

Solitary 101

An Introduction to Solitary Confinement in U.S. Prisons and Jails

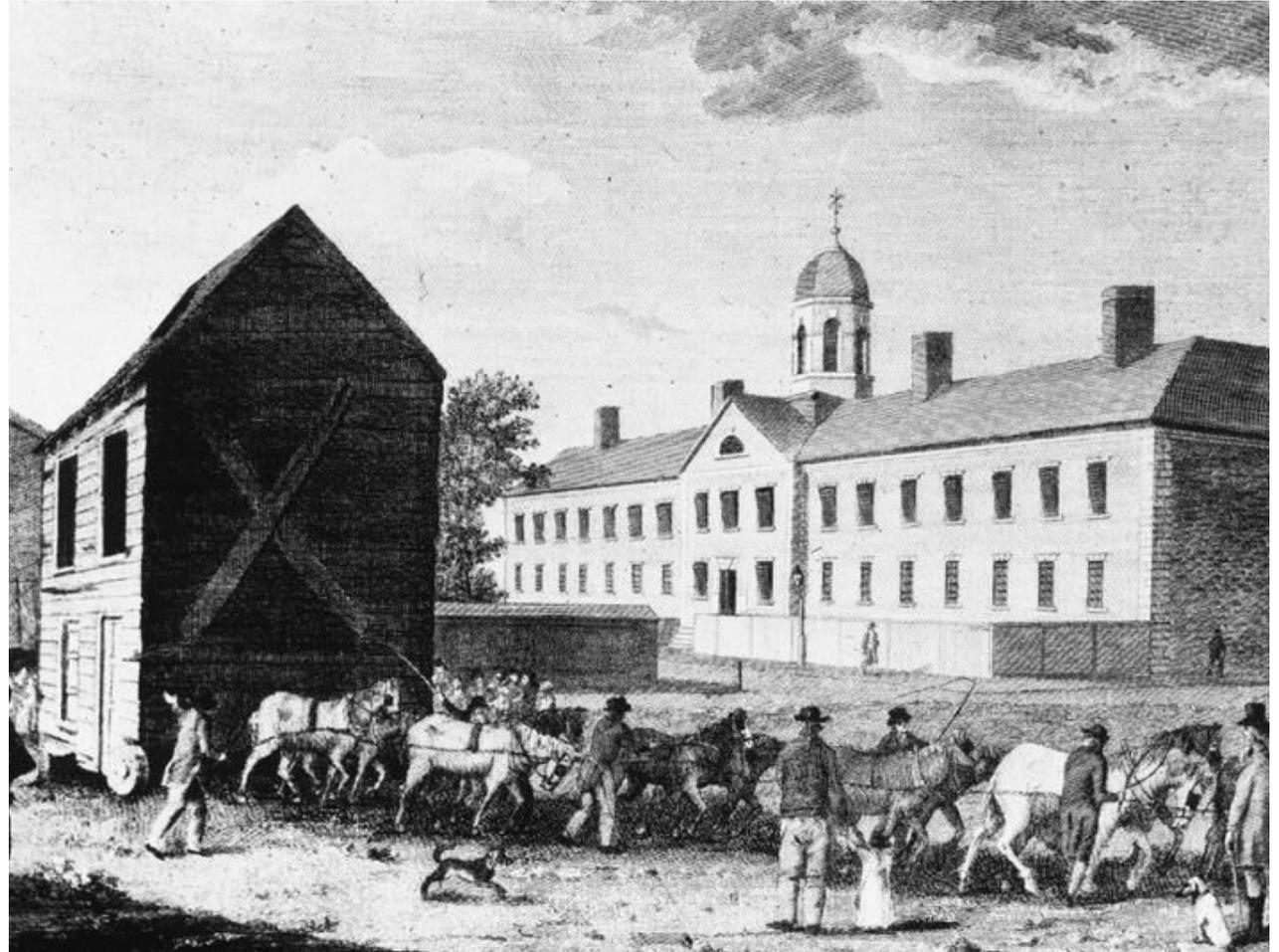
A Solitary Watch Production (www.solitarywatch.com)

A Brief History of Solitary Confinement

AN AMERICAN INVENTION

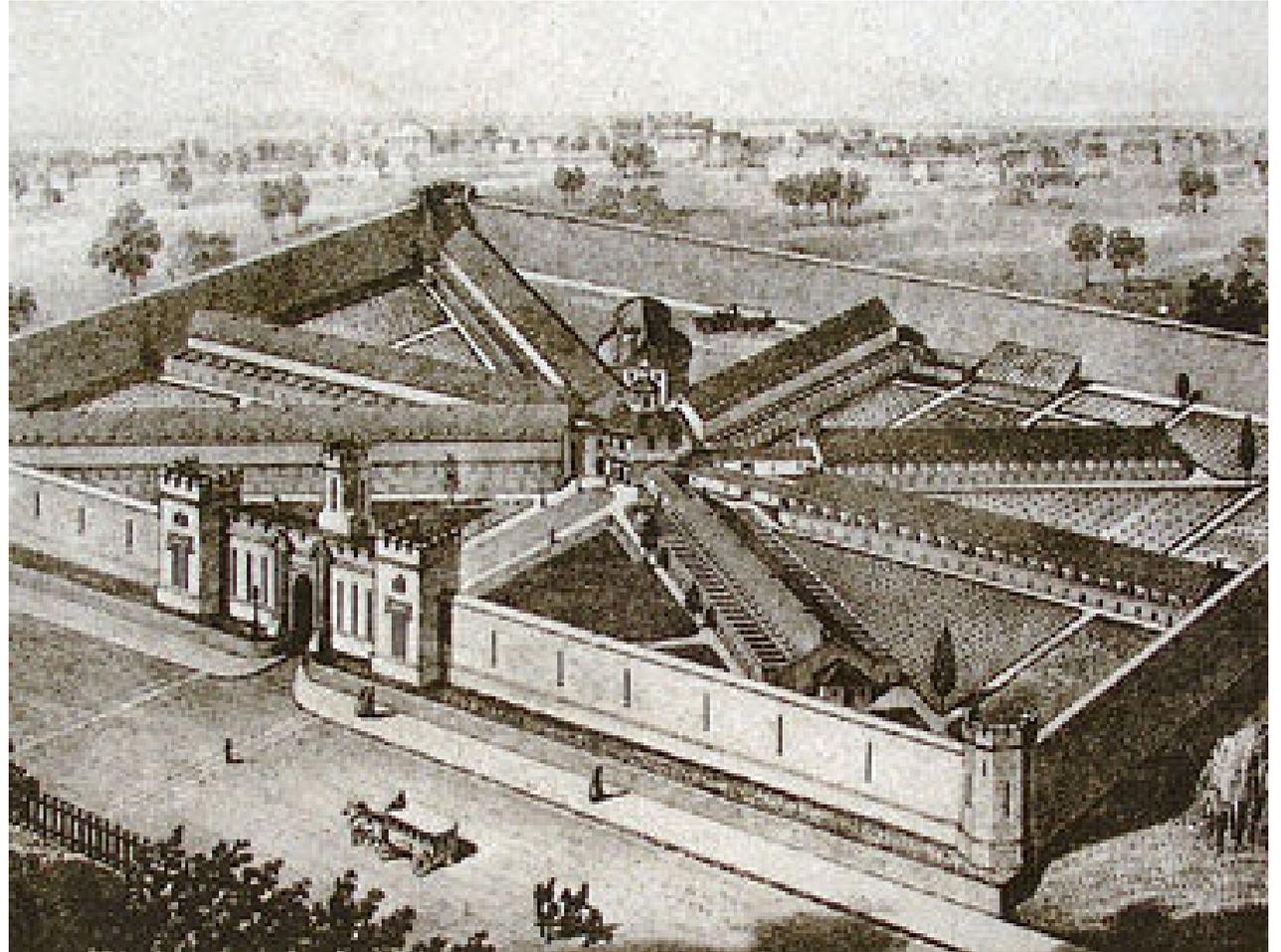
Walnut Street Jail

- Solitary was first introduced in 1790 at the Walnut Street Jail in Philadelphia by the Society for Alleviating the Miseries of Public Prisons.
- It was seen as a humane alternative to overcrowded jails, whippings, and public humiliation.



Eastern State Penitentiary

- ESP opened in 1829 as an all-solitary prison.
- Men were kept alone in their cells to contemplate their sins, seek forgiveness from God, and become “penitent.”



Total Isolation

- Prisoners were permitted no possessions, only a Bible.
- When escorted outside their cells they wore hoods over their heads.
- This was the first system designed to reform, instead of solely to punish.



Alexis de Tocqueville on Solitary Confinement (1830)

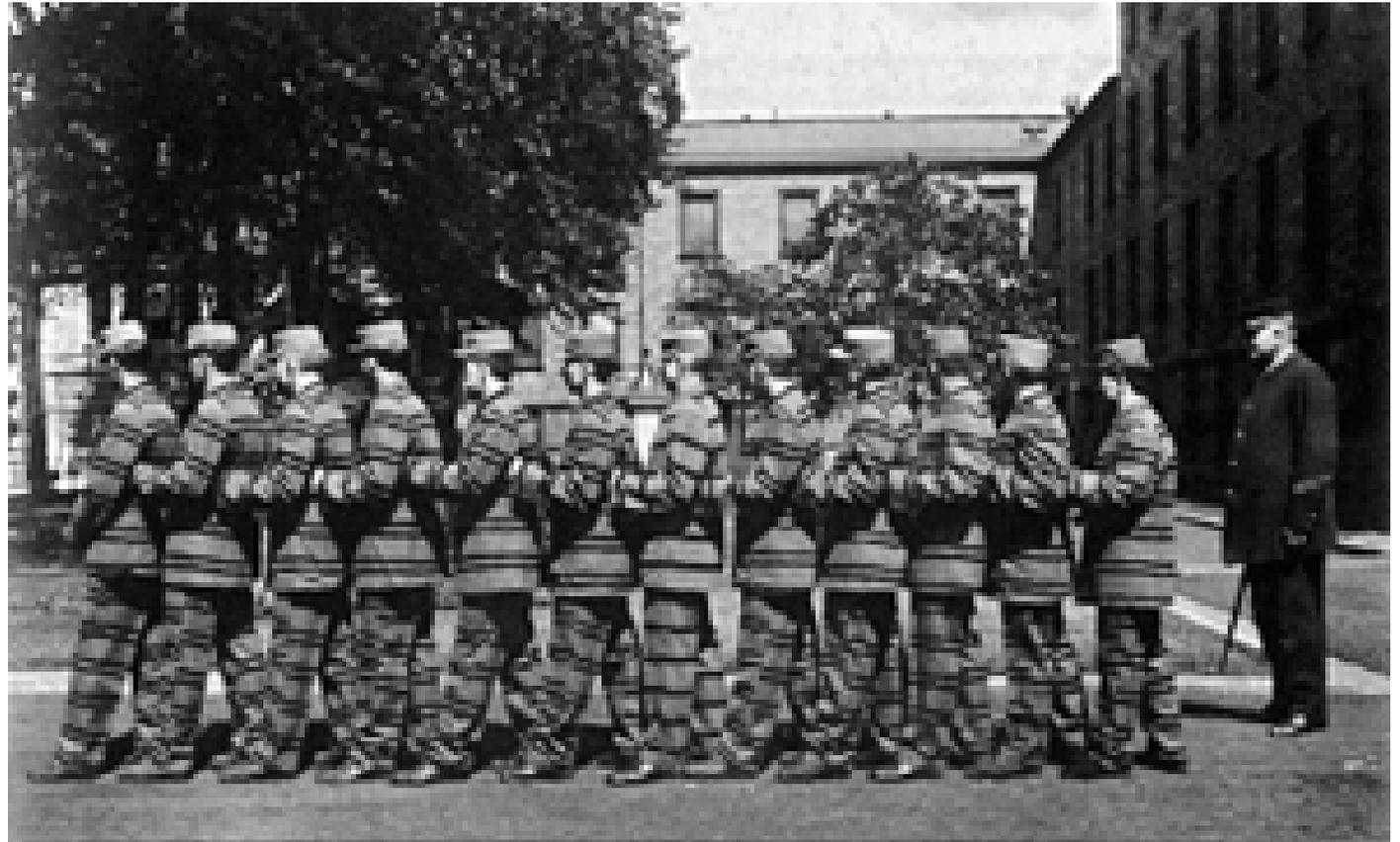
- **“The unfortunates, on whom this experiment was made, fell into a state of depression;...their lives seemed in danger, if they remained longer in this situation; five of them, had already succumbed during a single year; their moral state was not less alarming; one of them had become insane; another, in a fit of despair, had [attempted suicide]. “**
- **“This trial...was fatal to the greater part of the convicts:...this absolute solitude, if nothing interrupts it, is beyond the strength of man; it destroys the criminal without intermission and without pity; it does not reform, it kills.”**

Charles Dickens on Solitary Confinement (1842)

- **“I believe that very few men are capable of estimating the immense amount of torture and agony which this dreadful punishment, prolonged for years, inflicts upon the sufferers...**
- **“I hold this slow and daily tampering with the mysteries of the brain to be immeasurably worse than any torture of the body; and...I denounce it, as a secret punishment which slumbering humanity is not roused up to stay. “**

The Auburn System

- Prisons began to abandon solitary in favor of the “Auburn System”: daily hard labor in groups, where prisoners worked silently and march in lockstep.
- By the late 19th century, long-term solitary was rare.



***In re Medley*: The United States Supreme Court Denounces Solitary Confinement (1890)**

- Surveying the use of long-term solitary, the Court found that **“a considerable number of the prisoners fell, after even a short confinement, into a semi-fatuous condition, from which it was next to impossible to arouse them, and others became violently insane; others still, committed suicide; while those who stood the ordeal better were not generally reformed, and in most cases did not recover sufficient mental activity to be of any subsequent service to the community.”**

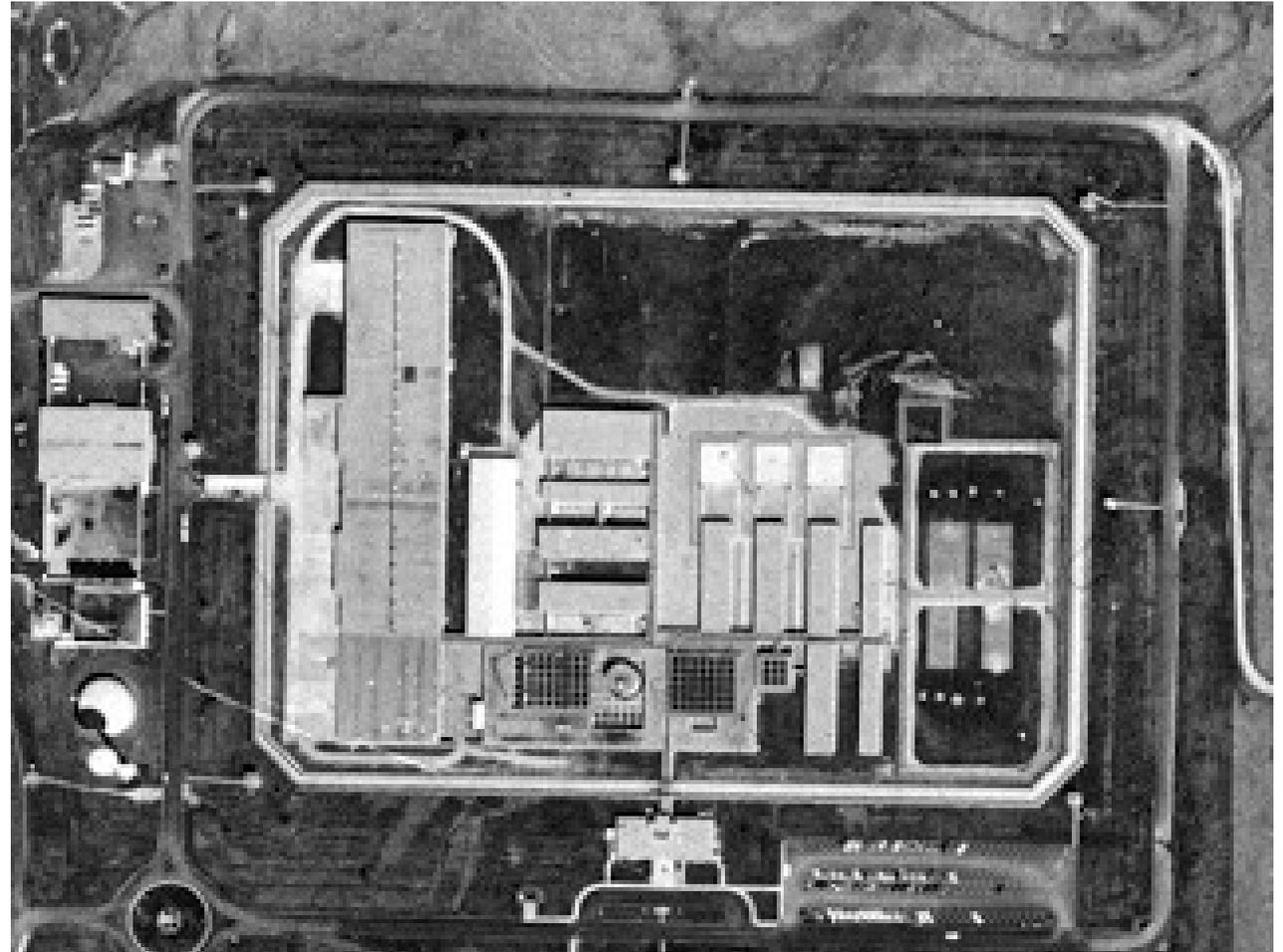
Alcatraz

- “The Rock” opened in 1934 to house the “worst of the worst” of the federal prison system.
- “The Hole” at Alcatraz was notorious, but most prisoners were not in solitary confinement.



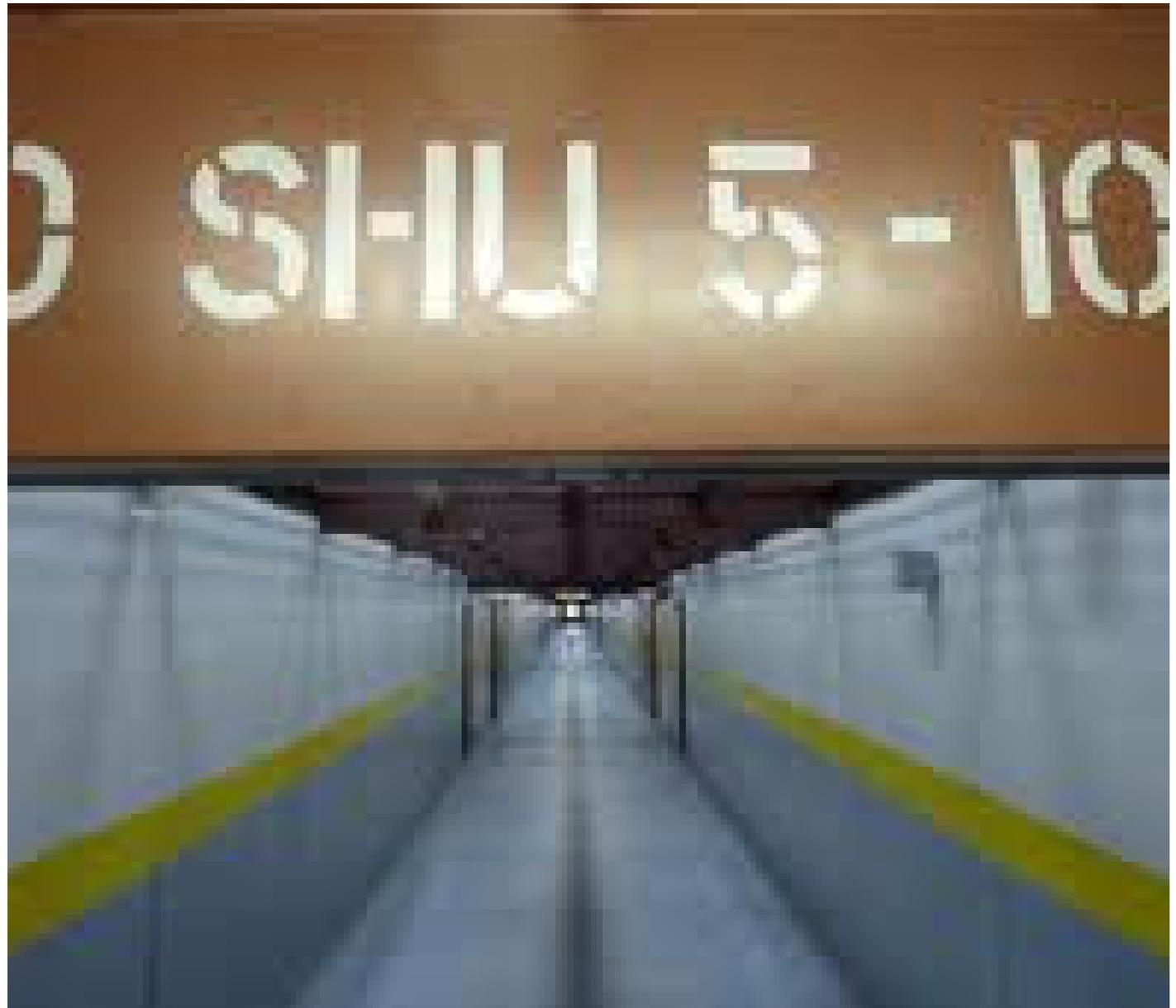
The Marion Lockdown

- Opened in the 1960s to replace Alcatraz, Marion went into lockdown in October 1983 after the murders of two guards--and remained that way.
- States began to imitate the permanent lockdown model.

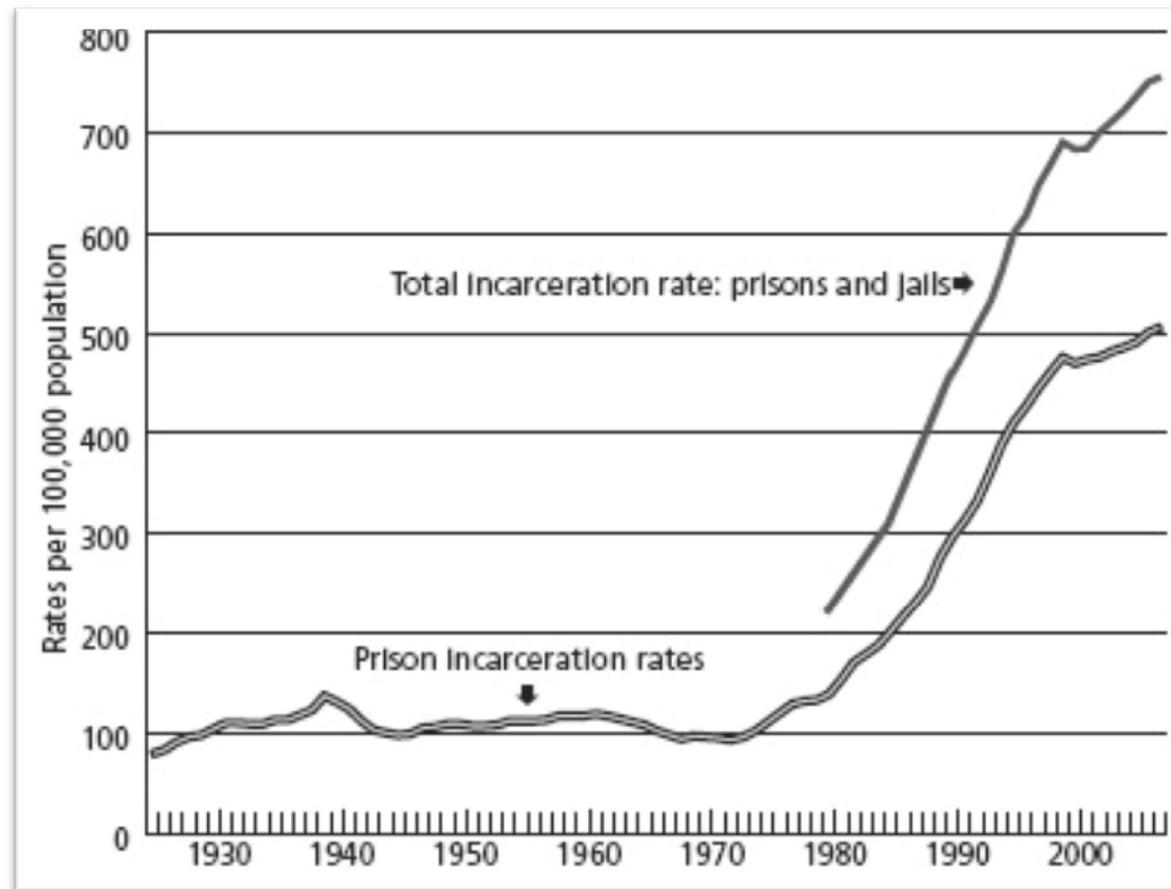


Pelican Bay

- Opened in 1989, Pelican Bay was among the first to be purpose-built as a supermax.
- It houses more than 1,200 prisoners in solitary confinement, in windowless concrete cells.



The “War on Crime” and the Culture of Punishment Spurs the Growth of Solitary



Dr. Terry Kupers: “How to Create Madness in Prisons” (Part 1)

- “Begin by over-crowding the prisons with unprecedented numbers of drug-users and petty offenders, and make sentences longer across the board.
- “Dismantle many of the rehabilitation and education programs so prisoners are relatively idle.
- “Add to the mix a large number of prisoners suffering from serious mental illness.
- “Obstruct and restrict visiting, thus cutting prisoners off even more from the outside world.
- “Respond to the enlarging violence and psychosis by segregating a growing proportion of prisoners in isolative settings such as supermaximum security units”....

Dr. Terry Kupers: “How to Create Madness in Prisons” (Part 2)

- “Ignore the many traumas in the pre-incarceration histories of prisoners as well as traumas such as prison rape that take place inside the prisons.
- “Discount many cases of mental disorder as ‘malingering.’
- “Label out-of-control prisoners ‘psychopaths.’
- “Deny the ‘malingerers’ and ‘psychopaths’ mental health treatment and leave them warehoused in cells within supermaximum security units.
- “Watch the recidivism rate rise and proclaim the rise a reflection of a new breed of incorrigible criminals and ‘superpredators.’”

Supermax Boom

- Rapid growth took place in the 1990s and early 2000s.
- 44 states and the federal system now have stand-alone supermax prisons.
- Hundreds of other prisons and jails have solitary confinement units.



Solitary Confinement in the United States Today

A NATION IN LOCKDOWN

Solitary by the Numbers

- 2005 census by the Bureau of Justice Statistics: **81,622 individuals held in “restricted housing”** in the nation’s prisons.
- 2005 study: **25,000 of these segregated prisoners held in supermax prisons** around the country.
- Figures **do not include local jails, immigrant detention centers, juvenile facilities or military facilities.**
- **True total is likely to be over 100,000.**

Euphemisms for Torture

- **Administrative Maximum**
- **Special Housing Unit**
- **Security Housing Unit**
- **Restricted Housing Unit**
- **Intensive Management Unit**
- **Behavioral Management Unit**
- **Communications Management Unit**
- **Disciplinary or Punitive Segregation:** Punishment for violating prison rules
- **Administrative Segregation:** Based on gang affiliation, political beliefs, original crime, or other classifications
- **Involuntary Protective Custody:** “Protection” for vulnerable people in prison

The World in a Cell

- Most cells measure less than 8 x 10 feet—the size of a parking space.
- Work, education, and rehabilitative programming are banned.
- TVs, radios, and reading materials may or may not be permitted.



Lockdown 23/7

- Prisoners spend 22 to 24 hours alone in cells.
- They exercise alone in a walled or fenced enclosure resembling a dog run.
- Visits with family are forbidden or severely limited.



No Way Out

- Many cells have no windows.
- Some cell doors have bars, but most are solid steel.
- “Food slots” are also used for communication with guards, medical treatment, and psychotherapy.

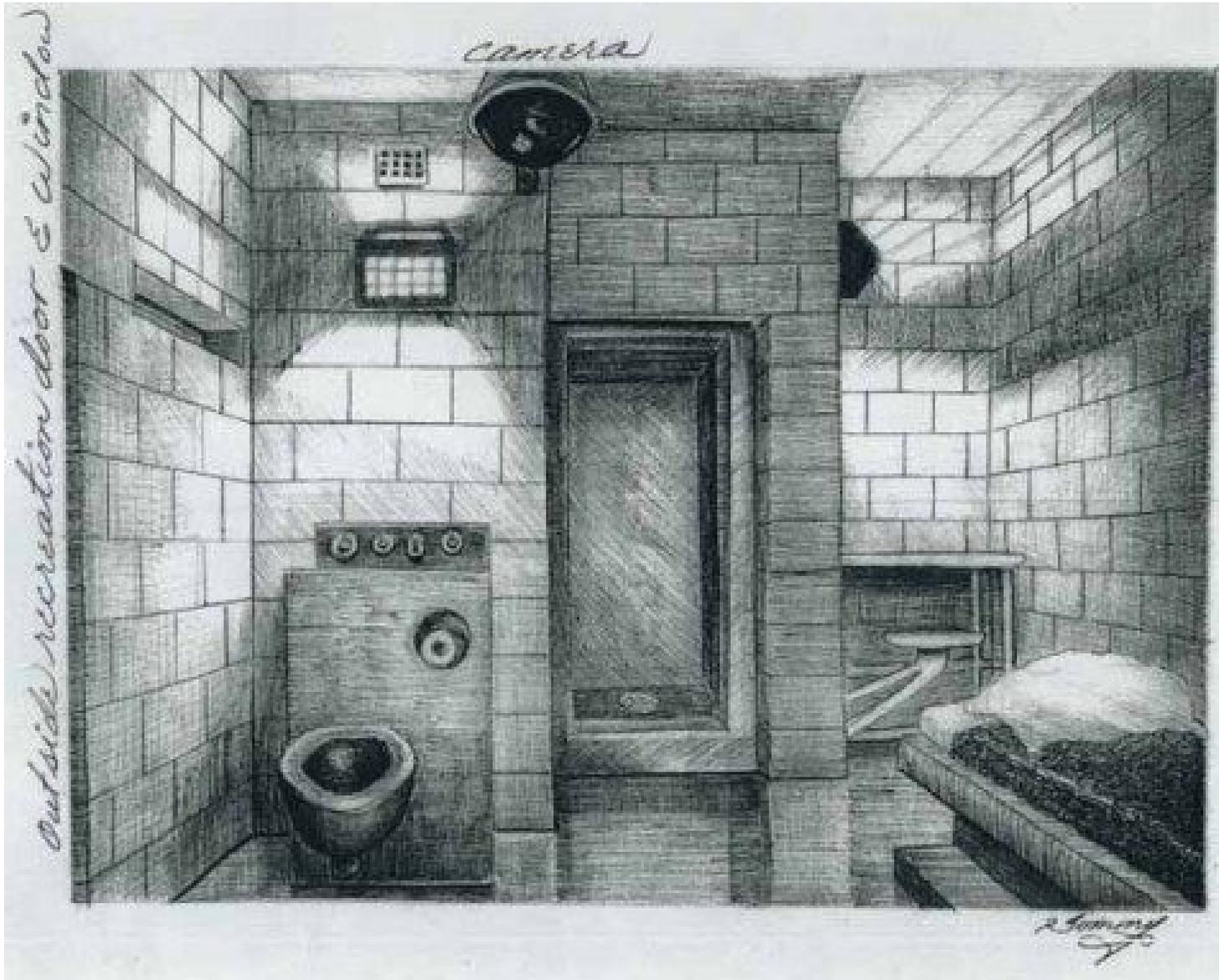


•Drawing by Martin Vargas.

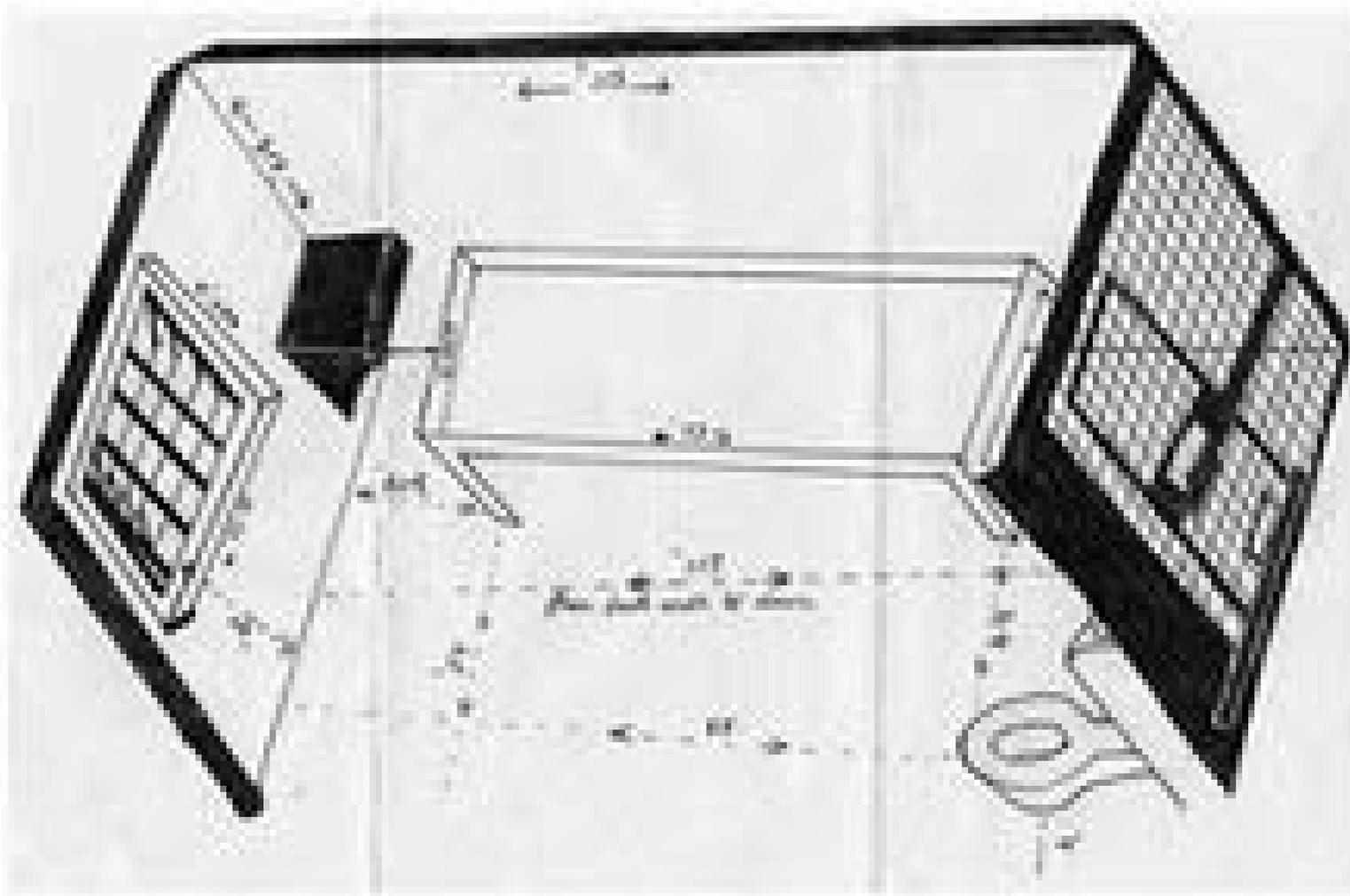
Months, Years, and Decades Alone

- In California, the average term in solitary is **6.8 years**. Of the 1,111 prisoners in the SHU, 513 had served **10 years or more**; 78 of these had been in the SHU **at least 20 years**.
- The longest isolated federal prisoner, Thomas Silverstein, has spent **29 years** under a “no human contact” order.
- The longest isolated state prisoners, Herman Wallace and Albert Woodfox, have are now spending their **40th year in solitary**.

Art from Solitary: Thomas Silverstein, ADX Florence, CO (29 years)



**Art from Solitary: Herman Wallace,
Louisiana State Penitentiary at Angola (40 years)**



Voices from Solitary: Herman Wallace, Louisiana State Penitentiary at Angola (40 years)

- <http://download.guardian.co.uk/audio/kip/standalone/world/1334585861759/5478/gdn.ps.120416.hermanwallace.mp3>



*Lots & Lots of Love
Herman*

Voices from Solitary: Herman Wallace, Louisiana State Penitentiary at Angola (40 years)

- **It's so small I can only make about four steps forward before I touch the door. And if I turn and I'm about-face at any place in this cell I'm going to bump into something. It's really smaller than anybody's bathroom...But I'm used to it and that's one of the bad things about it...**
- **I'm in the cell for 23 hours a day and a lot of time 24 hours because I don't come out. I have to spend a great deal of my time catching up on reading and writing to...people that I communicate with. It helps me to maintain what little sanity that I have left, to maintain my humanity and dignity.**

American Exceptionalism

- The United States is the only democratic nation to practice solitary confinement on a large scale.
- Sarah Shourd, the American hiker who spent 13 months in solitary in an Iranian prison, said after her release: **“The really scary thing is that the US government and many governments were very critical of Iran for holding me in solitary for 13 and a half months, but when I got out I was shocked to find that the US had more people in solitary confinement than any other country—and in this country it is used routinely as an administrative practice.”**

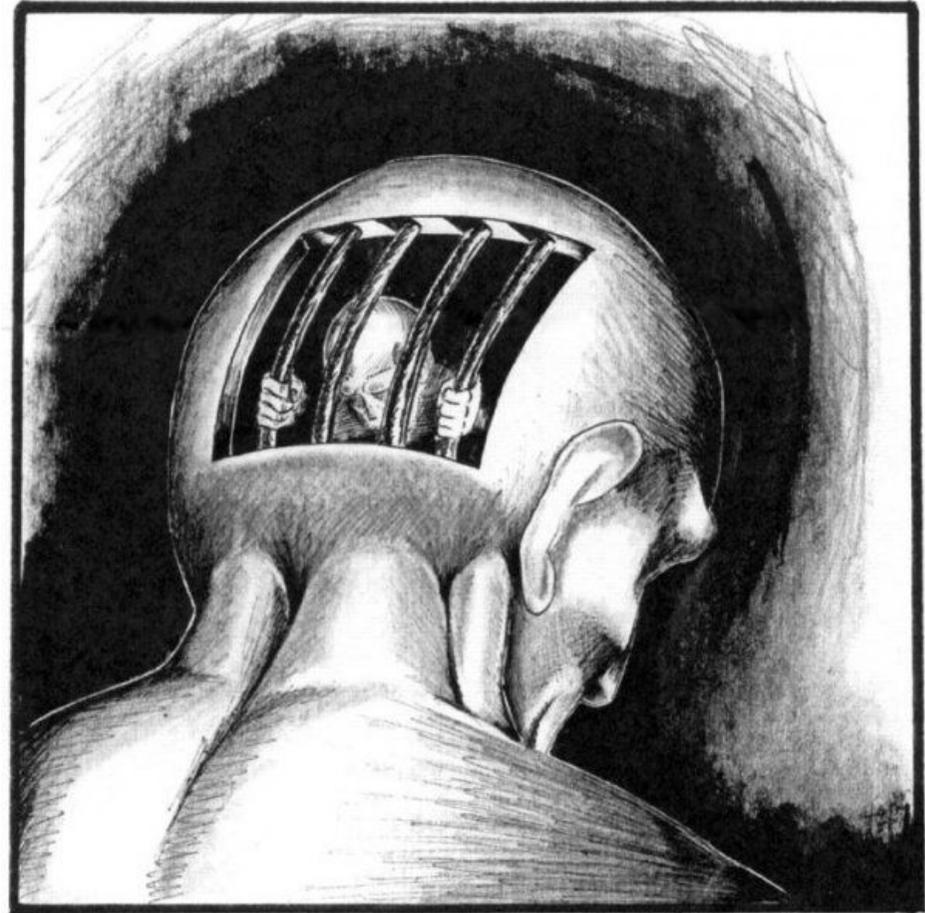
Solitary in Europe

- In the UK, solitary is largely banned beyond 3 weeks. Fewer than 40 people are in long-term segregation.
- In Norway, mass killer Anders Breivik's cell has 3 adjoining rooms, including a study and a fitness room with treadmill.



The Psychological Effects of Solitary Confinement

- Research since the 1970s shows that that solitary confinement alters neural and therefore psychological states.
- Prisoners in solitary develop psychopathologies at much higher rates than those in the general population.
- Prisoners exhibited decreased EEG activity after just one week in solitary.



Dr. Stuart Grassian: Symptoms of “SHU Syndrome”

- social withdrawal
- panic attacks
- irrational rage
- loss of impulse control
- paranoia
- hypersensitivity to external stimuli
- severe and chronic depression
- difficulties with concentration and memory
- perceptual distortions and illusions

Voices from Solitary: Brian Nelson, Tamms Supermax, IL (12 years)

- **I lost the will to live. I lost hope**, even though I was scheduled to be released in a couple years. Depression overwhelmed me...I lost so much weight...that all the bones in my body protruded...I had no appetite and wanted to die.
- **“Every day I went to sleep I got down on my knees and prayed that I would die in my sleep, yet God’s will was not mine. When I woke up in the night I prayed harder for death.** I couldn’t sleep...I went days pacing back and forth like a zombie... I looked like I was already dead and I had no will to live. **Day after day all I saw was gray walls and over time my world became the gray box.”**

Suicide



- In New York, suicides are 5 times higher in solitary.
- In California, about 5 percent of all prisoners are in solitary—but up to 70 percent of suicides take place there.
- Teens are 19 times more likely to commit suicide when placed in isolation.

Self-Mutilation

- Self-mutilation in the form of cutting, otherwise unknown among adult men, is common practice in solitary confinement.
- Prisoners in solitary have been known to bite into their own veins and cut off their fingers and testicles.



Voices from Solitary: Anthony Graves, Polunsky Unit (Death Row), TX (18 years)



□ <http://youtu.be/fX0KkqWAwWc?t=2m48s>

Voices from Solitary: Anthony Graves, Polunsky Unit (Death Row), TX (18 years)

- **“I would watch guys come to prison totally sane and in three years they don’t live in the real world anymore. I know a guy who would sit in the middle of the floor, wrap [his sheet] around himself and light it on fire. Another guy would go out in the recreation yard, get naked, lie down, and urinate all over himself. He would take his feces and smear it all over his face as though he was in military combat. This same man...was ruled competent to be executed.**
- **“Solitary confinement does one thing; it breaks a man’s will to live and he ends up deteriorating. He’s never the same person again...It’s inhumane by design and it is driving men insane.”**

Common Reasons for Placement in Solitary Confinement

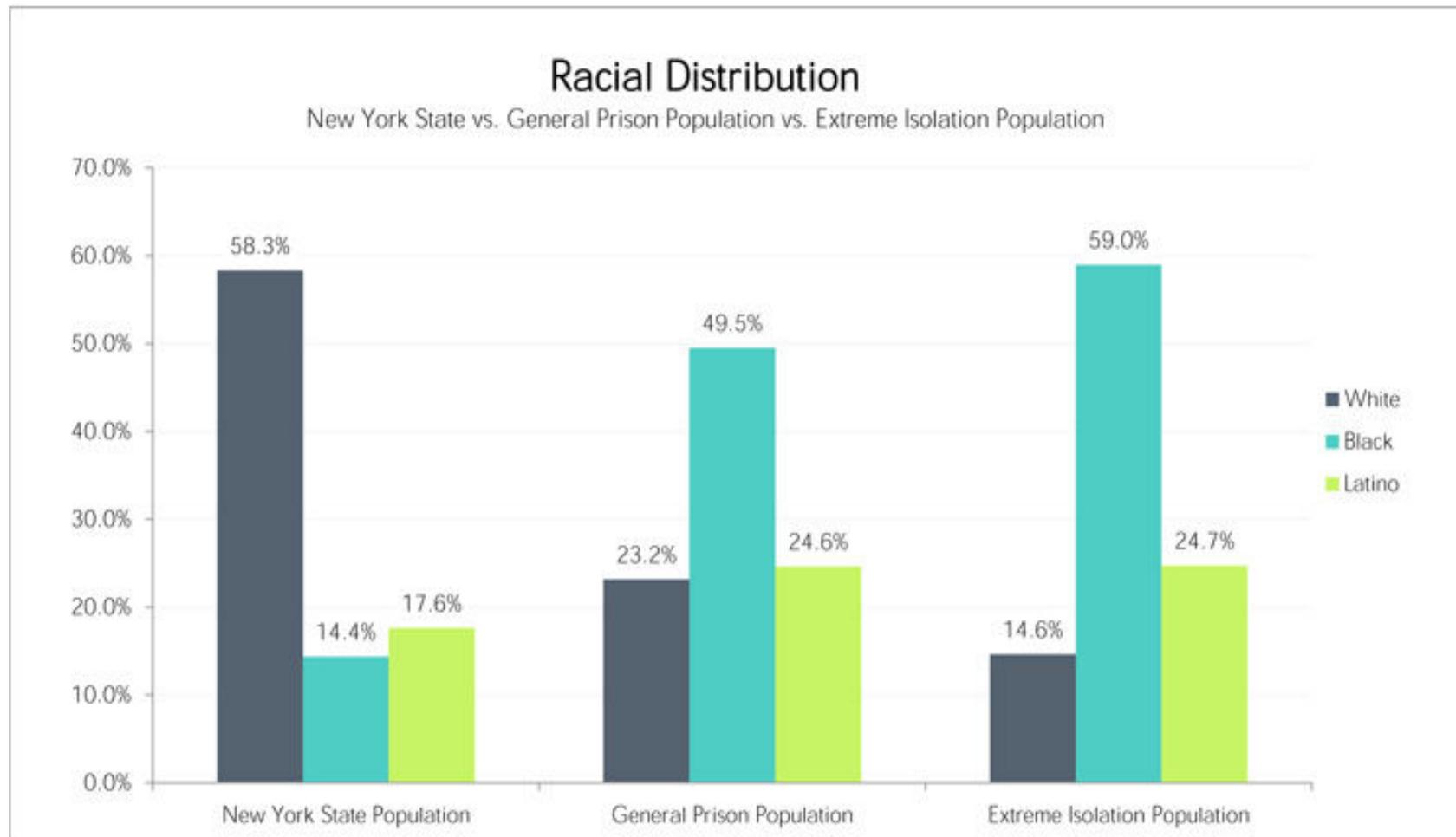
California

- Gang “validation” based on tattoos or reading materials
- Possession of five dollars or more without authorization
- Participation in a strike or work stoppage
- Self mutilation or attempted suicide for the purpose of manipulation

New York

- Failure to obey an order promptly
- Testing positive for marijuana
- “Reckless eyeballing”
- Refusing to return a food tray
- Possession of an excess quantity of postage stamps

Racial Disparities in the Use of Solitary



A disciplinary system where government officials may act with substantial discretion creates opportunities for bias and prejudice to influence who receives punishment. One manifestation of this may be the disproportionate number of black prisoners in extreme isolation as compared to the general prison population.

*State population data from Census 2010. Prison population data from "Security Level and Facility by Ethnic Status, DOCCS Under Custody Pop. Jan. 1, 2012," obtained through FOIL and on file with the NYCLU. Extreme isolation population data from "Table 3H: Race/Ethnicity for Offenders Housed in SHU - DOCCS Under Custody Pop. Jan. 1, 2012," obtained through FOIL and on file with the NYCLU.

Groups Vulnerable to Placement in Solitary Confinement

- Prisoners with mental illness or developmental disabilities
- Children who misbehave or who are deemed to be in need of “protection”
- LGBT individuals
- Non-English-speaking prisoners
- Muslims, including but not limited to those accused or convicted of terrorism-related offenses
- Prisoners who hold “radical” political beliefs or seek to challenge prison conditions
- Anyone who complains of abuse by prison officials

Isolating the Mentally III

- Up to 1/3 third of prisoners in solitary in state prisons suffer from underlying mental illness.
- Most will decompensate further as a result of being placed in isolation.



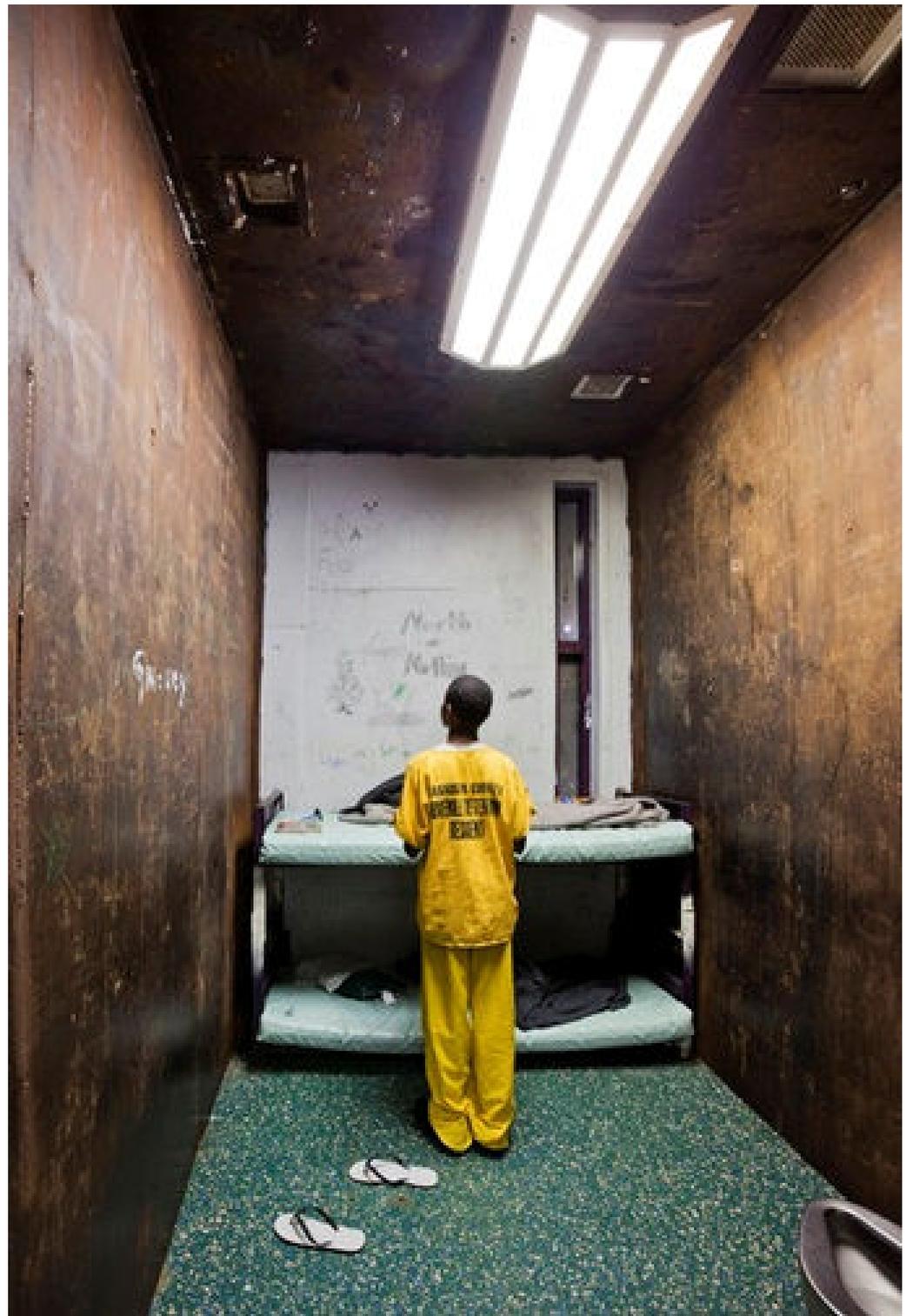
Psychiatric “Treatment”

- Treatment, if any, often consists of “therapy” conducted through a feeding slot, or “group therapy” sessions in adjoining cages.



Children in Solitary

- Thousands of kids under the age of 18 are held in solitary confinement in adult prisons and jails, for “their own protection” or as punishment.
- Hundreds more are held in isolation in juvenile facilities.



Immigrants in Solitary

- Many of the 400,000 people in the immigration detention system each year spend time in solitary, with no due process and no recourse.
- Some are asylum-seekers who have been tortured in their countries of origin.



Solitary at Guantánamo

- Up to 80 percent of the detainees at Guantánamo Bay have been held in solitary confinement.
- They are held in “indefinite detention,” meaning there is no end in sight to their torture.



Voices from Solitary: Adnan Farhan Abdul Latif, Guantánamo Bay, Cuba (11 years)

- “I am moving towards a dark cave and a dark life in the shadow of a dark prison. **This is a prison that does not know humanity, and does not know [anything] except the language of power, oppression and humiliation for whoever enters it...**
- “[I will] **leave this life which is no longer anymore called a life, instead it itself has become death and renewable torture.** Ending it is a mercy and happiness for this soul.”

(Adnan Latif committed suicide in his cell in September 2012.)

The High Cost of Solitary Confinement

- In addition to its human costs, solitary confinement is expensive, in large part because of added staffing costs.
- One study estimated that the average per-cell cost of housing an inmate in a supermax prison is \$75,000, as opposed to \$25,000 for an inmate in the general population.
- It costs \$92,000 per year to hold a prisoner in solitary at Illinois's Tamms Correctional Center--two to three times more than at the state's other maximum-security prisons.
- The Solitary confinement of some 12,000 state prisoners costs California taxpayers an additional \$175 million per year.

The Rising Movement Against Solitary Confinement

UNLOCKING THE BOX

National Organizations with Campaigns Against Solitary Confinement

- Amnesty International
- American Civil Liberties Union
- American Friends Service Committee
- Center for Constitutional Rights
- Human Rights Watch
- National Immigrant Justice Center
- National Religious Campaign Against Torture
- Physicians for Human Rights

Prisoner Hunger Strikes Against Solitary Confinement

In 2011-2012:

- California
- Georgia
- Ohio
- North Carolina
- Virginia



International Agreements Limiting Solitary Confinement

- International Covenant on Civil and Political Rights (ICCPR)
- UN Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)
- UN Standard Minimum Rules for the Treatment of Prisoners (SMR)

UN Special Rapporteur on Torture Juan Mendez Condemns Solitary Confinement



- Mendez reports to the UN Commission on Human Rights
- In October 2011, he called for a total ban on solitary for juveniles, mentally ill, pre-trial detainees.
- Solitary should be limited to 15 days for everyone else, and used only for safety purposes.

Senate Judiciary Subcommittee Hearing on Solitary Confinement

- June 19, 2012:
“Reassessing Solitary Confinement: The Human Rights, Fiscal and Public Safety Consequences”
- First Congressional hearing held on solitary, with testimony from corrections officials, legal experts, psychiatrists, survivors

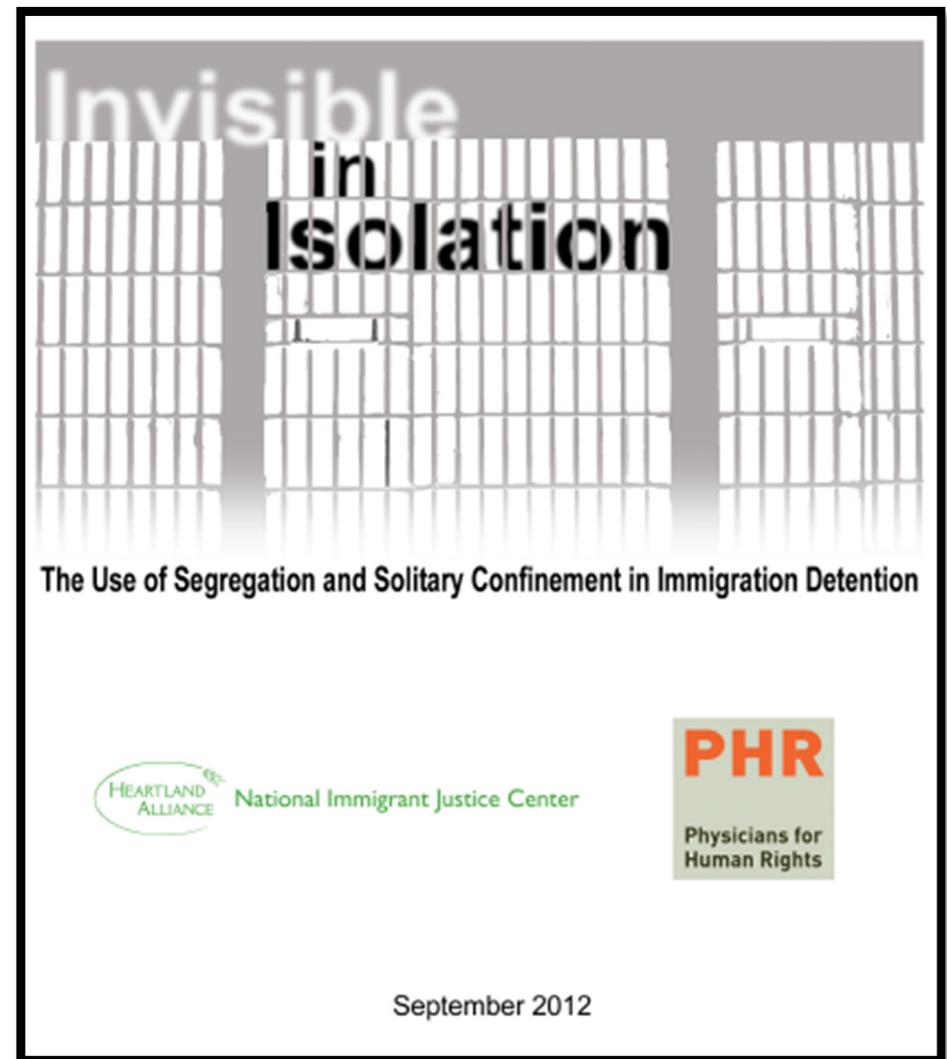
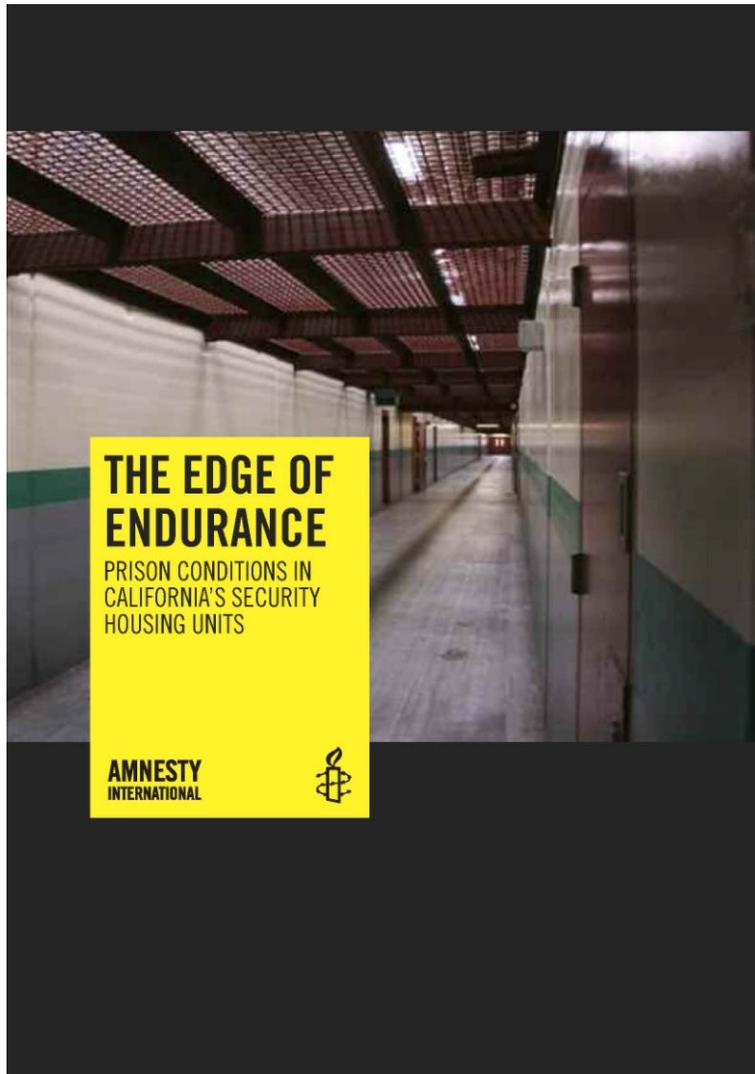


23-Hour Fast to End 23-Hour Solitary

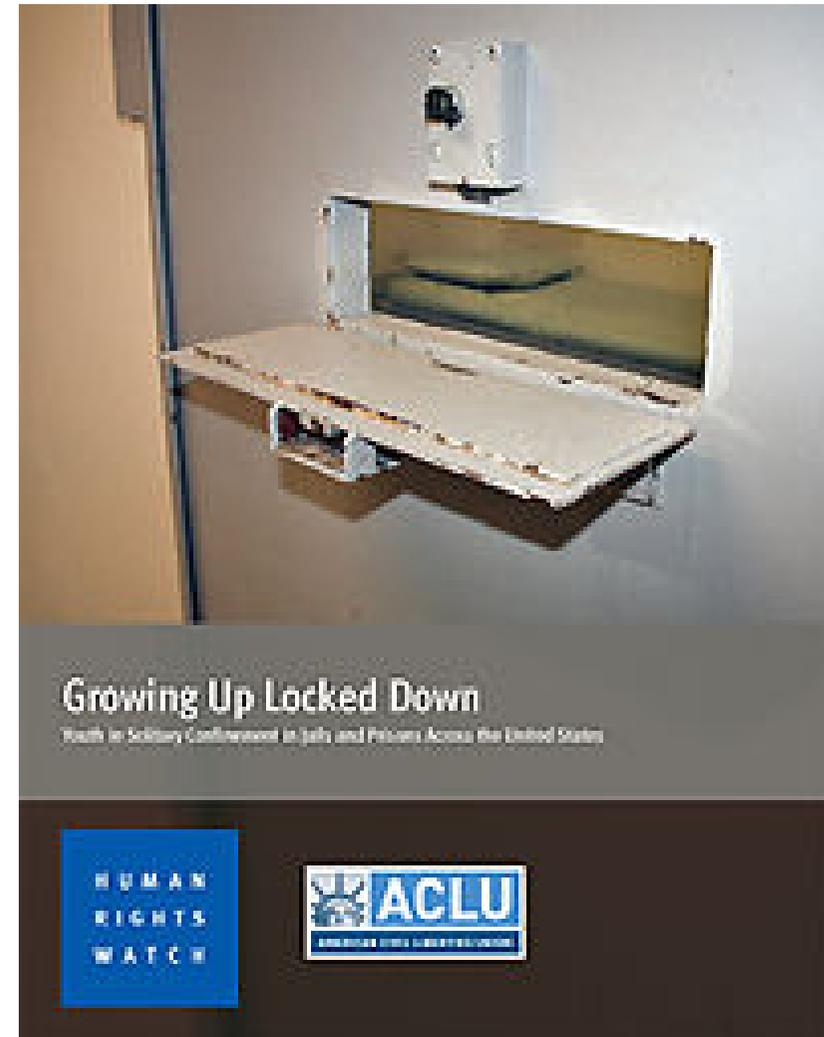
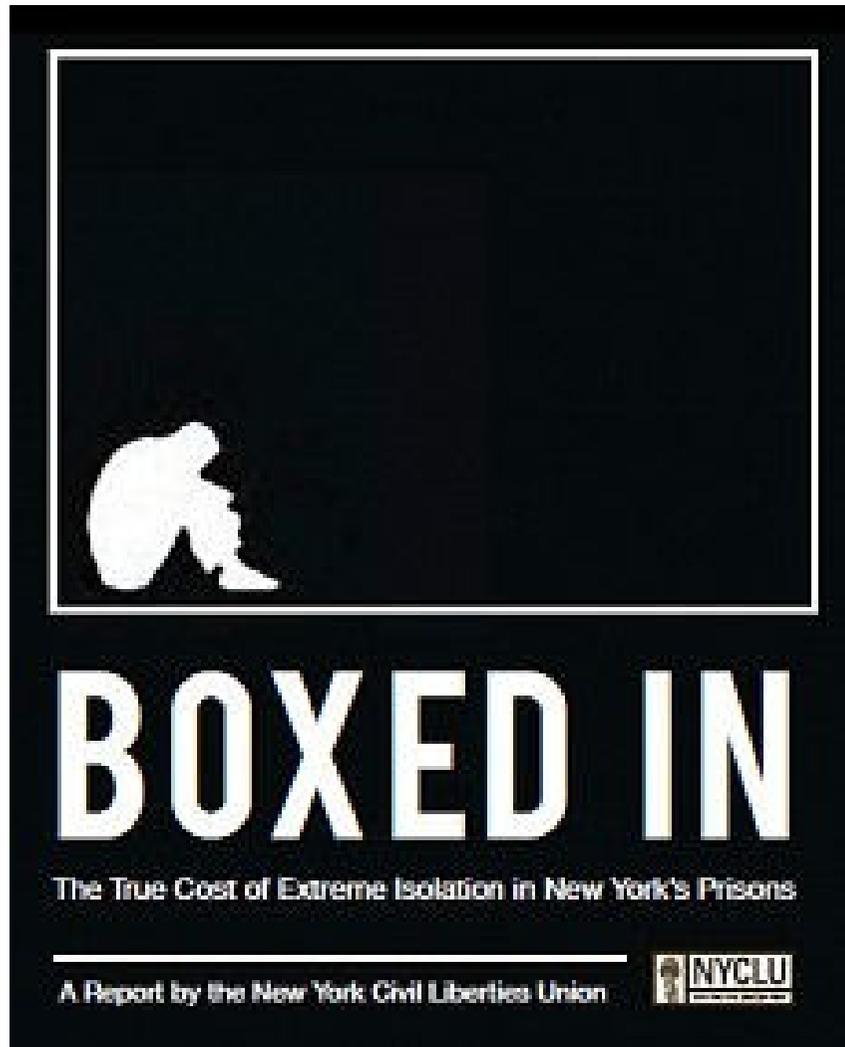


- National Religious Campaign Against Torture sponsors a one-day fast in run-up to Senate hearing.
- Participants include people of faith from around the country.

Documenting Solitary Confinement (1)



Documenting Solitary Confinement (2)



Models for Change

Mississippi

- Years of litigation by the ACLU
- Joint involvement of DOC, ACLU, psychiatrists, health care providers and prison experts in “reclassification” of prisoners in solitary
- **Result: 75 percent reduction in solitary confinement**

Maine

- Grassroots activism
- Press exposé
- Legislation introduced and study commissioned
- New leadership at the DOC
- **Result: 50 percent reduction in solitary confinement**

Activism in Illinois

- Grassroots activism by Tamms Year Ten
- Litigation by Uptown People's Law Center
- Press exposé
- Concern over high cost
- Action by governor



Activism in California

- Hunger strike by group in solitary spreads through prison system
- Grassroots activism
- Amnesty International Report
- Widespread press coverage



Activism in New York

- Litigation and legislation to limit solitary for people with mental illness
- Grassroots activism on state and city levels
- NYCLU report
- Press coverage
- Meetings with legislators



Activism in Other States

- **Arizona**
- **Colorado**
- **Louisiana**
- **Maine**
- **Maryland**
- **New Jersey**
- **New Mexico**
- **Ohio**
- **Pennsylvania**
- **Texas**
- **Virginia**

To Be Continued...



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