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What Will It Take to End Long-Term Solitary Confinement in Americas Prisons? Colorado Could Be the First to Find Out.

by [Jean Casella](#) | April 29, 2016

For 13 of his 22 years in prison, Cero Smith spent 23 hours a day alone in a small concrete cell. Three times a day, a corrections officer would pass his meals through a slot in the solid steel cell door. A CO would also take him to exercise alone for one hour in a small recreation room at the end of the pod. Otherwise, he had no contact with other human beings.

Through a Plexiglass window in a visiting booth at the Colorado State Penitentiary (CSP) last fall, Smith described his time in solitary. A tall African American man with tattoos covering both arms, he wears a serious expression that never cracks, and seems to choose his words carefully.

People find activities to drown it out, he says of the loneliness and monotony of solitary confinement. Now 38, Smith was 16 years old when he was sent to adult prison after being convicted of second-degree murder in a gang-related killing. Accused of assaulting a corrections officer, he was branded a dangerous prisoner and placed in Administrative Segregation, or Ad Seg.

The good thing is, I read a lot, and I learned to write in there. The bad thing is that you are stuck with yourself, with nothing to do but think. After a while, you cant even sleep. The worst, he says, was not knowing if and when it would end, since assignment to Ad Seg was open-ended. The longest term on record in Colorado had been 24 years. Now, theres supposed to be a one-year cap on how long someone can spend in solitary confinement.

Smith officially left solitary when he was chosen for a new step-down program, instituted by the Colorado Department of Corrections (CDOC) in 2014 to move individuals out of Ad Seg. When we visited him at CSP, Smith was is in the second step, a Close Custody Transition Unit (CCTU), where he was allowed out of his cell for 6 hours a day with the 15 other men in his pod. He has since rejoined General Population at a medium security facility in Buena Vista.

But things dont always go this smoothly. Some men get into fights or other kinds of trouble, and get stuck in the first step, called the Management Control Unit (MCU). Others maintain good behavior, but are reluctant to progress back to the chaos of General Population after years or decades of forced isolation and de-socialization.

When we met him, Smith said he was excited to get into General Population, but also anxiousworried about the constant need for interaction with others, and the constant threat of confrontation. In GP, he says, Everybody else is always watching.

FOR CLOSE TO thirty years, the United States has been carrying out a massive experiment in human isolation, unlike anything that had taken place before it anywhere in the world. Its unwilling subjects have been drawn from the millions of men, women, and children incarcerated in Americas prisons and jails.

The growth of solitary confinement tracks closely with the advent of mass incarceration, beginning in the 1980s. It also reflects the abandonment of any notion of rehabilitation in favor of piling punishment upon punishment. Today, an estimated 80,000 to 100,000 people languish in solitary confinement in state and federal prisons on any given day. The number who have served time in solitary over three decades is impossible to calculate.

Thanks to the work of a handful of clinicians, scholars, and advocates, the outcomes of this experiment in isolation are at last being made known. [Prolonged solitary causes psychological, physical, and neurological damage](#) that is profound and, in many cases, permanent. Unsurprisingly, it also appears to increase levels of both prison violence and recidivism.

Spurred by activists on both sides of the prison walls, the damage wrought by solitary confinement has begun to penetrate the consciousness of the press, the public, and policymakersnot to mention the President and the Pope. A growing number of states and localities, as well as the federal government, have [announced or instituted reforms](#), most designed to reduce the overuse of solitary.

Among prison systems held up as models of reform, none is more prominent than Colorados. In less than five years, the state says it has reduced the number of people it holds in Administrative Segregation from a high of 1,5007 percent of the prison populationto approximately 160 of its just under 20,000 prisoners, which would giveColorado the lowest rate of solitary confinement use in the nation.

Colorado has reclassified hundreds of individuals out of solitary and into General Population, and placed hundreds more in its step-down program. It has also removed from Administrative Segregation people diagnosed with serious mental illness, who traditionally make up a disproportionate number of those in solitary, and placed them in Residential Treatment Programs in separate prisons or units.

Much of the credit for this change goes to Rick Raemisch, who since July 2013 has served as executive director of the CDOC. In an interview with Solitary Watch late last year, Raemisch said that he did not seek to merely reduce prolonged solitary confinement, but eventually to eliminate it altogether something that sets him apart even from other reformers in the corrections community. Shortly afterwards, when he and his deputy director published a report about the changes in Colorado, they titled it *Open the Door*, a phrase Raemisch also uses frequently in public speeches.

The CDOC is clearly proud of the changes it made, and unusually open in allowing the press inside its facilities to see them firsthand. During a series of prison visits by Solitary Watch, Raemisch and other prison officials and staff showed us the new types of housing that have replaced supermax prisons and solitary confinement units for those prisoners traditionally deemed dangerous or disruptive.

But the rollback of solitary confinement in Colorado is more complex, and less complete, than might appear at first glance. Interviews with advocates, reviews of public records, and letters from incarcerated men reveal a reform effort that has encountered plenty of problems and pitfalls. Some say these problems are being glossed over in pursuit of the narrative of Colorado's singular progress toward eliminating solitary.

Colorado's reforms clearly remain a work-in-progress. The task of doing away with prolonged solitary confinement involves breaking down policies and practices that have prevailed for three decades along with the prison culture they have created, and the damage they have done to the men and women who endured them.

In his interview, Raemisch acknowledged that much work still remained, but pointed out that Colorado's prisons are attempting to do something that has never been done before. When we started this, he says, not only was there no roadmap there was no road.

RICK RAEMISCH'S tenure at the Colorado Department of Corrections and his mandate to reform solitary confinement are predicated upon the terrible events of March 19, 2013. At 8:30 that evening, Tom Clements, just into his third year as CDOC executive director, was shot to death after answering the door of his family home in Monument, not far from the CDOC's offices in Colorado Springs.

The presumed killer, Evan Ebel, died two days later after a high-speed car chase and shootout with police in Texas. He had been released on parole that January after spending seven years in solitary in Colorado's prisons, and had also murdered a Denver man who delivered pizzas in order to steal his uniform, which Ebel was wearing when he showed up on Clements's doorstep.

As reported by the [Colorado Independent](#), testimony from other prisoners who had served time with Ebel, as well as letters and texts and prison grievances written by Ebel himself, revealed that he was unhinged by his abrupt release from solitary confinement and seeking revenge for years of humiliation and torture behind bars. In [one grievance](#), Ebel had written: Do you have an obligation to the public to reacclimate me, the dangerous inmate, to being around other human beings prior to being released and, if not, why?

The tragic irony of Clements's murder was that in the two years prior to his death, the DOC head had become deeply concerned with precisely the same question. He often cited the fact that nearly half of all individuals housed in solitary confinement were being released directly to the streets, some after years of extreme isolation and sensory deprivation. In 2011 [he told the Independent](#): Forty-seven percent of these guys are walking right out of ad-seg into our communities. That's the number that keeps me awake at night.

In fact, under Clements the use of Administrative Segregation in Colorado was reduced by more than 40 percent. Bolstered by the [2011 passage of a bill](#) in the Colorado legislature that encouraged alternatives to solitary, the CDOC reviewed and reclassified about 700 men, women, and children from Ad Seg back into the General Population prior to Clements's death.

Rick Raemisch arrived in Colorado in July 2013 after a nearly 40-year career in law enforcement and corrections in Wisconsin, which culminated in leadership of that state's department of corrections. He was immediately supplied with a bodyguard.

Raemisch has pale eyes behind frameless glasses and serious, square-jawed face that is transformed by his rare smiles. Interviewed in his Colorado Springs office on a sunny fall day, he speaks with a strong Midwestern accent, and the quiet fervor of a true believer.

After Clements's assassination, Raemisch said, It would have been easy to say we should have been tougher. But we decided instead to be smarter. That meant continuing and dramatically expanding the solitary reforms he had inherited.

In February 2014, Raemisch literally made headlines when he volunteered to spend 20 hours in an isolation cell, and wrote about it in a *New York Times* op-ed entitled [My Night in Solitary](#). Raemisch described the drone of garbled noise and the constant bright lights, which he said left him feeling twitchy and paranoid. By the next morning, he wrote, I felt as if I'd been there for days. I sat with my mind. How long would it take before Ad Seg chipped that away? I don't know, but I'm confident that it would be a battle I would lose.

In our interview, Raemisch asserted that the explosion in the use of solitary reflects an essential error in judgement on the part of corrections departments. Prolonged isolation is used and overused to run a more efficient institution, he said. You shut the door on someone who's creating a problem and of problem. Or at least that was the thinking at the time. But it didn't solve the problem. At best it suspended it, and it probably multiplied it.

He continued, Running an efficient institution is a noble goal, but we've lost sight of our mission. Our mission is community safety period. And to do that we've got to ensure that we're not putting people out worse than they were when they came in.

To achieve that goal, Raemisch said, he and Colorado Governor John Hickenlooper agreed to focus on three areas: first, to look at every Administrative Segregation case with eye toward transitioning isolated prisoners back into General Population; second, to look at trying to get the mentally ill out of segregation; and finally, to stop the process of putting people directly back into the community from segregation.

Since 2014, no one has been released directly to the streets from what is now officially considered solitary confinement. In the other two areas, a road has clearly been carved out but it is not without its bumps and detours.

AT THE HEART of the CDC's solitary reforms is the work being done at Colorado State Penitentiary (CSP), which sits just below the foothills of the Rocky Mountains, 120 miles south of Denver. It is one of 14 state and federal prisons in and around the high desert town of [Canon City](#), which also boasts a Museum of Colorado Prisons housing an actual disused gas chamber, as well as balls and chains, cattle prods, and a kind of whipping horse that was known as the Old Gray Mare.

Opened in 1993 at the height of the supermax boom, CSP became known for a more modern form of cruel and unusual punishment. Its 756 cells were built expressly for the extreme isolation of Administrative Segregation.

For twenty years, the men who lived at CSP spent 23 hours a day in solitary confinement in 7 x 13-foot cells, with one hour out to exercise alone in a slightly larger cell on the tier. The average term in Ad Seg when Raemisch arrived in Colorado was nearly two years. In a 2012 ruling in a suit brought by a man who had spent years in solitary, a [federal court](#) called CSP's failure to provide outdoor recreation, fresh air, and sunlight a paradigm of inhumane treatment, and ordered the CDC to provide him with outdoor exercise areas.

Today, outdoor areas are under construction, but not much else has changed in terms of the physical plant of the prison. As with all purpose-built supermaxes, CSP was originally constructed without any large congregate spaces: no prison yards, no mess halls, and no day rooms. And as with all supermaxes, the physical construction of CSP itself presents a daunting challenge to anyone who seeks to open the door to its isolation cells.

But at CSP, the doors have in fact begun to open within a strict set of limits. Our tour of the facility last November, in the company of Warden Trani and Associate Warden Sean Foster, provided a glimpse of how Colorado is easing people out of solitary confinement.

Colorado now limits Disciplinary Segregation for routine rule violations which in some states can run to months or years to no more than 30 days. Individuals who commit more serious acts or are deemed a threat to safety and security can be sent to Restricted Housing Maximum (RH Max), which has replaced Administrative Segregation, for up to one year. For several hundred men who are deemed to need re-socialization some after years of solitary under the old system there is the step-down program at CSP.

The first step takes place in Management Control Units (MCUs), which on the day of our visit held 261 men. In each of the cell pods in the MCUs, eight men at a time are supposed to be released from their cells for four hours a day: two hours each morning, and two hours each afternoon.

For most of that time, they don't go very far. Each 16-cell pod on the unit is walled off from the central guard station by reinforced glass. It is within these glass-walled areas that the prison has created makeshift day rooms where unshackled men are allowed to congregate.

Within each pod's day room, small groups of men talked or played cards on tables and benches bolted to the floor. A large clock on the wall allowed them the rare opportunity to keep track of time, and the space held some stationary exercise equipment. New electrical wiring was being put in place in the day rooms, Warden Trani explained, to allow installation of televisions and microwaves. Some programming now takes place within the MCUs, including literacy, GED, and some academic classes, anger management, gang awareness, and customer service.

With the exception of occasional loudspeaker announcements, the unit was fairly quiet, with none of the screaming or door-banging that characterizes most supermax prisons and solitary confinement units. Pod groups were carefully chosen to minimize conflict, Trani said, but fights were far from unknown. When that happened, corrections officers remained safely behind the glass walls until a team could be assembled to intervene.

In the pods around the unit, some of the men seemed engaged in what they were doing, while others appeared somewhat bored. What they were not was alone.

The next step down from Ad Seg takes place in Close Custody Transition Units (CCTUs), which held 156 men on the day of our visit. In the CCTU pods, all 16 men come out of their cells simultaneously for a total of six hours each day. Staff here enter and leave the day rooms and interact more freely with prisoners. And the men leave their pods for GED and other educational classes, as well as for programming aimed at improving their behavior and reducing risk when they are returned to General Population. The CCTU step is designed to last for up to six months.

The primary program used in Colorado is [Thinking for a Change](#) (T4C), a course designed by the federally funded National Institute of Corrections and described as a cognitive-behavioral curriculum that concentrates on changing the criminogenic thinking of offenders. [It] includes cognitive restructuring, social skills development, and the development of problem-solving skills. The program's cycle of 25 lessons have titles like Thinking Controls Our Behavior, Recognize Risk, Understanding the Feelings of Others, and Responding to Anger.

Other programs include [Moral Reconation Therapy](#) (MRT) and a CDC-created Conflict Resolution program aimed at members of gangs. They are taught to groups of eight at a time. Both T4C and MRT claim studies show that they improve prison behavior and reduce post-prison recidivism. But it is too early to say precisely what impact they will have in Colorado.

One problem, Trani says, is that we have handfuls of guys who do not want to progress: they want to stay here because it's single-celled. If they progress they have to go into a double-celled situation, they have to deal with more offenders.

Prison staff and leadership, he says, are developing strategies for how to deal with these men. But the dilemma points to an inconvenient truth for any solitary opponent: The goal of most reforms is to return individuals to General Population, which in most American prisons is in itself a nasty, dangerous, and inhumane environment.

Some advocacy groups have pointed to other problems with Colorado's step-down units, particularly the MCU. In a [14-page letter](#) sent to Rick Raemisch in January, the American Civil Liberties Union of Colorado outlined what it perceived as the CDOC's successes and shortcomings in reducing the use and severity of isolation. Solitary Watch obtained the letter, and [Raemisch's response](#), through a Colorado Open Records Act (CORA) request.

According to the letter, on average, prisoners in at least some MCUs are getting much less than four hours of out-of-cell time per day, in part a result of frequent lockdowns reported on the units. (When we visited, a three-week lockdown had recently followed the loss of a handcuff key.) In addition, the letter stated, people were spending too much time in the MCU; as of September 2015 over eighty men had spent more than a year there. The ACLU acquired the data cited in the letter through records requests to the CDOC.

Several letters to Solitary Watch from men currently or formerly housed in the MCUs also said they were frustrated at how little programming was offered on the units, and echoed concerns that people on the units were sometimes placed in 24-hour lockdown after violent incidents, even if they weren't suspected of being involved.

Based on its findings, the ACLU wrote, we are concerned that the current policy and practice in the MCUs create a risk that the units will devolve into administrative segregation by another name. The group recommended implementation of stricter limits on the use of MCUs and greater oversight and accountability for the out-of-cell time on these units in order to prevent such an unwanted outcome.

In a February letter of response, Raemisch contested the ACLU's characterization of the MCUs, and asserted that the CDOC was already closely monitoring lockdowns and had instituted 90-day reviews to determine when those held in MCUs were ready to move on. He rejected the suggestion of a strict six-month cap on time in the MCUs.

The ACLU letter had deeper concerns about the 160-odd individuals who remain in solitary confinement in what is now called Restrictive Housing Maximum, at Sterling Correctional Facility (which we did not visit). Individuals held in RH Max spend at least 22 hours a day in their cells. They have extremely limited access to televisions, books, phone calls and visits, and are not allowed to purchase food off the canteen. According to a letter received from one man who is currently incarcerated at Sterling, RH Max is ten times worse than ad-seg used to be, a perspective echoed by several others who wrote to us.

Raemisch responded in his letter that the initial 90 days in RH Max were meant to demonstrate an austere environment, and that thereafter, the individuals had opportunities, through good behavior, to earn privileges like televisions. Under the old model, he wrote, offenders had no incentives to motivate them to progress to general population environments. He also pointed out that Colorado is the only State that has set maximum length of stays in extended restricted housing, which do not exceed 12 months, and that year-long sentences are only handed out for the most serious, violent offenses in prison.

Yet by any measure, a year in solitary confinement is a long time, and more than sufficient to cause the kind of psychological damage Raemisch himself is concerned about. Additionally, some individuals have been returned back to the isolation unit from the MCUs, suggesting that in the aggregate, people could end up spending more than a year in RH Max. And the overall number of men held in RH Max has not dropped in the past year. (There are no longer any women in long-term solitary.)

These 160 men clearly stand between current practice and Raemisch's pledge to eventually eliminate prolonged solitary confinement from the Colorado prison system. He is aware that what happens to them, and others like them, in the next few years will put that pledge to the test.

IN JUNE 2014, the Colorado legislature passed a bill banning the placement of people with major mental illness in solitary confinement. In this case, law actually lagged behind policy, since the CDOC had instituted the same ban nearly six months earlier.

We basically adopted the philosophy that you can't take someone with a mental illness, put them in a 7 x 13-foot cell, and let them stay in there 23 hours a day letting the demons chase them around, Raemisch said in his interview.

According to Raemisch, about 34 to 36 percent of Colorado's prison system has some type of mental health problem, while 10 to 12 percent of those individuals are what we would term seriously mentally ill—generally meaning they have schizophrenia, bipolar disorder, or major depressive disorder.

The numbers are fairly typical. In the United States today, according to a [2014 study](#) by the Treatment Advocacy Center, there are 35,000 individuals in the nation's psychiatric hospitals, and 350,000 in its prisons and jails.

Myself and my peers, we all say the same thing, Raemisch said. That our corrections department is the largest mental health institution in the state. There's that fallacy that we de-institutionalized the mentally ill years ago, but we didn't really. They just moved over from state mental hospitals over to the prison system, and that's where they sit right now.

To deal with these individuals, Raemisch determined that he would further develop and greatly expand the Residential Treatment Program (RTP) model first utilized under Tom Clements. The CDOC soon had two large RTPs for men: one at Centennial Correctional Facility in Caon City, with beds for 240 of the chronically mentally ill, and one comprising all of San Carlos Correctional Facility in Pueblo, has beds for 255 of the most acutely mentally ill as well as some men with developmental disabilities. A smaller RTP at Denver Women's Correctional Facility has a capacity of 48.

Some of these men and women have been sent to the RTPs from the Denver Reception and Diagnostic Center following admission to the prison system. Others are moved there after what CDOC calls a comprehensive process of identifying offenders in General Population for mental health needs and refer[ring] them for treatment. Some are there because they have violated prison rules. What we do is we look at the individual to see if mental illness might have had something to do with that violation, Raemisch said. If we find that it has, we take that person out of the disciplinary process and place them, if needed, in an RTP. The RTPs are meant to prevent anyone with a serious mental illness from being sent into RH Max.

Raemisch accompanied us last November when we visited San Carlos Correctional Facility, along with clinical and security staff. The

low, red-brick building in Pueblo is divided into units where men are placed based on their conditions and their behavior. We did not see 2 West, where, we were told, the most violent offenders with mental illness were housed.

On the fourth floor, units hold a mix of individuals diagnosed with a major mental illness, all of whom are supposed to be diverted to the RTP. In addition, said San Carlos Mental Health Supervisor, Joann O'Neil, those with lower range diagnoses, such as personality disorders, could be placed in an RTP when symptoms rise to a level interfering with their well-being, such as self-harm or aggressive or destructive behavior, or anyone whose mental health needs require an immediate intervention.

Major Sean Pruitt, the top-level uniformed staff person at San Carlos, spoke gently about the suffering endured by the men in his custody, and echoed Raemisch's assertion that if any bad behavior they exhibited had resulted from their mental illness, it should be responded to with treatment, not punishment.

The units were clean and quiet, with minimal activity taking in common areas. Most of the men were inside their cells, and mental health staff were working in their offices, which are within the units. Corrections officers walked the corridors, serving as a reminder that this was not, in fact, a secure mental hospital, but a prison.

O'Neil stopped to ask a thin, quiet man whether we could view his cell. A narrow slit window filtered in a bit of light, revealing a television and radio, and a few pictures and other personal items. During a moment alone in the cell with its occupant, we asked how he felt about the staff at San Carlos. I like them, he said tentatively and then, after a pause, I love them. We learned later that this man had not spoken during his first year in the RTP. He now works as a janitor.

In one treatment room, a clinician and four men were seated around a table, talking. The tables are specially designed with holes through which prisoners' shackles can be threaded, if need be, allowing groups of men to be in close proximity without being able to attack one another or staff.

The RTP program is designed to operate on a 10 and 10 schedule, meaning, according to the CDOC, ten hours of structured therapeutic out-of-cell opportunities and ten hours of non-therapeutic out-of-cell opportunities per week. The therapeutic hours are supposed to include individual therapy as well as groups for various cognitive behavioral therapy and dialectical behavioral therapy, anger management, medication and self-care, drug and alcohol treatment, and something called the Wellness Recovery Action Plans (WRAP), which are individualized plans developed by staff and prisoners.

The goal of all the programming, Raemisch said, was to solve the mental illness problem and get them back into General Population. Some of them unfortunately are so severely mentally disabled that they will do their time in the Residential Treatment Program. That's the safest place for them.

In his interview, Raemisch volunteered that the RTPs had experienced significant numbers of prisoners who refused to come out of their cells for either therapy or recreation, especially in the units' early years. They had the right to refuse and were never forced, he said, but staff worked hard to find ways to engage people and entice them out of their cells, including art and other activities tailored to their interests, and the use of therapy dogs.

This high refusal rate, however, has become the focus of criticism leveled by advocates. According to the ACLU, prisoners on the RTPs have reported that many groups are run so poorly and of so little utility that many prisoners avoid them. Average refusal rates have actually been worsening over time, exceeding 75 percent between February and April 2015 at San Carlos. According to the ACLU letter, on any given week, about eighty prisoners [at SCCF] went without any therapeutic out-of-cell time at all.

Staff at Disability Rights Colorado, a public interest organization that specializes in civil rights and discrimination issues, said access to individual therapy on the RTPs is extremely limited, even though it is the most effective form of treatment, especially since being honest and vulnerable in group therapy can be difficult or even dangerous in prison settings.

Understaffing at the RTPs remains acute, with the CDOC struggling to compete with the private sector for skilled clinicians, and convince them to live in often remote prison towns. The programs had a nearly 30 percent vacancy rate among mental health staff as of November 2015, according to the ACLU letter. DRC also expressed concern that some corrections officers were not adequately trained or screened for dealing with people with mental illness, even though many officers had volunteered to work in the RTPs, and first received training in first aid, trauma informed care, and working with offenders with self-injurious behavior.

The ACLU letter also notes that in the early days of the RTPs most of them before Raemisch's time data showed a major decrease in the number and percent of prisoners perceived as having serious mental illness at the precise moment when CDOC was considering expanding services to those prisoners and excluding them from solitary confinement a 7 percent drop between February and August 2013. (Similar trends have been identified in other states that have banned the mentally ill from solitary, notably New York State.)

In his response to the ACLU letter, Raemisch cited statistics (which he acknowledged were based on raw data) from the previous year, showing that at San Carlos, use of special controls such as restraints was down 93 percent; forced cell entries were down 77 percent; and prisoner on staff assaults were down 46 percent.

In his letter, Raemisch also rejected the idea that high refusal rates reflected poor quality group programming; prisoners were simply afraid to come out of their cells, he said, and every effort was being made to address the problem. He declined the ACLU's suggestion of bringing in an independent team of experts to study the refusal problem and other shortcomings in the RTPs. A subsequent statement from the CDOC said: Refusal is driven by mental illness and anti-social behaviors. Offenders with mental illness need to feel safe and until their mental illness is stabilized, they cannot be forced to come out.

In his response to the ACLU, Raemisch also enclosed a letter from the CDOC's chief of psychiatry, acknowledging that the state had moved to a different system of diagnosis in mid-2013, and defending the empirical basis of that shift. In a statement, the CDOC said it had thoroughly explained the refined definitions of SMI [serious mental illness] in DSM-V and had identified and treated more offenders than in previous years.

In an earlier round of criticism, the CDOCs former director of planning and analysis, Maureen OKeefe, alleged she had been placed on administrative leave after claiming the department was manipulating data to exaggerate the extent of the solitary reforms for the mentally ill. In December, the CDOC which has characterized OKeefe as a dismal manager agreed to pay \$280,000 to settle a whistleblower suit. CDOC states that it stands behind our numbers and always have.

When asked in our interview about the criticisms of the RTP, Raemisch said, These are all the things that come up when youre involved in change.

There are always things that we can be criticized for, he continued, but the fact of the matter is, there are so many things that were the only one in the United States doing it right now. And I would say to those critics that we havent stood up and declared success. What weve stood up and declared is that weve made tremendous progress and were going to keep making that progress.

ALTHOUGH HE positions himself as a pragmatist (I just want to do what works.), Rick Raemisch comes off as a reformer at heart, whose critique of the U.S. criminal justice system at times reaches beyond solitary confinement to the punishment paradigm in general.

Last year, he was one of only two corrections leaders to be part of the US Delegation to meetings in Cape Town and Vienna to re-write the UN Minimum Standards for the Treatment of Prisoners, known as the Mandela Rules. Among other things, the Mandela Rules denounce the use of solitary confinement beyond 15 days. Raemisch also serves as a founding member of the Brennan Center for Justices Law Enforcement Leadership Group Think Tank, which aims to reduce both crime and incarceration.

Outside of the state of Colorado, Raemisch is widely and deeply admired by anti-solitary activists, and by prison administrators and policymakers who seek to reduce the use of solitary confinement in their own systems. He is in high demand at conferences and symposiums across the country and as far away as Australia, where he outlines the dramatic changes in Colorado, and encourages other prison systems to open the door.

Raemischs CDOC has also been unusually open and transparent, both in providing data to advocates and in allowing the press to view its work around solitary confinement. The department provided rare access to Solitary Watch, undoubtedly knowing that we have often been sharply critical of prison conditions around the country. If we had anything to hide, Raemisch said in our interview, you wouldnt be here.

It is surprising, then, that his relationship with prisoner advocates in his home state is so much more complicated, and less sanguine. Most of the advocates we interviewed remembered the days when Colorado held more than 1,500 people in torturous isolation, and all acknowledged the significant strides the CDOC has taken under both Clementss and Raemischs leadership. But most were also frustrated by what they saw as Raemischs defensiveness about what they considered constructive criticism, and his rejection of opportunities to work together toward what they believed were common goals.

Colorado is doing many, many things right which I think is clear in our letter, said Rebecca Wallace, Staff Attorney at the ACLU of Colorado. Its been disappointing to see that the administration has been closed to what I think are well-intentioned and well-grounded criticisms that are intended to help move the administration to the next phase.

Part of the disconnect may lie in the fact that, despite his protestations that he has not yet declared success, Raemisch is often perceived as having done exactly that and prematurely. In all deep institutional change, the devil is in the details. And the details of solitary reform in Colorado present a more complex picture and represent a more complex challenge than the presentations Raemisch gives at conferences, and the admiring media profiles of him, would suggest.

Theres been change, and its been substantial but its not enough, said a staff member at Disability Rights Colorado. If Raemisch has these rose-colored glasses on about his programs, even if hes this great guy and he wants to fix it, he doesnt think theres anything to fix. Its just frustrating.

In fact, it is hardly surprising that the reforms remain a work-in-progress, less than five years after they were begun. Prison systems are vast bureaucracies, with complex hierarchical structures and entrenched ways of conducting their daily business. And for nearly three decades, solitary confinement has been prisons primary method of controlling the individuals in their custody.

While Colorados corrections officers union has not come out against the efforts to reduce solitary in their state (as have the powerful guards unions in California, Illinois, and New York), rank-and-file officers are generally reluctant to give up such instruments of power. Relinquishing the use of solitary requires a sea change in the way prison staff think and operate.

Raemisch praises his staff at all levels for largely embracing this change. But a few years is a very short time to bring about such a profound cultural shift. And letters from incarcerated people, as well as comments by advocates and former prison staff, suggest this shift is yet to be fully achieved.

So, too, is the shift taking place for the hundreds of incarcerated individuals being released from solitary into new environments. Many are deeply damaged by their experience of extreme isolation. Others including many of those who wrote to us are confused by the changes around them, and frustrated by problems in the newly opened alternative units. After complaining about frequent lockdowns in the CCTUs, Cero Smith wrote: Just because you preach change, doesnt mean change is coming.

But after spending a week in the state, we do believe that meaningful change has come to Colorados prisons, and that more will come in the future. We also believe that listening to all voices including those of advocates and the incarcerated will only hasten and deepen that process. By mustering all forces for change, Colorado may indeed be the first state to truly eliminate long-term solitary confinement from its prisons.

It is still too soon to say how much more time and how much more work it will take to reach that goal. But for all its difficulties, what Colorado has set out to do is well worth striving for, and well worth watching. Come back in a year, Raemisch said to us as we left, and see what weve done.

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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.

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October 25, 2022

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September 29, 2022

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Excellent article that really tells how detrimental long periods of solitary confinement are. At least Colorado is working towards a saner way of treating inmates. Now if we can get this to spread, inmates would have a better chance of not returning to prison.

Its good to see some positive movement being made. I know it will take a while to spread to other states. It may not help the inmates today that have been for a long time, but it could make a big difference on the future. mynameisjamie.net

P.O. Box 11374
Washington, DC 20008

info@solitarywatch.org

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