

# Solitary Watch

## Criminal Justice Issues and Prisoners' Rights

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Our Weekly Roundup of News and Views on Solitary Confinement

by [Valerie Kiebalá](#) | May 11, 2020

The *Texas Tribune* [reported](#) that of the people in prison who have been tested for the coronavirus, 70 percent have tested positive. Only one percent of the prison population, or 1,700 people, has been tested but the percentage of positive results far outweighs the ten percent of Texas residents throughout the whole state whose results have come back positive. While Texas prison officials claim they are addressing the virus adequately, the primary strategy across Texas prisons has been to lock down entire units. One man held at the Beto Unit wrote, People are scared to tell the officers that they're sick because they say they're not doing much of anything to actually help. The sick people use the same showers as the healthy people. The lockdowns not only restrict physical contact but often prohibit access to phone time, rehabilitative programs, adequate food, and hygiene items. University of Texas Law Schools Michele Deitch said, The instinct to contain is sensible, but you can't just restrict, restrict, restrict without replacing some of the missing activities or contact in some other form.

While the Connecticut Department of Corrections claims that the people being transferred to the supermax Northern Correctional Institution have tested positive for the coronavirus, Roger Johnson said he was sent to Northern before his test results came back, [according](#) to WSHU. Another incarcerated man, Christopher Russell, said he was not even tested for COVID-19 until after he was transferred to Northern. Russell said he was isolated in a freezing cold cell for nearly 24 hours a day at Northern, and with his asthma, the cold air makes it hard to breathe. Hope Metcalf, a professor at Yale University, said, If you have an instrument of torture, referring to the conditions at Northern, if the system has that, the system will use it. The best way to protect us is simply to dismantle this instrument of torture. It should have never existed, and it certainly should not be existing now.

Human Rights Watch published a [report](#) entitled, *Averting Imminent Catastrophe: Recommendations to U.S. Local, State and Federal Officials to Covid-19 in Jails and Prisons*, which outlines steps political and correctional leaders must take in order to fulfill international human rights standards. Without urgent action, the document reads, Covid-19 in jail and prison populations will cause substantial suffering and death. The primary recommendation is to reduce the incarcerated population to create enough space for people in custody to practice social distancing and to separate ill people with access to medical care. Human Rights Watch warns against locking down entire facilities or units and resorting to the use of solitary confinement, which can be harmful to people's mental health. The added anxiety created by the pandemic and risk of serious health consequences from Covid-19 infection could exacerbate this impact further.

ABC News [reported](#) that a group of immigrants detained at the C. Carlos Carreiro Immigration Detention Center in Massachusetts were pepper sprayed, placed in solitary confinement, and now face potential criminal charges after an incident occurred regarding Covid-19 testing. While officials claimed the immigrants caused a violent uproar refusing to get tested, advocates say the opposite is true. Annie Gonzalez Milliken from the Boston Immigration Justice Accompaniment Network said, What they said was that they were willing to be tested, in fact they wanted to be tested, but they did not want to be moved. They didn't want to deal with cross contamination in the medical unit and didn't want to be moved to solitary confinement. In other cases at the facility, sick people have been held in solitary confinement and refused any medical care, Milliken said.

The *Intercept* published an [article](#) covering an incident at the Stewart Detention Center (SDC), an Immigration and Customs Enforcement (ICE) facility in Georgia. In April, immigrants held at SDC called for medical attention, as many had been experiencing COVID-19 related symptoms. A detained man said that immigrants began protesting the lack of medical care by placing sheets on the windows and doors, and the staff response was to deploy pepper spray and presumably take the immigrants to solitary confinement. The social media accounts for a few of the Special Operations Response Team (SORT) unit at SDC corroborated this account, flaunting their call of duty response to the protest. Four SDC employees have since been placed on leave, but still, three detained immigrants believe that symptomatic people are being sent to solitary.

WFBO [reported](#) that advocates held rallies across New York last week, calling for the passage of the Humane Alternatives to Long-Term (HALT) Solitary Confinement Act. The advocates called for immediate elimination of the use of solitary confinement and the implementation of effective alternatives. A mother whose son is held in jail said, For the other people that are locked in solitary confinement that are not allowed to see their family, to tell their family what's going on. They're hiding people's situations. While the bill has sufficient bipartisan support to pass, legislative leaders have not yet brought the bill to a vote, and Governor Andrew Cuomo has not

agreed to sign it.

The *Miami Herald* [reported](#) that the Florida Department of Corrections (FDC) has proposed a new policy of segregating people in a classification called the administrative management unit, or AMU. Under the policy, a person could be isolated in the AMU after as few as two serious disciplinary violations. Staff would be provided a significant amount of discretion for determining what constitutes such a violation. Kicking a cell door, for instance, could be labeled as inciting a riot, an offense substantial enough to receive an AMU sentence. This new policy was proposed on March 25, 2020, when the Florida prison system reached 2,000 COVID-19 cases, and the rule was made public the same week in April that the FDC saw its first two coronavirus-related deaths. An attorney with the Southern Poverty Law Center, Kelly Knapp, said, If this population is already difficult to manage, denying them family visits and community support that are vital for rehabilitation is counterproductive.

Dr. Terry Kupers, leading expert on the psychological effects of solitary confinement and author of *Solitary: The Inside Story of Supermax Isolation and How We Can Abolish It*, was featured on the UK-based [podcast](#) Little Brains, Big Topics. In a wide-ranging discussion, Kupers discussed the history of racial and class oppression in the United States, as well as the abuse of people with mental illness and other disabilities, and linked this history to mass incarceration in general and solitary confinement in particular.

The Center for Constitutional Rights (CCR) will present an [argument](#) to the Ninth Circuit Court of Appeals, claiming that the California prison system has violated the terms of the original *Ashker v. Governor of California* settlement. In signing the settlement, the California Department of Corrections and Rehabilitation (CDCR) agreed to eliminate the use of indefinite solitary confinement, especially based on gang affiliation criteria. But CCR argues that the continued placement of people in solitary confinement equal to or even more severe than the isolation they experienced in the Special Housing Units (SHU) violates the terms of the settlement. The argument will occur remotely on Tuesday, May 12 and will be live-streamed.

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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