

# Solitary Watch

## Criminal Justice Issues and Prisoners' Rights

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close

Search

close

close

Our Weekly Roundup of News and Views on Solitary Confinement

by [Valerie Kiebala](#) | July 22, 2018

The *Midland Reporter-Telegraph* [covered](#) a hearing with lawmakers in Santa Fe this week regarding allegations of abuse and solitary confinement at Otero County Processing Center and Cibola County facility, both privately operated Immigration and Customs Enforcement (ICE) facilities in New Mexico. Joselin Mendez, who was held at Cibola County facility after fleeing gender discrimination and violence in Nicaragua, testified, I was discriminated against by being put in solitary confinement while defending my rights, just like my sister Roxsana. Mendez claimed that Roxsana, a transgender woman from Honduras, died at the Cibola County facility from medical neglect. An attorney for the New Mexico Immigrant Law Center called on lawmakers to follow California's lead in canceling contracts with ICE that preserve the states for-profit immigration detention centers.

*San Francisco Bay View* published an [article](#) explaining the July 3 ruling in the case *Ashker v. Brown* that challenged indefinite solitary confinement in California. The plaintiffs in the class-action lawsuit, men who had been held in the Security Housing Unit (SHU) at Pelican Bay State Prison for decades, argued that when they were ordered in a previous ruling to be released to general population, they were subjected to the same conditions of confinement in general population that they had experienced in SHU, specifically the same restrictions on their out-of-cell time. The men claimed this indefinite isolation violated their Eighth Amendment rights protecting them from cruel and unusual punishment, as well as their Fourteenth Amendment rights of due process. Judge Claudia Wilken ultimately granted the plaintiffs request that they not merely be placed in general population nominally, but that their movement out of SHU also must be a movement out of the severe isolation of solitary confinement.

*Knowable* magazine published an [interview](#) with psychologist and University of California, Santa Cruz, professor Craig Haney on his recently released research on the psychological and physical damage caused by solitary confinement. Illustrating the often long-term impact of solitary on people, Haney recalled the story of a man whose wife called Haney crying because her husband, who had spent time in solitary, locked himself in the bathroom every morning and wouldn't come out. When Haney visited the man, he said, I never told my wife this, but I'm not just locked in the bathroom, I sit in the bathtub. The coldness of it makes me feel like I'm back in my cell, and it's the only place I feel comfortable. My wife wants me to sleep in the big bedroom we have, but I feel like I'm in the ocean or something. I can't get used to it. It's very disorienting. So I go in the bathroom and it calms me down. Haney's generic ambience doesn't work as well research found much higher levels of stress, trauma, and anxiety for people held in solitary versus those in general population.

[According](#) to the *Richmond Times-Dispatch*, a coalition of religious groups attended the Virginia Board of Corrections meeting this week to call for a documented investigation into the use of solitary confinement in Virginia jails. While the board has not recorded the prevalence of the use of solitary confinement in local jails, the Virginia ACLU released a report in May on the continuing high use of solitary across the state. Rabbi Charles Feinberg, who attended the meeting representing Interfaith Action for Human Rights, said, We believe that if we want people to change when they leave prison that we cannot treat them brutally while they're in prison. The coalition requested that the board follow the ACLU recommendations, develop standards for the use of solitary, and implement a system of documentation for its use.

The New York Times [reported on](#) a tactic being used in New York City jails to circumvent the 2015 ban on solitary confinement for youth up to the age of 21, implemented in response to evidence of the especially harmful effects of solitary on young people. According to the *Times*, New York City has transferred at least 10 youth to facilities in upstate New York, where they continue to be held in solitary. A 19-year-old who had been implicated in an attack on a corrections officer on Rikers Island claimed that upon his transfer to the Albany County jail, officers beat him so badly that he required hospitalization, and sent him to solitary confinement for 600 days after telling him, This ain't New York City. We do what we want. Critics argue that in addition to inflicting psychological damage on young people, these transfers violate a New York City law that protects the rights of individuals to be held in a facility in close proximity to their families and lawyers.

*The Appeal* published an [article](#) discussing the potential consequences of Supreme Court nominee Brett Kavanaugh for the U.S. criminal justice system, and specifically for the death penalty, solitary confinement, and racial equality. Kavanaugh, who defended the limitation of civil rights for those held at Guantanamo Bay, called former Chief Justice William Rehnquist his judicial hero, praising his support of the death penalty. While Justice Anthony Kennedy, whom Kavanaugh would replace, had opened the opportunity for the Supreme Court

to challenge the use of solitary confinement, the article states, The window to challenge solitary confinement in the Supreme Court will almost certainly slam shut if [Kavanaugh] is confirmed.

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](#)

October 26, 2022

by [Caitlin Konya](#)

October 19, 2022

by [Mirilla Zhu](#)

October 12, 2022

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