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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](#) | October 28, 2019

[According](#) to the *Hartford Courant*, Judge Stefan Underhill has called the conditions unconstitutional for people held on Connecticut's death row. While Connecticut has abolished capital punishment, a compromise law passed in 2012 mandated that in the absence of the death penalty, those sentenced to death must be held in solitary confinement for the rest of their lives with restricted family communication and no physical contact for 22 hours a day. One man, Richard Reynolds, whose death sentence was converted into life in prison, challenged the highly restrictive conditions allowed by the compromise law in a 2013 lawsuit. Judge Underhill ruled that Reynolds and thus, possibly the others held on death row as well, is being subjected to cruel and unusual punishment and ordered him to be released from solitary confinement.

The Intercept [reported](#) that the #HALT (Humane Alternatives to Long-Term) Solitary Campaign and the NYC Jails Action Coalition have released A Blueprint for Ending Solitary Confinement in NYC Jails. The blueprint details the necessary steps to eliminating solitary in New York City, including minimum out-of-cell time, prohibiting the use of solitary under other names, standards for lockdowns, and implementing alternatives to solitary. The Board of Correction found that 117 people were held in punitive segregation in June and July, while 450 were held in restrictive housing across city jails in 2018. The blueprint points to San Francisco's Resolve to Stop the Violence Project, which replaced solitary with groups, classes, and counseling and resulted in a 25-fold reduction in violent incidents, five-fold reduction in rearrests for violent crimes, six-fold reduction in jail time, and cost savings, according to #HALTSolitary.

Democracy Now! [published](#) an interview with Cyntoia Brown, a victim of sex trafficking who spent fifteen years in prison for shooting her rapist before Tennessee Governor Bill Haslam granted her clemency earlier this year. Brown published a memoir last week in which she discussed her experience being arrested as a child at age sixteen, charged as an adult, and put in solitary confinement for two years before her trial. Every juvenile had to be in solitary confinement, Brown said. That's just how they did it. There were juvenile facilities that could have housed them until they were eighteen, but that's just what they felt I guess was more convenient for them. Brown described the psychological effects of being locked in a cell the size of probably your bathroom for all but one hour a day with nothing but everything you were facing, all the anxiety, all the thoughts, all of the trauma. Everything that you're dealing with is just there in that room with you.

Incarcerated people across South Carolina prisons have called on the United Nations Special Rapporteur to investigate the torturous, cruel, and inhumane punishment of prisoners in the state, including the widespread use of solitary confinement, [reported](#) *Common Dreams*. Since a 2018 riot at Lee Correctional Institution, advocate Jared Ware said, facilities were either placed on lockdowns or modified lockdowns with no access to sunlight or the outdoors, and at best weekly access to showers. The Campaign to Fight Toxic Prisons presented the incarcerated organizers' demands to the United Nations offices in New York, Washington, London, and Kingston, Jamaica on Wednesday. Their demands include opening the windows, outdoor recreation, nutritious food, and vocational and academic programs for inmates.

CBS News and *Type Investigations* produced the [video](#), *The Perils of Private Prison Health Care*, examining the role of poor quality, privatized health care in the increasing death rates in prisons across the country. The video included footage of Mariam Abdullah, a teenager with a history of mental illness, who committed suicide in solitary confinement at Perryville Prison in Arizona. The footage shows Abdullah being violently dragged to a suicide watch cell, after guards slammed her on the ground. The story also points to the high rate of suicide in Alabama prisons, where fifteen suicides were reported in a fifteen-month period. One man, Matthew Holmes, committed suicide this year after being placed in solitary confinement at Limestone Correctional Facility, despite expressing the desire to kill himself. Psychologist Dr. Craig Haney said, What is making the prisoner despondent and suicidal is the isolation, and very few mental health providers have the power or exercise the power to remove people from isolation.

The Morning Call [reported](#) that Northampton County in North Carolina and the prison health care company PrimeCare Medical have settled two wrongful death lawsuits and agreed to pay a total of \$587,000 to the families. One lawsuit claimed that in 2017, 23-year-old Kyle Flyte hanged himself in solitary confinement with a shoelace after being removed from suicide watch without proper suicide prevention measures. The lawsuit claims Flyte was placed in the behavioral housing unit in the jail as punishment, where he was left alone in his cell for 23 hours a day, despite his documented history of suicidal tendencies. The other lawsuit claims Bryan Applegate

committed suicide using the cord from a defective suicide prevention smock he had been given at St. Lukes University Hospital.

Filter [reported](#) that the Alaska Department of Corrections has been holding people in mental health crisis in extraordinary conditions that amount to punishment in what is essentially solitary confinement, Superior Court Judge William Morse wrote. The people in crisis had received involuntary commitment orders for the Alaska Psychiatric Institute (API), where they would be kept in unlocked rooms with windows to the outside, therapy, or other treatment. But because the API now faces staffing shortages, the Department of Health and Human Services (DHHS) have thrown them into Alaska prisons, even though they face no criminal charges. The judge described the conditions in the prison as unconstitutional, and said they are kept in their cells for 23 hours a day without access to any mental health treatment. The judge ordered DHHS to deliver a plan to rectify the situation by December 5.

CT Post [reported](#) that 30-year-old Carl Robert Talbot, who struggled with bipolar disorder and depression, died this past March after being placed in solitary confinement, pepper-sprayed, and subjected to five-point restraints, according to his mother Colleen Lord. Talbot was brought to the New Haven Correctional Center in Connecticut on charges of trespassing and breaching the peace after he was denied mental health treatment numerous times at Yale New Haven Hospital but refused to leave and pulled the fire alarm. At the jail, he was sent to solitary as punishment for allegedly not following officers orders. By the time Talbot reached the hospital, medics documented that he had not been breathing for 25 minutes and had rigor mortis in his jaw.

Crosscut [reported](#) that U.S. Senator Maria Cantwell and U.S. Representative Adam Smith sent a letter to the Department of Homeland Security last week, calling for a thorough review into the use of solitary at the Northwest Immigration and Customs Enforcement (ICE) Processing Center in Tacoma, Washington. The letter also called for a conclusion to the investigation into the case of Mergensana Amar, a Russian asylum seeker who died at the facility last year. Days after being placed in solitary confinement, the letter said, Mr. Amar tragically took his own life. [His death] once again raised concerns about the use of solitary confinement. Immigrants detained at the Tacoma facility have now been on hunger strike for over a week protesting the unlivable conditions, according to advocates.

Maine Public Radio [reported](#) that Superior Court Judge Michaela Murphy has ruled that the court does not have the authority to create policy or to engage in rule-making for the Maine Department of Corrections, in response to a lawsuit filed on behalf Douglas Burr. The lawsuit claimed Burrs due process rights were violated when he was placed in solitary for 22 months from 2014 to 2016, with the understanding that he would be isolated until he confessed to trafficking contraband, though officials presented no evidence of this charge. Burr called on the judge to restrict the number of days someone can be held in solitary confinement and require policies preventing such arbitrary placements in solitary. While the judge acknowledged that Burrs rights had likely been violated, she claimed a lack of judicial authority. Burrs lawyer opposed the decision, arguing a violation of rights becomes the province of the judiciary.

Ms. Magazine [reported](#) that North Carolina routinely locks pregnant women in solitary confinement, according to the ACLU of North Carolina. In 2018, the North Carolina Correctional Institute for Women held 256 pregnant women, 66 of whom were being held pre-trial under a practice called safekeeping. As safekeepers, people awaiting trial are transferred to a prison because the jail does not have the resources to care for their needs. But safekeepers are locked in their cells for all but one hour a day with no contact visits and only three showers a week. North Carolina, similarly to many other states, does not report the number of pregnant women held in solitary confinement overall, so the number may be higher than just those held in safekeeping. The article calls for the North Carolina legislature to pass the Dignity for Incarcerated Women Act, which would ban the use of shackles and solitary for pregnant women, among other requirements.

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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