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Criminal Justice Issues and Prisoners' Rights

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Our Weekly Roundup of News and Views on Solitary Confinement

by [Valerie Kiebala](#) | February 18, 2018

[According](#) to the *Alabama Political Reporter*, Federal District Judge Myron Thompson last week ordered the Alabama Department of Corrections (ADOC) to either remove individuals with serious mental illness from solitary confinement or provide a reason for their placement in solitary. Thompson ruled last summer that mental health care in the Alabama prison system was horrendously, constitutionally inadequate and found that individuals with mental illness were held in solitary confinement for long periods of time without adequate treatment. The Southern Poverty Law Center (SPLC) and the Alabama Disabilities Advocacy Program filed a lawsuit last year that found 152 individuals with mental illness being held in solitary confinement in the Alabama state prison system, and the judges recent order found 131 still there.

USA Todays Press Connects [reported](#) that the nonprofit Legal Services of Central New York filed a suit in July of last year, claiming that the Broome County Jails practice of putting juveniles in solitary confinement violated both the 8th Amendment and the 14th Amendment based on the deliberate indifference of the jail staff, ignoring the self-harming behaviors and auditory hallucinations of the children who referenced their placement in solitary as a cause of their problems. The nonprofit has now requested an injunction for the Broome County Jail to immediately halt the use of solitary confinement for juveniles, claiming, The court should not wait until childrens threats of suicide become reality before finding that the Sheriffs Office is putting juveniles at a substantial risk of serious harm. Broome County must provide a response to the injunction by March 5.

The publication *them* [reported](#) on the case of a 52-year-old transgender woman named Jane Doe in the court documents, who has been housed in a male prison, despite having transitioned over 40 years ago and never living as a man in her adult life. Doe alleges that she faced several occasions of abuse from the Massachusetts Department of Corrections officers and has filed a lawsuit challenging the constitutionality of the exclusion of transgender individuals from the protections of the Americans with Disabilities Act (ADA). The article included the experience of Black transgender woman Lesley Webster from Atlanta in a male prison, They cut all my hair off, and they locked me away in a cell for 90 days by myself because they didnt want to put me with the men and they couldnt put me with the women. Webster expressed that if she hadnt had outside support, I wouldnt have made it because I tried to hurt myself. I wanted to get myself out of there so badly [that] I tried to kill myself [twice].

The 10th Circuit Court of Appeals in Denver upheld class status for immigrants held at the Aurora Detention Facility in Colorado, operated by private prison company GEO Group, [according](#) to *American Bar Association Journal*. The lawsuit claims that a group of about 62,000 individuals have been subjected to forced labor practices at the Aurora facility with the threat of solitary confinement if they refuse to work for free or nearly free, which violates the Trafficking Victims Protecting Act and constitutes unjust enrichment for the GEO Group. The 10th Circuit upheld the class certification, since, The GEO knowingly obtained class members labor by means of the sanitation policy, which threatened or was intended to cause them to believe they would suffer serious harm or physical restraint if they did not fulfill their cleaning assignments.

[According](#) to an article published by the Marshall Project in collaboration with *USA TodaysTennessean*, a state law in Tennessee allows for the county jail to send individuals awaiting trial to state prison if a judge rules the jail insufficient to take care of an individual with medical problems or mental illness. Many of these individuals, referred to as safekeepers, end up being placed in solitary confinement merely for being minors, pregnant, mentally ill, or having a medical condition. One woman, Regenia Bowman, was locked in solitary confinement for six months because she had an antibiotic-resistant staph infection. Bowman still feels the effects of her time in isolation, I start hyperventilating, I start feeling like the walls are closing in on me. If there are several people, I can do it for five or 10 minutes and then I start finding a way out. The things you see there you dont forget. The circuit judge who presided over Bowmans case explained that he would prefer to send individuals to hospitals, but counties cannot cover the cost to provide the adequate treatment.

In Justice Today [reported](#) a 16-year-old girl from Memphis has been held in solitary confinement for 131 days at the Tennessee Prison for Women in Nashville, 200 miles away from her home, allegedly because the local facilities do not have the capacity to hold a juvenile. After a Sheriffs Office spokesman compared the girls solitary confinement cell to a private room, Josh Spickler, the director of the criminal justice reform advocacy group Just City, responded, Shelby Countys failure to provide a safe, age-appropriate detention setting for a 15-year-old girl is a serious matter. To dismiss it and compare isolation like this to a private room is appalling. The

conditions of this girls detention are unacceptable, and everything we know about teenage brain development tells us we are doing irreparable harm.

Shadowproof [reported](#) that Laura Monterrosa, a 23-year-old woman from El Salvador held at the T. Don Hutto Residential Center, an Immigration and Customs Enforcement (ICE) facility run by private prison company CoreCivic, was kept in solitary confinement for 60 hours after she came forward with the allegation that a corrections officer had sexually assaulted her. According to a researcher and organizer with Grassroots Leadership Bethany Carson, ICE has been threatening Monterrosa with more time in solitary confinement if she continues to speak out about the sexual assault. Carson said, The ICE official went as far as telling her that he expected her to recant her claim to the media or else she would be locked up again in solitary confinement indefinitely.

An [article](#) published in *Reason* reported that a group of women held at Santa Rita Jail in Alameda County, California, filed a lawsuit that claims pregnant women have been forced to endure inhumane conditions at the jail, including denial of essential hygiene items, unsolicited pressure to get abortions, and intrusive strip searches. The article describes one case when a pregnant woman named Candace was forced to give birth alone in solitary confinement. Another woman held at Santa Rita explained that after Candace expressed the severe pain she was experiencing, a nurse diagnosed her with a stomachache, and she was placed in a solitary cell. Candace began to scream, and yell. She was banging on her metal door. She continued, This went on for over two hours until the next guard shift came on that evening. It was agonizing and torture for us to hear her scream like that. Finally, we could hear the crying of a baby. Apparently, Candace had given birth, alone. Only after we could hear the crying of the baby did the deputies finally go over and open her door.

Valerie Kiebala was a contributing writer and editorial and project manager for Solitary Watch, and is now the media director of Straight Ahead, which is building a decarceration movement throughout Pennsylvania. Her work has also appeared in The Root, Truthout, the Chicago Reporter, and Shadowproof.

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 [Mirilla Zhu](#)

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by [Caitlin Konya](#)

October 19, 2022

by [Mirilla Zhu](#)

October 12, 2022

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