

Solitary Watch

Criminal Justice Issues and Prisoners' Rights

<https://solitarywatch.org/2016/01/12/children-held-in-solitary-confinement-in-nebraska-for-days-weeks-even-months/>

Campaign and Advocacy

close

Search

close

close

New ACLU Report Finds Widespread Use of Isolation in States Juvenile Jails

by [Sal Rodriguez](#) | January 12, 2016

Passing notes, talking in the hallway and having too many books in your room are among the reasons children in Nebraska detention facilities have been locked in solitary confinement, according to a [report](#) released last week.

The American Civil Liberties Union of Nebraska found widely varying policies governing the isolation of juveniles in the nine detention facilities throughout the state, while some maintained little documentation of their use of the practice. Before they are old enough to get a driver's license, enlist in the armed forces or vote, some children in Nebraska are held in solitary confinement for days, weeks, even months, the ACLU reported.

Based on a growing consensus that solitary confinement is harmful to the developing brain, UN Special Rapporteur on Torture, Juan E. Mndez, the American Academy of Child and Adolescent Psychiatry and the American Medical Association have called for either the prohibition or restriction of isolating juveniles.

What the ACLU of Nebraska found was the widespread use of solitary confinement, varying considerably from facility to facility. Some facilities reported they use room restriction for periods, then permit the juvenile to attend classes before placing the juvenile back in room restriction, the report explains. In contrast, some facilities impose room restriction or solitary confinement without any periods out of isolation.

Children placed in solitary confinement at the Youth Rehabilitation and Treatment Center in Kearney spent an average of 20.8 hours in isolation, while those at the Geneva facility spend an average of 43.78 hours. In contrast, those isolated in the Northeast Nebraska Juvenile Services Center spent an average of 189.16 hours in solitary confinement. Those held under the jurisdiction of the Nebraska Department of Corrections in the Nebraska Correctional Youth Facility (pictured above) have spent up to 90 days in solitary confinement.

The report features the stories of three individuals who have spent time in isolation in Nebraska. Jacob had three stints in the Douglas County Youth Facility between the ages of 15 and 17. First isolated for his own good because he had a broken ankle, his next two terms followed attacks by older detainees. Jacob reportedly received no regular visits by mental health staff.

Reflecting on his experiences, Jacob says: These kids weren't born tough or angry. These kids were dealing with abandonment and depression and abuse. Lockdown brings out all these demons. And if you don't know how to deal with demons you're a kid, you don't even know how to deal with normal emotions yet then you're sitting there by yourself, nowhere to go and every negative thing you've been told about yourself seems to be coming true. Every time I look at the news, someone I was in jail with or someone I mentored is going to prison for life. They go to the system for correction they go in as sheep and they come out as wolves. If a factory pumped out a bad product over and over again, you wouldn't blame the product, you'd go back to the factory and try to fix that instead.

The ACLU of Nebraska recommended the following reforms:

In response to the [report](#), the Nebraska Department of Correctional Services said they were working with the Vera Institute of Justice and other stakeholders to develop rules and regulations governing the use of restrictive housing for all populations. Similarly, the Nebraska Department of Health & Human Services, which operates the Youth Rehabilitation and Treatment Centers, issued a statement saying their goal is to further reduce lengths of stay in isolation.

On Monday, the *Omaha World-Herald* published an [editorial](#) calling for lawmakers to review the use of isolation against juveniles. Solitary confinement can be an effective tool for jailers to manage unruly prisoners and keep some at-risk prisoners safe, the editorial argued. But too many state, city and county jailers seem to be addicted to solitary confinement. They put too many prisoners in solitary too often.

A growing number of states have moved away from the use of isolation of children, but the practice remains widespread.

In October 2015, the Lowenstein Center for the Public Interest at Lowenstein Sandler released the findings of a [nationwide survey](#) on the use of solitary confinement. According to the report, 21 jurisdictions, including Washington, D.C., prohibit punitive isolation in juvenile facilities by law or practice; 20 additional states impose time-limits ranging from 6 hours to 90 days; and 10 either place no limit or allow indefinite extensions via administrative approval. The report identified Alabama, Georgia, Kansas, Kentucky, Louisiana, Michigan, Oregon, Tennessee, Texas and Wyoming as being in the latter category.

States like [Illinois](#) are among those that have most recently prohibited the punitive isolation of juveniles. The Illinois Department of Juvenile Justice settled a lawsuit with the ACLU by agreeing to end punitive isolation and providing educational and mental health programming for juveniles separated from others.

Nebraska allows juveniles to be punitively isolated for much longer periods of time than most states. Whereas Delaware and Idaho respectively set a maximum period of isolation of 6 and 8 hours in a 24-hour period, Nebraska allows for up to seven days, and longer if violence was involved. Wisconsin and California respectively allow up to 60 and 90 days of isolation.

Based on the experience of the many states that ban punitive isolation, it is clear that isolation itself isn't necessary, however convenient it may be. A focus on engagement with juvenile offenders by way of continued programming has been shown to yield beneficial outcomes.

For more information on the solitary confinement of juveniles, read our [fact sheet](#) on the issue.

Sal Rodriguez was Solitary Watch's first and most prolific intern. Based in Los Angeles, he served as an editorial writer and columnist for the Orange County Register and the Press-Enterprise, and is now the opinion editor for the Southern California News Group.

Accurate information and authentic storytelling can serve as powerful antidotes to ignorance and injustice. We have helped generate public awareness, mainstream media attention, and informed policymaking on what was once an invisible domestic human rights crisis.

Only with your support can we continue this groundbreaking work, shining light into the darkest corners of the U.S. criminal punishment system.

by [Juan Moreno Haines](#)

October 25, 2022

by [Solitary Watch Guest Author](#)

October 13, 2022

by [Vaidya Gullapalli](#)

September 29, 2022

Solitary Watch encourages comments and welcomes a range of ideas, opinions, debates, and respectful disagreement. We do not allow name-calling, bullying, cursing, or personal attacks of any kind. Any embedded links should be to information relevant to the conversation. Comments that violate these guidelines will be removed, and repeat offenders will be blocked. Thank you for your cooperation.

P.O. Box 11374
Washington, DC 20008

info@solitarywatch.org

Solitary Watch

Copyright 2022, Solitary Watch

Read about [rights and permissions](#).



Solitary Watch News