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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 3, 2018

The 2014 wrongful death case of 57-year-old James Embry has been revived, and WDRB News obtained a [video](#) showing Embry emaciated in the last moments of his life. Embry starved to death in solitary confinement, after refusing 35 out of his 36 last meals at the Kentucky State Penitentiary, where he had been sentenced to 9 years for drug offenses. He had lost over 50 pounds, weighing only 120 pounds at the time of his death. Embry had been diagnosed with several mental illnesses and had been repeatedly informing prison medical staff that he felt anxious and paranoid, threatening to harm himself, and refusing meals on a daily basis. Dozens of prison staff ignored the symptoms of Embry's rapid deterioration, claiming that he falsified his mental illness. While an internal investigation found that staff followed virtually none of the procedures outlined for dealing with hunger strikes, the county grand jury found no evidence of criminal conduct in his case. A trial date for Embry's lawsuit has been set for next January.

The Washington Post published an [editorial](#) refuting Virginia's claim to be a model for solitary confinement reform, pointing to a recent ACLU report that exposed the continued use of solitary confinement at Virginia's supermax prisons. The report conveyed accounts from individuals in solitary, one of whom described an incident of being sprayed with mace through his food tray slot multiple times and told if he reported the incident they would beat my n ass. Ultimately, the article claims, Even in Virginia, a state that has made great strides, fewer people should be in solitary, and they should be treated like human beings once they are there.

More than 600 people in Philadelphia jails are currently in solitary confinement. This amounts to more than 11 percent of incarcerated individuals in the city, which is significantly higher than the nationwide 2.7 percent of jailed individuals held in solitary. While New York has instituted a ban on solitary confinement stays longer than 30 days and has banned punitive segregation for individuals younger than 21, Philadelphia has increased its placement of juveniles in solitary in the past two years, often for minor, nonviolent infractions. One young man, Cody Carter, received a sentence of six to 23 months in Philadelphia jail, but ended up spending six months in solitary confinement after he got caught with a cell phone. Carter [told](#) *The Philadelphia Inquirer*, It's an experience that you can only live to understand. That's how raw it is. Especially the first 45 days were hell: You get nothing, no toiletries but the soap they give you, a dirty towel. It's just a gruesome experience.

The Wisconsin *Journal Sentinel* [reported](#) that the state's Department of Corrections reached a settlement this week, agreeing to phase out the use of pepper spray and drastically reduce the use of solitary confinement at the juvenile detention facilities Lincoln Hills School for Boys and Copper Lake School for Girls near Irma. The state also agreed to pay legal fees and the cost of an independent monitor for the facilities, altogether over \$1 million. This settlement will close the lawsuit filed by the Wisconsin ACLU and the Juvenile Law Center last year, which also resulted in the agreement of the state to close the facilities by 2021. The associate director of Juvenile Law Center explained, While the biggest step forward for youth is the closure of Lincoln Hills and Copper Lake, today's settlement is also an important win.

Courthouse News Service [reported](#) that eight people from Central America filed a lawsuit against the City of Adelanto and the private prison company GEO Group, which runs the Adelanto immigration detention facility in California, claiming that they have faced inhumane and unconstitutional treatment at a facility considered the deadliest immigration center in the country. The plaintiffs assert that they have been subjected to assault, medical negligence, solitary confinement, excessive force, due process violations, and retaliation, in violation of their constitutional rights. The lawsuit says that guards pepper sprayed all eight plaintiffs, assaulted them, and placed them all in solitary confinement for 10 days. One was placed in a high-security ward that houses members of the very gangs that murdered his family members and caused him to flee his country.

[According](#) to *Syracuse.com*, Zinya Corley, a 17-year-old girl held in Onondaga County Justice Center in New York as a witness to the murder of her mother's husband, has been placed in solitary confinement. Zinya and her mother, both witnesses to the murder, left town weeks before the trial date and have been placed in jail to compel them to testify, with Zinya's bail set at \$25,000 cash or \$50,000 bond. Her lawyer revealed that Zinya currently remains in solitary confinement because she is a juvenile female, though the county had claimed to eliminate the use of solitary confinement for juveniles who have committed minor offenses.

North Carolina Health News followed the [story](#) of Devon Davis, who has a long history of mental health conditions, including ADHD,

bipolar disorder, and a psychotic disorder. Despite the North Carolina prisons policy prohibiting the placement of mentally ill individuals in solitary confinement for longer than 30 days, Central Prison held Davis for over 1,000 days and denied him his mental health medication, despite his requests. Davis recalled, You stay back there for so long, you start to get comfortable. As you start to get comfortable, it does something to you psychically. It does something to you mentally. Now you don't know if you're coming or going. Walls close in on you. You so anxious to get out of your room, but they [the guards] don't want you to come out. In the past five months, five individuals in North Carolina's custody have committed suicide. Seventeen percent of the state's incarcerated population has been identified as mentally ill. Davis has been moved to general population and has joined a prison work program, serving as a janitor.

An Immigration and Customs Enforcement (ICE) report sent to Democratic Member of Congress Kathleen Rice revealed that LGBTQ immigrants held in detention accounted for more than 12 percent of the reported sexual assaults in ICE facilities last year, while they only represented 0.14 percent of detained immigrants. The report additionally found that 13 percent of detained transgender immigrants were placed in solitary confinement, despite the Prison Rape Elimination Act (PREA) prohibiting the use of solitary confinement for this reason, except as a last resort. [According](#) to *Gay Star News*, Rep. Rice and 36 other Congress members sent a letter to Homeland Security raising concerns about the treatment of detained LGBTQ immigrants.

The *Des Moines Register* [reported](#) that the Iowa Department of Human Services held JaQuan Bradford, when he was twelve years old, in solitary confinement for two and a half years, despite his prior experiences of child abuse and recognized mental health conditions. The article recalls, He began pulling his hair out, hallucinating, defecating on himself and contemplating suicide. In one anger episode, Bradford pushed his hands through a glass window, causing permanent nerve damage. Bradford was released just before turning 18. The state settled Bradford's lawsuit this month, agreeing to pay \$175,000 and acknowledging that placing Bradford in solitary was wrong. However, Bradford still feels the effects of his time in solitary, saying he is unable to work, experiences flashbacks and increased anxiety, and continues to commit petty crimes since his release. Bradford's mother believes the settlement money was meant to keep them quiet about the systematic failure her son experienced. I feel like the settlement is them saying, Hey, what we did was maybe wrong so here ya go. Now hush.

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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