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Criminal Justice Issues and Prisoners' Rights

<https://solitarywatch.org/2014/06/17/maryland-jail-teens-charged-adults-face-isolation-neglect/>

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by [Aviva Stahl](#) | June 17, 2014

Trays up! the CO yells. Its about 5 am, and breakfast trays are here. Ive been up since midnight, studying the workbooks that a friend sent to me. When everyone is asleep, and the TV is off, its the quietest time, and I can really focus.

As I get my tray every morning, I ask myself, How much longer? Its been about 7-1/2 months on 23/1, and I continually thank God for my strength through this. While I am finishing my tray and putting it back on the port, I sit there and imagine a sunrise.

Where Im located in the jail, there are no windows, no sunlight, and no fresh air. Its like my cell is a box inside of a bigger box. Since Ive been here, Ive only seen sunlight seven times, and those were my court dates.

I try not to dwell on what I dont have, because that will make the day extremely long.

Luke, age 17, held at Harford County Detention Center in Maryland since August 2013

Last month, Attorney General Eric Holder [recorded a video message](#) condemning the excessive use of solitary confinement in juvenile facilities. He made no mention, however, of the children held in isolation in adult jails and state prisons.

These young people, thought to number in the thousands across the country, are trapped in a kind of purgatory facing charges in adult court and held in adult facilities, but kept in involuntary lockdown for their own protection from the adult prisoners who surround them.

This has been the experience of five teenagers held in a county jail in Bel Air, Maryland, a suburban community northeast of Baltimore that is perhaps best known as the birthplace of John Wilkes Booth. Over the last few weeks, Solitary Watch has interviewed these young men, the townspeople who have been trying to help them, and the sheriff who disputes their accounts.

Eileen Siple, 51, used to be a special education teacher but now stays at home to care for her disabled son. She told Solitary Watch that she has always lived a comfortable life. If you had said to me three years ago that Id be talking to all these kids in prison, Id say you were crazy.

Then one day, about two and a half years ago, her daughter came home from school upset. A classmate at C. Milton Wright the local high school in Bel Air had been arrested in connection with his fathers death, and she wanted to help support him.

Siple quickly grew close to the teenager, Robert Richardson. Siple understood that the boy had been charged with a serious crime, but she was shocked at the conditions in which he was being held at the Harford County Detention Center (HCDC).

In a recent letter to Solitary Watch, Richardson describes what he experienced for his first ten months at HCDC, when he was 16 years old. He is now in state prison at the Maryland Correctional Training Center in Hagerstown, serving an eighteen-year sentence, the result of a plea bargain on manslaughter and firearm offenses.

From day to day, its always the same, he wrote. Isolation, 24 hours a day. The light stays on, the door stays closed, no human interaction. I felt like an animal. I was always in the same cage, naked save for a paper hospital gown.

During this period, Richardson says he was locked up alongside adults. I could hear the others in the isolation ward, but I couldnt see them. The others were all mentally ill. They would scream all night long. I couldnt sleep, with the screams and the banging And the smellssmells of urine and feces from the others. They wouldnt bathe. They would lie in bed and defecate on themselves or sling their waste

Eventually, Richardson was transferred from the isolation tier to a unit called T-Block. The unit is used primarily to hold recent adult arrestees while they are processed into general population, and through the small window on his door Richardson saw the many adults circulating on and off the block. But soon he realized that in addition to himself there were other teenage boys being held on the tier for weeks and months at a time, and he started to talk to them through his door and the pipes that ran through his small cell.

Before long, Eileen Siple was supporting these other boys, too. She provided Solitary Watch with the names of fifteen different young men allegedly held on T-Block, as well as written statements from five of them.

Boys Spend Months in Solitary Confinement

During the 1990s, amidst a national rise in the juvenile crime rate and an emerging paranoia about child superpredators, states across the country made it easier to kids to be charged as adults. In Maryland, children 14 years or older automatically enter the adult system if they commit the most serious crimes, including first-degree murder or rape, as do sixteen and seventeen-year-olds charged with one of 33 crimes ranging from firearm offenses, to robbery, to manslaughter.

The Maryland law means that many teenagers, even those who are eventually found innocent or waived down into juvenile court, spend weeks or months in adult facilities awaiting transfer hearings or trials. In nine of Maryland's 23 counties, including Harford County where HDRC is located established guidelines call for kids facing charges in the adult system to be held in pre-trial solitary confinement.

Solitary is supposed to protect young people, and general population is admittedly known to be a patently unsafe place for minors. But the emotional and detailed accounts written by Richardson and the four other young men previously held on T-Block raise serious questions about whether juveniles are facing abuse in the name of their own safety.

The young men were charged with various offenses. Solitary Watch has changed several of their names for their protection. Luke was arrested a month after his 17th birthday on sex abuse charges related to a minor; he is still under 18 and currently in segregation. Ryan, who is facing rape, incest, and sex abuse charges, was also arrested at 17, but has since turned 18 and is now being held in general population at HCDC pending trial. Adam was arrested at 16 on armed robbery and theft charges; he has since pled guilty and was sentenced to just over four years in prison. Will Downs was arrested at 17 on assault charges and eventually pled guilty, although he and his family maintain his innocence. He was released in April on time served, and was interviewed over the phone from his home.

In their accounts, the boys describe being held in 23-hour lockdown in small cells, for periods ranging from a few weeks to many months. In an account dated in late April 2014, Downs wrote: T-Block was the worst month and a half of my life! On T-Block you are locked down 23 hours a day. You are in a 7 by 11 cell and I can almost touch the wall with my wingspan and if you are by yourself is even worse. I had no body to talk to relieve stress.

Some of the boys were forced to wear a smock, which they referred to as the turtle, when they first arrived. One young man said he felt so cold during this time that he wrapped toilet paper around his feet. Ryan, then age 17, writes: I was escorted to T Block, and they put me in a cell that was maybe 12 x 7, had a light that stayed on all of the time, a desk, a stool, a double bunk, a toilet, and a sink. They told me to strip down to my blue shorts (like boxers) and gave me a smock. The smock was like a sleeveless robe that fastened with Velcro and very heavy fabric.

As is standard policy for kids held in adult facilities, the boys were not able to mix freely with the adult population, so could not access any programming in the jail including counseling, education or church. Even the boys one-hour of recreation time was conducted indoors, so they would only see sunlight when they were taken to and from court hearings.

In a recent phone interview, Downs described what it was like to be on lockdown. All the worst things go through your head when you're in there, because you feel like nothing's happening. Every day moves so slow, every day was like a week. He said that although some of the boys were bunked in pairs for periods of time, he was primarily held alone.

Ryan felt jealous of the many men passing through T-Block for processing. We watched people come in and leave, all the time. It hurt so bad to watch these people leave, knowing that I couldn't even see the sun or feel a breeze or have anything to do with the outside.

The boys' accounts also describe being at the complete mercy of corrections officers. Downs recalls having to beg [guards] for ice so you can have fresh water to drink, adding if they have a bad day you are going to have an even worse day.

According to Eileen Siple, the time in isolation took a significant psychological and physical toll on all of the boys. Of the four she communicates with regularly, one started hearing voices during his time in solitary, and was placed on a series of psychiatric medications; the other three were also prescribed either anti-anxiety medications or anti-depressants.

According to a [2012 report](#) by Human Rights Watch and the American Civil Liberties Union, young people are particularly vulnerable to the stressors of the box, in part because they haven't acquired the same coping mechanisms as adults. Moreover, the author notes, because they are still developing, traumatic experiences like solitary confinement may have a profound effect on [kids'] chance to rehabilitate and grow. In 2007, the Campaign for Youth Justice, a Washington-based nonprofit that advocates for children to be kept in the juvenile justice system, found that kids held in adult prisons and jails are [36 times more likely](#) to commit suicide than young people held in juvenile facilities.

The young men's accounts also detail the poor medical care they received while on T-Block. One of them describes not receiving needed heart medication for about two and half months, despite asking for it.

Local Sheriff Denies Accounts

Sheriff Jesse Bane has run the Harford County Detention Center since his election in 2006. In a series of phone calls, the Sheriff provided Solitary Watch with a different account of what happens to juveniles when held at the facility on adult charges. He said that young people are sent to the Behavioral Health Unit, which was originally built for prisoners with mental illness but now houses both populations.

There is a recreation yard, a general dining area, a television, and they are free to roam the area where they're incarcerated. In a later conversation, he clarified that that adults and minors held at the BHU are strictly separated, and rotate the time they spend out of cell.

When specifically asked why there would be accounts from as recently as 2013 and 2014 of juveniles being held in long-term isolation at HCDC, Sheriff Bane reiterated that you can't hold people in those conditions, adding that in an election year, you get things like this that come up. (His post is up for re-election this fall.)

Sheriff Bane also said that kids are given psychological evaluations upon their arrival, and can be placed in isolation on the unit for days or weeks if medical personnel believe they pose a threat to themselves. Queried about the turtle, Bane stated that young people who express suicidal ideation are asked to wear the garment since it cannot be torn, tied, or made into a noose.

When asked about accounts that young people held been held on a processing tier for adults, he told Solitary Watch, I'm not sure that I know what you're talking about, stressing several times that the law requires sight and sound separation between children and adults.

In fact, although the decades-old federal Juvenile Justice and Delinquency Prevention Act (JJDP) requires sight and sound separation between children and adults, these protections do not currently apply to young people charged as adults.

The 2003 Regulations on the Prison Rape Elimination Act (PREA) [mandates separation](#), but there are no accountability mechanisms to enforce the standards in county facilities. In 2012, the Harford County Sheriff's Office was awarded \$163,648 to better enable compliance with PREA, although it is unknown if the grant had any relation to how minors are held in the facility. (Bane's office declined to provide copies of the application; Solitary Watch has since filed a FOIA request to obtain additional information.)

When asked about T-Block, the Sheriff commented although some individuals are held on T-Block for no more than 24 hours pending classification, that does not include juveniles. He also said, You cannot keep a person indefinitely in a lockdown status in isolation because it adversely impacts their mental health and we are not going to do that.

Diane Tobin, the Deputy States Attorney, declined to comment on any specifics but stated that young people at HCDC are held in accordance with federal law. Solitary Watch contacted the lawyers for all five boys who submitted statements; none returned calls or emails for comment.

In a phone interview, Solitary Watch asked Downs to respond to Sheriff Bane's assurances that there was sight and sound separation between juveniles and adults. We could talk to the adults on T block, we would tell them to come to the door, and they would talk to us, he said.

Asked to reply to Sheriff Bane's assertion that juveniles are not held on T-Block, Downs said, What? I was on T-Block the whole fucking time.

According to Eileen Siple, the move from T-Block to the BSU happened about six weeks ago. She told Solitary Watch that last month she was invited by the Sheriff to tour HCDC; at the BSU she saw two minors being held alone on the top tier, with adults with mental illness held below. Siple, who is in touch with one of the two boys, said that they only spend a few hours out of their cells each day.

Kara Aanenson is the Campaign Strategist for Just Kids, a Maryland advocacy organization that works with kids automatically charged as adults. When interviewed by Solitary Watch, Kara Aanenson also disputed the Sheriff's account that the kids have long been held at the BSU. She said that when she toured HCDC about a year ago, she personally saw young people being held on T-Block.

Use of Isolation Widespread

According to Aanenson, what happened to Richardson and the other boys at HCDC however horrific is far from an isolated instance of abuse. It was shocking to me, but it's also a process that doesn't just happen in Harford County, she told Solitary Watch. It happens to lots of kids in the state of Maryland.

An [infographic](#) recently published by Just Kids identifies the nine counties across Maryland, including Harford, which holds kids facing charges as adults in pre-trial solitary confinement. Eleven counties house these young people with the rest of the adult jail population, and the remaining three counties have dedicated juvenile units within adult facilities. Just Kids research is based on established guidelines for handling minors as outlined in jail handbooks.

Nor are the numbers of youth admitted to adult facilities small. In 2011, 771 Maryland youth were admitted to adult facilities, according to a [report](#) produced by the state's Department of Juvenile Services. Sixty-eight of these children entered jails in one of the nine counties that hold young people charged as adults in solitary confinement.

Advocacy groups have endeavored to change the law. During the now-closed 2014 legislative session in Maryland, a coalition of groups pushed for the passage of [Senate Bill 757](#) / House Bill 1294, which would have required youth facing adult charges to be held in juvenile detention centers pre-trial. The bill failed to even pass onto the state House or Senate floor, although there is hope it may make progress next term.

Colorado passed similar legislation in 2012. Across the country, over ten states have laws on the books either requiring or permitting that young people facing charges in the adult system be held in juvenile facilities.

For Will, Luke, and the other teenage boys held at HCDC, there were only two sure ways to escape solitary confinement. The first was turning 18.

After 7 months in T Block, I finally turned 18, Ryan wrote. They moved me to general population. It was like Heaven! Yes, it's still jail, but it's so much better than being locked down all day. I can walk around. I can talk to my family on the phone. I can see the sun through a window. It might sound like very little to some people, but to us, it's HUGE!

Aside from aging out, the only other way the boys could get off the tier was pleading guilty to their offenses, since convicted minors can be held in general population. Eileen Siple told Solitary Watch that at least two of the teenagers entered a plea to escape the conditions

on T-Block, although this could not be independently verified.

The combination of existing state law which mandates charging certain kids as adults plus county-specific policies and national legislation about how to house these youth, mean that many minors across Maryland endure conditions that are significantly worse than those faced by adults. Just because of your age and your offense, youre getting punished for something youre just accused of doing, for lengthy periods of time, Aanenson said.

For many advocates, where kids are held pending trial is just one small part of the problem. The recently proposed legislation is a first step in the right direction, Aanenson added. But what we ultimately need to be doing is stopping youth from being tried as adults.

Aanensons sentiment was echoed by Amy Fetting, the Senior Staff Counsel for the American Civil Liberties Union National Prison Project. We think the best thing to do is send these kids back to the juvenile justice system. Sometimes that requires changing the state law. In 2013, the Maryland General Assembly created a task force to examine the issue of automatic transfer.

In the meantime, however, General Eric Holders recent comments may simply be too little too late for the many young people across the county held in solitary confinement in adult facilities trapped by a patchwork of local, state and federal laws that recognize their vulnerability as children while simultaneously prosecuting them as adults.

They take your personality when they put you in segregation, Ryan said. They have everything, mentally, physically, and emotionally. They say it helps us, but it makes everything even worse. I wish that upon nobody. This is what really happens behind closed doors.

Aviva Stahl is a Brooklyn-based reporter who writes about science/health at the intersection of mass incarceration, national security, and trans rights. Shes written for the New York Times, Wired, BuzzFeed News, Solitary Watch, and other outlets. Find her @stahlidarity and at stahlidarity.com.

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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

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Nikki, do you have a contact at his high school who could help to get the education part started? Have you contacted the Sheriff? Have you been able to visit? I dont know anything about Michigan. Do you have a pastor at a church? A Pastor can get in to see him anytime he wants. Do you have an attorney? Nikki stay strong it is a bumpy ride but you two will get through it.

I am Nikki I have a 16 year old son locked up in a county jail in west olive Michigan. My son has never been in trouble with the law. He was a good student and was working his first job however, he had been experiencing bullying for a year. The boy and a friend jumped on my son and attacked him with a bat he stabbed one of the boys once to get him off of him and is now being charged with open murder. He is being treated inhumane for defending himself. Not allowed education or medical treatment or counseling barely a phone call. He went two weeks without soap and toothpaste begging the guards to no avail. Can you contact me I need help maybe your expertise can help a Michigan judge see the harm not help this isolation is doing. And consider him going back to a juvenile detention center. Nikki (810)488-4142

I couldnt read it all absolutely too horrendous! Someone should have to pay for all this mistreatment of human beings. The sheriff needs to live in his own cells for a while horrible conditions. Eileen, I feel Bob will be ok because of all the love and support you have given him. bless you!!!

I am a mom of one of these boys! My son has been out awhile, his dreams shattered, forced to take a plea because his family was falling apart and he would do anything to get out of T-block. The whole experience has torn my entire family apart and we are trying to rebuild. Not so easy.

Please contact me for my son is in HCDC as a minor and is experiencing the same thing he has an heart defect and this is his first offense..he was a honor student, playing sports for the first time in his life, and he is a great kid the judge on his reverse waiver hearing dismissed the advice and opinion of the doctors, juvenile staff, and law concerning my child. His public defender did the best he could do, but not enough I am forced to pay over \$5,000 to get him out of jail and to the help he need. It hurts my heart to know that these children are being treated unfair and unjust because the HCDC does not accommodate the minors in a humanitarian way. Keeping minors locked up in confinement will destroy their ability to see their future I am willing to be a voice for my son and would like to help change

the way that HCDC handles its minors.please call me at 404-748-4616 Tomeka

Thanks, Tomeka. Ill be in touch.

NY just passed a law to keep juveniles out of solitary. It should be the law of the land. more than anything, juvenile offenders need compassion, and a chance to change their lives, even if they have murdered someone. We need to take a had look at the kind of lives they have lived up to the point of their crime. Feed them the wholesome food they may never have had, clothe them, treat them as humans. Educate them. Show them the good that they hold inside.

Interestingly, there is currently a juvenile in T-Block at the detention center, even though the sheriff claims that this never happens. He has been held in segregation since June 12 more than 2 weeks even though the sheriff claims this never happens. He is only charged with a crime, just like the other juveniles. He has not been found guilty of anything yet. And now the sheriff has been appointed to a governors board to improve pretrial detention in the state of Maryland. Utterly ridiculous.

locking people up in droves is a failed experiment. I dont feel sorry for criminals. Change your ways and quite blaming others or the system for being wrong when you yourself have done more wrong. But locking people up in prisons and jails is about all we have left for those who refuse to follow the laws of the land. Ultimately, we have to choose whether or not we want to spend more money on rehabilitating criminals or keep them warehoused and say we are rehabilitating them. I would love to see more humane and therapeutic treatment options for those who have committed crimes but I dont think society is ready for the financial burden that such programs will cost. Most prisoners will be released back into society so it is better to try and rehabilitate them as they will one day walk amongst us again. Look to Norway for some of their innovative solutions to rehabilitation.

I forgot to doublecheck spellcheck. The word sold should be solid and the word hubby should be juvy. How spellcheck came up with that ill never know! lol

Whatever they did they need to be worked with to try and get their life straight or they will have no chance to be a sold human being. My grandsons father who has been in prison for more than 8years did 4 yrs in hubby. He was only out 1 year. He is now 31 He has 9 years to go. He has never been allowed a life. Being black and living in Tx was all it took. Read his story at <http://www.mynameisjamie.net>. Help the young ones before this happens!

Thank you Eileen for your work with them!

Thank you for sharing this story. It needed to be told. My heart aches for these boys.

P.O. Box 11374
Washington, DC 20008

info@solitarywatch.org

Solitary Watch

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