prevalent in Solitary

Because they are basically rendered invisible, individuals placed in solitary confinement are also more likely to receive off-the-books punishment from staff, up to and

including physical brutality. Michael Mushlin, a law professor at Pace University, calls solitary units “fertile ground for abuse, because there are no witnesses to what happens there—not even other prisoners.”²⁰

In Louisiana, nearly 79.8% of incarcerated people surveyed reported that physical assaults by staff in solitary confinement were common or very common.²¹

“I was fully restrained with the handcuff belt around my waist and shackles on my feet when I was on the phone, and I was attacked and thrown down 2 flights of stairs. I suffered from black eyes, bruised hips and ribs and small concussion.”

—Evan, Louisiana State Penitentiary, Angola²²

For transgender women incarcerated in men’s facilities, solitary confinement is used as a form of “protective custody,” yet it often exposes them to sexual violence at the hands of staff. In an interview with Solitary Watch, one trans woman incarcerated in New York recounted how she was assaulted by a guard while in a solitary confinement unit.

“I remember, he punched me so hard in my ribs, that I could barely breathe... he was grabbing me, choking me and hitting me, pinning me down... there was a point I couldn’t even move. He made me give him oral sex and he turned me around and that’s when he attacked me sexually—he raped me and this went on for a few weeks.”

—Yvette Gonzales, New York State prisons²³

During an investigation into allegations of sexual abuse by staff at the Ohio Reformatory for Women, the organization Stop Prisoner Rape—now Just Detention International—found that women who reported sexual abuse were automatically transferred to solitary confinement. When interviewed, Warden Deborah Timmerman-Cooper stated “that it was necessary in order to protect the [incarcerated person] while officials investigated the incident, but could not explain why those inmates should be stripped of basic privileges and locked in isolation for 23 hours a day.”²⁴

In Louisiana, 41.2% of those who reported experiencing abuse also stated they had reported the incidents through the prison’s grievance system, and “almost 89 percent of respondents said that abuse by staff in retaliation for filing official prison grievances or making complaints was common or very common.”²⁵

“I have experienced verbal harassment, racial harassment, threats, intimidations, physical assault, and retaliation for complaints. I was threatened for writing [grievances] and having my family call DOC. They put me on phone restriction so I couldn’t contact family...my property was damaged and stolen in retaliation. I was hit with walkie talkies and beat on in a room while in handcuffs.”

—Felix, Louisiana State Penitentiary, Angola²⁶

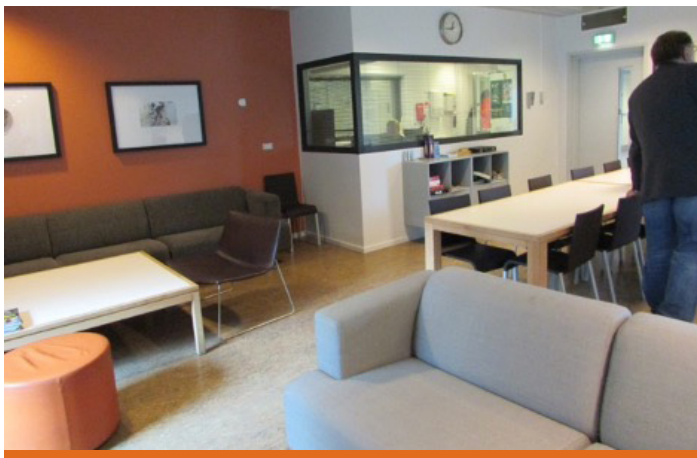
Solitary Increases Post-Carceral Violence

A 2009 study conducted by Florida State University found that 24.2% of individuals incarcerated at supermax facilities were reconvicted of a violent crime—a rate 18% higher than individuals who had not spent time in a supermax facility.²⁷

In addition, a North Carolina study found that individuals who had previously spent time in solitary were 78% more likely to die by suicide and 54% more likely to die by homicide in their first year after release when compared to individuals who had spent no time in solitary.²⁸

Alternatives to Solitary Enhance Prison Safety

Instead of addressing the root causes of violence in prisons, solitary confinement is used as a catch-all for responding to disobedience and managing populations. This has created a cycle within carceral facilities where both violent and nonviolent behaviors are punished with more violence. The following approaches have been shown to reduce violence against both correctional staff and incarcerated people.



Communal living space in a housing unit at Norway's Halden Prison. (Photo: Prison Law Office)

Decarceration: When examining rates of prison violence in comparison with population levels, a 2007 study found that individuals with histories of violent behavior were more likely to commit violent acts when housed in an overcrowded facility.²⁹ By decreasing overcrowding, facilities decrease the likelihood that a volatile individual will be placed in a situation that instigates violent acts. In addition, fewer people in prison means more resources for programming and other options shown to reduce violence.

Increased Visitation: A 2012 study found that individuals who were visited while incarcerated were less likely to commit both high and low-level misconduct.³⁰ The same study found that those who had visitation were less likely to reoffend upon release.³¹ Through increasing opportunities to connect with loved ones, correctional departments can disrupt violence by fostering meaningful human connections and systems of support.

Racial Diversity Among Staff: Evidence gathered from a 1995 study found a correlation between prisons' ratios of white to Black correctional staff and rates of both inmate and staff assaults.³² This lack of diversity, combined with specific acts of racist discrimination and abuse, is a barrier to trust between staff and incarcerated individuals.

Positive Incentives: Reward systems in prison (RSPs), or remunerative controls, are used throughout the world as an alternative to punitive or coercive control methods of prison management. A review of current research on RSPs showed that they are “effective in advancing mental health among mentally ill participants, decreasing violent behavior among high-risk participants, increasing academic achievement, and reducing problem behavior among adolescents and young adults.”³³

Increased Autonomy: As opposed to the “control model” that dominates U.S. prisons, some European prisons rely more on a “responsibility model” or “consensus model” that gives incarcerated people greater freedom and responsibility, while prison staff enact the minimum amount of control required to keep order. The principle of “normalization” is central to Norwegian prisons' approach. When building Halden Prison, Norway set out to “design life inside correctional facilities to resemble life outside prison as much as possible.”³⁴ Although “nearly half [of incarcerated people at Halden] are imprisoned for violent crimes like murder, assault or rape,”³⁵ incidents of violent behavior or threats are extremely rare.

Enhanced Programming: Data collected and analyzed by the U.S. Bureau of Justice Statistics found that participation in substance abuse, sex offender, family and life skills, vocational, and educational programming was associated with significant reductions in prisoner-on-prisoner violence.³⁶ Additionally, a 2003 study of 4,000 incarcerated people across 185 facilities showed that individuals “employed both inside and outside of the facility were significantly less likely to assault staff.”³⁷

Staff Training and Approaches: The Norwegian Department of Correctional Services (NDCS) base their operations on principles of “dynamic security,” emphasizing communications and relationship-building between staff and incarcerated people. In 2015, following participation in an exchange program with the NDCS, North Dakota began instituting reforms targeted at reducing the use of solitary confinement. Included in these reforms were the development of a transition unit for those exiting solitary, changes to disciplinary policies, changes to correctional officer training, and “articulat[ing] individualized plans that incorporate positive reinforcement strategies to address negative behaviors.”³⁸ Between January 2016 and December 2019, the number of people in solitary confinement in North Dakota decreased by more than 74% and the average length of solitary sentences decreased by 59%.³⁹

Resources

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Solitary Watch is a watchdog organization that investigates, reports on, and disseminates information about solitary confinement in U.S. prisons and jails to promote awareness, create accountability, and shift public narratives.

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