

Criminal Justice Issues and Prisoners' Rights

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CLEVELAND Young people are held in solitary confinement in jails and prisons in across the United States, often for weeks or months at a time, the American Civil Liberties Union and Human Rights Watch said in a report released today.

The 141-page report, Growing Up Locked Down: Youth in Solitary Confinement in Jails and Prisons Across the United States, is based on research in both US jails and prisons, and correspondence with young people in several states including Ohio. The isolation of solitary confinement causes anguish, provokes serious mental and physical health problems, and works against rehabilitation for teenagers, Human Rights Watch and the ACLU found.

Locking kids in solitary confinement with little or no contact with other people is cruel, harmful and unnecessary, said Ian Kysel, Aryeh Neier Fellow with Human Rights Watch and the ACLU and author of the report. Normal human interaction is essential to the healthy development and rehabilitation of young people; to cut that off helps nobody.

The report is based on interviews and correspondence more than 125 young people in 19 states who spent time in solitary confinement while under age 18 as well as with jail and/or prison officials in 10 states.

Human Rights Watch and the ACLU estimate that in 2011, more than 95,000 young people under age 18 were held in prisons and jails. A significant number of these facilities use solitary confinement for days, weeks, months, or even years to punish, protect, house, or to treat some of the young people held there.

Because young people are still developing, traumatic experiences like solitary confinement may have a profound effect on their chance to rehabilitate and grow, the groups found. Solitary confinement can exacerbate short and long-term mental health problems or make it more likely that such problems will develop. Young people in solitary confinement are routinely denied access to treatment, services, and programming required to meet their medical, psychological, developmental, social, and rehabilitative needs.

Young people interviewed for the report repeatedly described how solitary confinement compounded the stress of being in jail or prison. They spoke about cutting themselves with staples or razors while in solitary confinement; having hallucinations, and losing touch with reality. Several said they had attempted suicide multiple times in solitary confinement.

Those allowed outside described only being allowed to exercise in small metal cages, alone, a few times a week. Several said they could not get books, magazines, paper, pens, or pencils, or attend any classes or programming. For some, the hardest part about solitary confinement was being denied visits and not being able to hug their mother or father.

The solitary confinement of young people under age 18 is itself a serious human rights violation and can constitute cruel, inhuman, or degrading treatment under international human rights law, Human Rights Watch and the ACLU said. Conditions that compound the harm of solitary confinement, such as denial of educational programming, exercise, or family visits, often constitute independent, serious human rights violations.

No one believes that locking a teenager in a closet is an effective way to improve either their behavior or their character, much less to protect them long term, said ACLU of Ohio Policy Director Shakyra Diaz. Young people have rights and needs that are different from adults; jail and prison practices should reflect those differences and promote their ability to grow and change we should invest in youth, not banish them.

A number of corrections officials have begun to recognize and speak against the use of solitary confinement, saying that it is costly, ineffective, and harmful.

There are alternative ways to address the problems whether disciplinary, administrative, protective, or medical that officials typically cite to justify using solitary confinement, while taking into account the rights and special needs of adolescents, Human Rights Watch and the ACLU said. Youth could be housed in specialized facilities organized to encourage positive behavior. And punishment should be proportional to the infraction, using any short-term isolation as a rare exception.

The federal and state governments should ban placing youth in solitary confinement, Human Rights Watch and the ACLU said. They should also prohibit housing adolescents with adults or in jails and prisons designed to house adults, and strictly regulate and monitor all forms of isolation of young people.

Growing Up Locked Down, as well as additional materials including a video, podcast and multimedia feature, can be found online at www.aclu.org/growinguplockeddown.

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