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Criminal Justice Issues and Prisoners' Rights

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by [Jean Casella and James Ridgeway](#) | August 10, 2012

An important new report, released yesterday by the American Friends Service Committee in Arizona, is the first to focus on the effects solitary confinement has on its survivors *after* they leave prison. [Lifetime in Lockdown: How Isolation Conditions Impact Prisoner Reentry](#), finds that spending time in solitary leaves people deeply traumatized and essentially socially disabled. These crippling symptoms combine with the extensive legal and structural barriers to successful reentry to create recipe for failure. It is hardly surprising, then, that the report is able to directly link conditions in Arizona's supermax prisons with the state's high recidivism rate.

Lifetime in Lockdown raises issues that have been largely absent from research and discussions on prisoner reentry and recidivism. As the report points out:

Much of the discourse has focused on what are referred to as collateral consequences: the structural barriers erected by institutions that bar people with criminal convictions from voting, housing, employment, welfare assistance, and other factors critical to ensuring success upon release. Rarely is there discussion of the direct impact that prison conditions have on a person's cognitive, emotional, social, and behavioral functioning and therefore, on that person's ability to function as a member of society post-incarceration.

The most serious problems, of course, result from the deleterious mental health impacts of incarceration in super maximum-security or supermax environments, which remain with people long after they leave solitary for the general population, or leave prison for the free world. In addition, the report finds, policies limiting visitation and prohibiting maximum-security prisoners from participation in education, treatment, and employment have a negative impact on these prisoners' reentry prospects.



Yet the Arizona Department of Corrections, like most prison systems, does little to prepare prisoners who have been held in supermax during their incarceration for reentry to the community, and on the outside, social service agencies are largely unaware of, and unprepared to address, the special needs of this population. Many survivors of solitary slip through the cracks, while others self-isolate and deliberately avoid social service agencies.

The report is based largely on research done by Dr. Brackette F. Williams, Associate Professor of Anthropology at the University of Arizona, under a Soros Justice Fellowship. Under the name Project Homecoming, Brackette worked with the AFSC in Arizona to study the impact of solitary confinement on prisoner reentry. As the report notes:

Psychologist Dr. Terry Kupers makes the comparison between prisoners who have just been released from solitary confinement in a supermax facility and persons who were recently on suicide watch. The most likely and dangerous time for violence, acting out, or another crisis to occur is immediately after one is released. Dr. Kupers says, "Whether a prisoner leaves the isolation unit and gets into trouble on the yard or maxes out and gets into trouble in the community, we are seeing a new population of prisoners who, on account of lengthy stints in isolation units, are not well prepared to return to a social milieu. This is an institutional and systemic problem that is created by the conditions of incarceration."

The participants reported that they would often avoid the areas where the few available social service agencies, transitional homes, and homeless shelters are located, because these are areas where they made poor choices previously. Likewise, available shelters offer very little in the way of privacy, are always crowded, and difficult to get into. For prisoners who have spent years in isolation, such an environment would be the last place they would want to turn. While deciding to avoid problem locations would usually be considered wise, the reality is complex in these cases, it renders the individuals even more isolated and lacking any support networks or services. Here, the self-inflicted social isolation that was created by the extreme isolation in prison is most noticeably debilitating.

In describing his life on the outside, one participant who avoided old neighborhoods and contacts said that life is way harder out here for me than it is in there. He is not alone in this. Buy klonopin Canada nostalgia for prison life and for the isolation of the supermax cell. A female participant, also homeless and barely getting by at the time of the interview, said almost ashamedly, The worst thing that I can honestly say about trying to get back into society is I miss my cage more and more everyday. I just can't function out here. When asked, Do you want to the small cage back or the big cage? she replied, The smaller the better. I can control everything in it. They make repeated efforts to avoid people, for example moving to the edge of the city or living alone in a tunnel. It is strikingly reminiscent of the social withdrawal that Craig Haney describes as endemic to persons held in isolation for long periods, except now they are outside the supermax cell, in the great wide open of supposed freedom, which terrifies them.

Thoughts of suicide permeated many of the participants' interviews, especially when the conversation turned toward plans for the future. At least 10 of the male participants (50 percent) from Pima County had considered suicide between their release from prison and their first interview. Each participant who reported suicidal thoughts mentioned them in more than one of their interviews. Strikingly, some of these men had been out of prison less than one week when the first interview took place. They reported the inability to see a viable way to remain out of prison, yet at the same time could not imagine doing more prison time. By their final interview, three of these men stated that they considered suicide on a daily basis, but had yet to act on these considerations. A few also considered committing some crime that would land them back in prison and allow for more time to devise a better strategy for handling life on the outside.

Anyone leaving prison is faced with an unwelcoming social landscape. The simultaneous necessity and absence of housing and work are experienced immediately. The freedom of release is truncated by limited housing options, partially as a result of neighborhood bans on people with felony convictions, and a job market that has very little inclination or incentive to hire former prisoners. Add to this reality significantly higher rates of mental illness; tendencies toward social withdrawal; lack of support networks or family to rely on due to the added social distance of a supermax prison; and no transition services after spending years in the most extreme isolation, and the experience of a former supermax prisoner begins to take shape. More notably it begins to demonstrate the compounded effects of supermax confinement and the additional limitations once released. In the same way, one prisoner perceived ease of life in prison compared to his experiences of life on the outside, as well as another's longing for a space she can control even if it is a cage, demonstrates precisely the extra layer of difficulties created by prolonged isolation.

A press release from AFSC calls the report's findings a wake-up call to corrections officials, state leaders, and social service agencies, who are often completely unaware of the prison experiences of their clients or how to assist them in this transition. AFSC hopes that this research will add to the growing body of evidence that the practice of long-term solitary confinement in supermax units creates more problems than it is purported to solve and should be abolished.

AFSC also notes that the release of this report coincides with the launch of [Arizona is Maxed Out](#), a joint campaign with the ACLU of Arizona against the planned expansion of maximum-security prisons in Arizona. The latest state budget allocated \$50 million to build 500 more maximum-security beds in the next two years.

James Ridgeway (1936-2021) was the founder and co-director of Solitary Watch. An investigative journalist for over 60 years, he served as Washington Correspondent for the Village Voice and Mother Jones, reporting domestically on subjects ranging from electoral politics to corporate malfeasance to the rise of the racist far-right, and abroad from Central America, Northern Ireland, Eastern Europe, Haiti, and the former Yugoslavia. Earlier, he wrote for The New Republic and Ramparts, and his work appeared in dozens of other publications. He was the co-director of two films and author of 20 books, including a forthcoming posthumous edition of his groundbreaking 1991 work on the far right, *Blood in the Face*. Jean Casella is the director of Solitary Watch. She has also published work in The Guardian, The Nation, and Mother Jones, and is co-editor of the book *Hell Is a Very Small Place: Voices from Solitary Confinement*. She has received a Soros Justice Media Fellowship and an Alicia Patterson Fellowship. She tweets @solitarywatch.

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 [Juan Moreno Haines](#)

October 25, 2022

by [Solitary Watch Guest Author](#)

October 13, 2022

by [Vaidya Gullapalli](#)

September 29, 2022

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@Alan, no nothing so dramatic as revolutionaries but more like you described. such as Emme and AB and a growing Native American warrior society in AZ that is really picking up business in the GP yards. Nothing compared to the ADX or many other supermax units thus declaring no need to lock these guys up under the pretense of having a safe and secure prison system. Looking at the ADOC website, you will see the majority race locked up in AZ prisons are Hispanics and Mexican Nationals combined. Second are the Caucasians and then blacks. When you look at the total prison population, you will see the majority locked up in max custody are Hispanic descent or heritage.

The majority of these guys could do time at lower custody levels but are erroneously and deliberately held at classified max custody to take expensive max beds to justify growth in max beds for the agency and the governor claiming a tough on criminals inside prisons slogan but really doing it without the true intent of max custody placements but rather politically motivated growth patterns that target prisoners who are expendable and put at a higher custody level. Many score less than max and should be released but the system wont take that course of action as it will leave empty beds and ruin the bed expansion plan for sure.

Unfortunately this includes a majority of mentally ill unwanted on the GP yards and thus put in isolation and control units until their time is served or [more likely] if they pick up more time and spend their time in max custody units although unwarranted and left untreated and where many die from delayed medical care, lack of mental health treatment and suicides and homicides (double bunks) .

I wouldnt go as far as calling it an exaggeration but for the sake of keeping it legitmate, the story has many elements of truth in it that can be gleaned if looked for. Even stories related to Orson Wells have links of truth weaved into it and must not be discarded by anyone who reads this. This Kill Decree was not fabricated. It was and is real. The manner implemented is difficult to prove thus it was better to deliver it in this format than in an accusatory tone or allegation. The fact remains that when all the lawsuits against the ADOC are settled, all this will be revealed in one form or another, for that I am sure.

23 hours a day stuck in a box for years what would any of us do if subjected to that. Yes they find it is a really easy place to stick the mentally ill so sad

@Carl> Oh its like another episode of Orson Willes Invasion From Mars. You got me there. I hope this is nothing more than a big exaggeration because it was alarming to read. I doubt anyone will dig into it unless you can claim it primarily targets revolutionaries. Why do I say that?

Well looking over at the Related News on this site I noticed an Al Jazeera article titled Solitary confinement: Torture chambers for black revolutionaries. In the article there is no mention of the numerous other categories of inmates held in solitary. (Although they did mention the mentally ill.)

So I have one more question: What was the percentage of such men held in solitary where you were working? Something tells me judging from AZs demographics it was full of La Eme and AB gang members.

But unlike these authors I mentioned I dont want to make claims without checking the facts first. I am not interested in promoting disharmony at home or being sensational in order to gain notoriety with an outdated 1960s but still popular bent on the news.

I did a quick search this morning on ADX inmates and found a good mix of inmates such as all the major AB leaders, Mafia and Drug kingpins, White domestic terrorists were among those held on bombers row most notably The Unibomber Ted Kaczynski, Terry Nichols, Matt Hale, Eric Randolph along with all the international terrorists. But with the Arab Spring I guess Al Jazeera knows what their audience wants to read.

@Alan yes and this parody was written for educational purposes as it was gleaned through my own anecdotal eyes and ears but practiced none the less in the manner prescribed by many based on directives, inferences and comments off the record thus not admissible or discoverable with a public information freedom information act request. This evil mandate created todays shortage in max custody and warrants no added cells but rather a review of all those placements and how they can be treated with alternatives and not more max custody beds. IMHO ~ other than outright accusing them of implementing this decree, I chose to deliver it in a format that may stimulate thought, viewpoints and possibilities that this may in fact be a true story based on first hand information and actions taken within the ADOC during the span of time noted in the parody.

I suspect that if a good independent [with no political ties] investigator with resources would conduct interviews, review policies and note the changes in ADOC prison programs, it would or could validate this to be factual in nature. However, until that is done, its just another viewpoint of what happened as nobody interfered or challenged the mission change except those few individuals I know that stepped up but retired to avoid further internal political conflict and career obstacles in the near future.

So a man and a woman correctional worker were at a bar and the man leans over and asks

<http://harpers.org/media/image/blogs/misc/pennyforyourthoughts600.jpg>

.)

@Carl were you still there when this Kill Order came down? It sounds so much worse than anything Ive read who could dream up such a evil scheme. Talking about the inmates running the asylum. Why havent others come forward with these allegations?

Considering what you wrote and this post Mikes story at the end summed up what we can expect when these people hit the bricks. He closed with this line:

Isolation made me really hate and wanna kill. Seriously it was real, not imagined.

60 Minutes just aired a program about the long term unemployed titled Trapped in Unemployment. With so much employment insecurity in the US today just imagine what someone coming out of these institutions is up against. The economy was not as bad in 1970 when I

left Baton Rouge with only loose change in my pocket and the cloths on my back but in good mental health. I started back to California and I was almost thrown on a chain gang near Sugarland, TX as a vagrant the first night out. I hitched a rides all the way back home. Along the way my mother sent me \$20 in Austin which after their fees was like \$16.35 so I bought some sardines and a beget after two days of not eating. I keep the rest of the change until I arrived home a couple of days later in case I was stopped so I could show that I had a couple of dollars on me. Maybe I could hop on a bus out of the area I thought or whatever. At least I had a destination and minimal assistance. Many do not. Try and get a job without a phone an address or even the change for a phone call. Then eliminate any job that handles money (waiter) or requires a background check and you will understand why I waited with the undocumented workers in an area where employers picked them up. I was in great physical condition but I was turned down for such high level jobs as bell boy, street flower vendor, washing new cars on their lot, and I was even last to be picked among the undocumented crowd sighting. The reason given, I was too white to last. I was finally hired to deliver water in an area of high rises. We had to use the staircases without air conditioning and after the residents saw me they called the office and I was let go. The reason given the customers thought this was no work for a white man. Yeah I know sounds like racist bull shit but remember this is 1970 so yeah it was. In the end I sold my blood to eat. I was hired to unload and load boxes of shoes taller than me without any assistance because the union at the docks required the boss use one of them for every one of us he used. He was too cheap to hire them so I lost 15lbs that week and when I finished they sent me on my way. I lived off a half of cup of rice and a fried egg a day that week. I was hired and quickly fired to deliver food to stores because they found out I was on parole. I was at my the end when I finally landed a factory job. Years later I joined the military got the GI bill and a college degree.

But what if I had been made mentally ill in solitary? How does the system get away with this?

Rereading the Atlantic article Supermax: The Constitution and Mentally Ill Prisoners

I found this quote:

It would be one thing if federal law and Bureau policy explicitly permitted ADX officials to treat the mentally ill this way. But of course the American people would not countenance such inhumane treatment, even toward societys least loved segment. Thats why Bureau Director Samuels had to tell the Senate yesterday that his officials give Supermax prisoners outstanding care, treatment and programming.

Dostoevsky was right: How we treat our prisoners says more about us than it does about them. Earlier this year, I read Pete Earlys bestselling book Crazy: A Fathers Search Through Americas Mental Health Madness. One of its many profound lessons is that America pays an enormous price for trying to sweep its mentally ill prisoners under the rug. Win or lose on the merits, the Bacote case represents a vital new opportunity to shed light on what is happening to these profoundly ill men what is being done to them in our name.

I wish I could commend this report. However, Arizona releases 16,000 prisoners each year thats the amount of turnover in their annual population. This report is seriously statistically deficient. A sampling of only 44 ex-prisoners, spread out over two years, is simply unacceptable as a sample. Where is the control group ? No doubt the problems identified for supermax prisoners is a valid recounting of the problems they face both inside prison and upon release. However, ALL ex-prisoners face many of the same problems and even prisoners whove never been housed in supermax or solitary confinement situations, but whove been in prison for extended periods of time, suffer many of the same PTSD symptoms as those described in this report. This report has factual errors, too. Under the 1994 criminal code in Arizona, prisoners who max out their sentence that is to say, who are not released on their earned release credit date which is at about 85% of the imposed sentence, are still required to serve a term of community supervision. Only if they violate that term of supervision, are revoked, and finish that portion of their sentence in prison, are they released with no correctional supervision. The author does not seem to have an understanding between the varying criminal codes in Arizona. It appears as though the so-called researcher who wrote this report had a pre-determined agenda or outcome planned before she performed her research. So, in reality, this report is a lengthy opinion. It is decidedly not ground-breaking research!

Kill Orders A Satire of a \$50 million dollar Prison Folly In the beginning of February, 2009, the Arizona Department of Corrections issued a new decree called the Kill Decree which directed that every incarcerated prisoner who had not been put to work should be on a hit list and handed over to selected staff to be treated with negligence, punished and confined with orders to isolate them and keep them at the most restrictive custody level available.

This order was distributed via the quarterly wardens meetings and memos originating in their regional offices. These targeted individuals were to be sent to the maximum custody units to isolate and control their behaviors.

In October 2009, detention units statewide were overcrowded with those prisoners targeted for this decree and efforts were made to house them at various special management units as they were being housed triple or four with two in the bunks and two on the floors. Double bunking became a priority and beds were installed inside small concrete boxes to accommodate the additional prisoners.

The main issues at hand were prisoners refusing to house because of political, racial or gang related problems covered under the protective segregation policy but ignored or delayed thus forcing them to house on yards with known enemies.

Their bodies infringed encumbered space provided for those on the bunks and conflicts would often arise regarding the invasion of privacy and disrespect of personal property or space. Violence increased and staff also became targets of this frustrated target group that knew they were headed for the isolation and control units per their destiny under the Kill Decree.

Soon the violence was out of control and staffs were ordered not to interfere with these serious and violent assaults. Additionally, administrators were informed that no one [prisoners] should be prosecuted for taking part in these assaults that sometimes resulted in serious injuries or death. The stage was set to create a most violent and predatory gladiator arena that would be uncontrolled yet sanctioned by those in power.

The treatment of prisoners began to be characterized by elements of a particular inhumanity. The death of so many of them was not merely because of the inaction of individual correctional officers but because of the Kill Decree and the cultural indifference it created towards the preservation of life and dignity for human beings. The value of a human life had been diminished into a number and not a face or being.

Through the systematic plans to kill, eliminate or reduce legitimate inmate work programs, the inmate suicide prevention aide program and other incentive / capacity programs, the administration made sure that any reformative programs were killed or stopped so that those idle inmates would be targeted for the purpose designed under the Kill Decree.

Although there were organized plans to continue to fill certain [but reduced] programs to capacity, the decree denied funding, staffing

and time for such activities and killed any efforts to revive incentive based programs that would enhance the prisoners ability to provide better pay and enhanced privileges established as policy by fore the Kill Decree.

Incentive programs were systematically diminished as the criteria for qualifying for certain jobs and programs became more stringent and with less priority. These programs were essentially phased out due to lack of finding prisoners that did not qualify under the new guidelines as inmate employment rules were changed to reduce hours and wages worked for those employed.

In April of 2010, the food regulations changed and meals were altered for weekends and holidays. A brief strike by prisoners resulted in no concessions by the administration but rather more regulations were issued to control behavior and dissent of policies.

The orders consisted of zero tolerance for violence resulted in more prisoners being locked up for detention as resistance was broken as an energetic action plan was devised to increase beds at the maximum custody units for all these ruthless, violent and insubordinate prisoners that were locked down when any of them demonstrated even the slightest indication of resisting or protesting living conditions due to the double bunking and decrease in staffing to provide a safe and secure living or work environment.

Labeled gangsters, extremists, fanatics or problematic in nature, they continued to be transferred to higher custody levels for isolation and control. Employees were encouraged to use every tool on the use of force continuum to control prisoners behaviors. In addition, the disciplinary process for prisoners were modified to give the administration more control and more discretion on summaries and findings. The inconsistencies in this order created confusion for anyone carrying out this order not to use their weapons or force with insufficient energy or effort thus making it punishable for anyone to disregard this decree and subject to administrative disciplinary as well as other sanctions.

Finally, as a result of this kill order, prisoners were left without due process for disciplinary or classification processes. Their rights were being rationalized into channels that provided no genuine appeal or re-consideration in those matters at hand. They were also left without suitable medical care, sufficient personal uniform clothing, nutritional supplements and mental health care, and in some cases, left to die.

The mission to entrap and declare these prisoners to be housed at a higher custody level was intensified as efforts through politically motivated investigations at all complexes resulted in the use of persons convicted of crimes to serve as confidential informants on other prisoners and staff. These snitches were common among gang Debriefers and others willing to serve this role.

Further, the wardens were encouraged to seek out among the prisoner elements those who appear reliable and advised to use them for intelligence gathering inside each prison and use them as informers by using all existing possibilities to isolate and control those targeted under the Kill Decree.

By the use of these informers more prisoners were targeted and the beds at the maximum custody units began to swell with the need to add more beds in the immediate future. These beds would suffice to house those revolutionaries or leading personalities that have expressed resistance or defiance of the Kill Decree and found to be agitators or disruptive groups by the administration.

Ironically, the Arizona Department of Corrections has asked and received \$ 50 million dollars for the expansion of maximum custody beds that was created by this parody or sketch outlining what may be actual events along with inferences based on anecdotal results found today inside the Arizona prison system.

This folly was created by a self-fulfilling prophecy that was in reality legitimately designed by the German Army many decades ago in World War II and sadly, unlawfully and with cruelty, used on prisoners of war.

The only exception to this parody is the fact there were actual cases where prisoners of war were mistreated as human beings. They were executed for no reasons other than taking up space inside their prison camps and not being able bodied to work or do anything productive for the German regime in power at the time and occupying foreign countries taking millions of people prisoner and incarcerate them under terrible war camp conditions. Has our prison systems begun to copy their strategies and mission? You decide on your own as this sad satire is meant to stimulate independent thinking.

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