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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](#) | June 15, 2020

[According](#) to the *Richmond Times-Dispatch*, solitary confinement remains the only housing option for many incarcerated transgender people, unless they choose to stay in a general population of the opposite gender. Kamiah Kahanel, a transgender woman held in the male Nottoway Correctional Center in Virginia, was attacked by an incarcerated man, who cut her face and back, after sexually harassing and threatening her. Kahanel was then placed in solitary, in a special housing unit where another transgender woman Chrissy Smith committed suicide that morning. Rodrigo Heng-Lehtinen of the National Center for Transgender Equality said, These incidents really show the dangerous conditions in prison to begin with, and then when you add anti-transgender discrimination on top of it, it pushes people into absolutely desperate circumstances. To have to either be essentially in solitary confinement or in general population and exposed to potential violence that's an impossible choice.

NBC News [reported](#) that new video footage has been released as evidence in the wrongful death lawsuit filed against New York City by the family of transgender woman Layleen Polanco. Polanco died from an epileptic seizure in solitary confinement at Rikers Island jail, and the Polanco family attorney David Shanies said she never should have been in solitary because of the severity of her medical conditions. While the Department of Corrections had claimed an officer discovered Polanco unresponsive at 2:40 p.m., the newly released footage shows at least five staff members knocking on Polanco's door throughout an hour and a half period, without ever opening her door. Approaching Polanco's unresponsive body, the footage shows officers laughing. Polanco's sister, Melania Brown, said she wants solitary banned across New York City and condemned the city's report for using Polanco's deadname, her former, no longer accurate birth name. On June 14, a [massive rally](#) gathered in Brooklyn to condemn violence against Black transgender people, following the release of the footage of Polanco's death, the discovery of Dominique Remmie Fells' body in a Philadelphia river, and the death of Riah Milton in Ohio.

The *News Tribune* [reported](#) that six men were sent back to prison from a work release program, after family members held a peaceful demonstration outside of the Seattle facility on May 1, calling for increased health measures for their incarcerated loved ones, especially during the pandemic. There have been nine cases of the virus at the Reynolds Work Release facility. The Reynolds 6, who were months away from being sent home, were instead sent back to prison and placed in solitary confinement with little to no access to outside contact or basic hygiene. Before being taken, Muslim members of the group were targeted as they were fasting for Ramadan and even as one of them tested positive for COVID-19, according to a press release from Columbia Legal. One of the men, Mohammed, was placed in 24-hour lockdown with no medication for 22 days after his transfer to Monroe Correction Facility, despite his severe symptoms of the virus.

The *Washington Post* published the [story](#) of Neli Latson, an African American teenager with autism who was arrested when he was 18 years old, while sitting outside of his neighborhood library. A caller characterized Latson to the police as a suspicious male, possibly in possession of a gun and when Latson reacted with a fight-or-flight response, common for individuals with autism, he was accused of assaulting the officer. Latson ended up spending years in prison, much of which he spent in solitary confinement. The lawsuit claims Latson was held in solitary several times, including a period longer than 100 days. One time, during a mental health crisis at Rappahannock Regional Jail in Virginia, an officer tasered Latson and strapped him to a restraint chair where he was unable to move, eat, or use the restroom, for more than nine hours, according to the lawsuit. While the case resulted in reforms at the jail, the Virginia Department of Corrections faced no criminal charges because of qualified immunity.

Metro [reported](#) that 56-year-old Marilyn Kelty filed a lawsuit against Wichita County Sheriff David Duke in Texas for violating her rights when she slipped in the shower and fractured her hip. Kelty said she screamed in pain, as she lied naked on the floor of the shower, but no staff immediately came to help her. When staff did arrive, they placed Kelty in a wheelchair and put her in solitary confinement, instead of providing her medical attention or transferring her to a hospital, according to Kelty. When Kelty finally made it to the hospital the following day, doctors said that her organs were failing and her body was septic. Kelty's lawyer said, What's happening here is the jail seems to have a policy or at least a custom and practice of being deliberately indifferent to the needs of people inside the jail. When people need medical attention for some reason, they are just being put into solitary confinement.

The *Omaha World-Herald* [reported](#) that a federal judge denied class action status to a lawsuit filed by the ACLU of Nebraska against the state Department of Corrections, demanding reforms to health care and the use of solitary confinement across state prisons. The judge

claimed that a federal court should not have power to decide matters at the state level because it would be contrary to the idea of federalism. David Fathi, the director of the ACLU's National Prison Project, said, Nebraska's prison system is in crisis and remains the second most overcrowded in the country. It is rife with racial disparities that can't be underemphasized in this moment. This ruling doesn't change that. While five percent of the state's population is African American, more than 25 percent of the incarcerated population is Black and 82 percent of incarcerated people have mental health or substance abuse disorders.

Law & Crime [reported](#) that the U.S. Court of Appeals for the Second Circuit found officers at the Federal Correctional Institution in Ray Brook, New York guilty of violating Dwayne Bacon's First Amendment rights, but the officers were protected by qualified immunity. Bacon, incarcerated at the prison, had sent a letter to his sister, stating that he wanted one of the female correctional officers. Claiming Bacon made sexual proposals or threats, officers put him in a disciplinary segregation cell in the Special Housing Unit (SHU). Though his solitary confinement sentence was originally 30 days, Bacon said he spent 89 days in solitary. The disciplinary sanctions were ultimately expunged from Bacon's record and Bacon filed a lawsuit, claiming that his right to free speech was violated when officers retaliated against him by placing him in solitary.

The *New York Times* published an [opinion article](#) in response to the statement issued by the American Institute of Architects (AIA) following the recent wave of national protests. We were wrong not to address and work to correct the built world's role in perpetuating systematic racial injustice. We support and are committed to efforts to ensure that our profession is part of the solution, the statement read. The author points to a petition submitted several years ago to the AIA, calling for the organization to denounce architects who design death chambers and solitary confinement facilities because of the psychological torture inflicted on humans in these spaces. The AIA rejected the petition on the grounds that the code of ethics isn't about what architects build. Now, the author calls on the AIA to support an end to architects contributing their expertise to the most egregious aspects of a system that commits exceptional violence against African Americans and other minorities.

Valerie Kiebal 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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My sons been in solitary almost 2 years for something he had nothing to do with he was just the maybe killer roommate (Whitey Bulger)

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