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Criminal Justice Issues and Prisoners' Rights

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by [Daniel Goldman](#) | April 11, 2011

Most of the presentations at [this past weeks congressional briefing](#) on the effects of long-term solitary confinement provided a simple overview of what Solitary Watch's readers know well: prolonged, isolated confinement causes serious psychological damage, and most courts and legislatures have been unwilling to find harsh practices unconstitutional or to change this nation's current trajectory. The briefing, which took place in a packed room at the Rayburn House Office Building, was co-sponsored by Congressmen John Conyers (D-MI), Robert C. Bobby Scott (D-VA) and Cedric Richmond (D-LA).

The panelists explained some of the problems with solitary and provided insights that could guide reform at the national level, such as isolation time limits, better data collection, more mental health screening and care, and reductions in overcrowding and overall incarceration rates. After the panel, the documentary film [In the Land of the Free](#) suggested how congressional involvement could help improve conditions for prisoners in solitary by telling the story of panelist Robert King and the other members of the Angola 3, who received a temporary respite from decades of solitary confinement after Congressman John Conyers visited.

David Fathi, Director of the ACLU's National Prison Project, was the first speaker and cited statistics that some 20,000 inmates live in isolation conditions in U.S. supermax prisons. Fathi went on to explain how disparate labeling practices across correctional systems make it difficult to accurately count those in isolation, and that the numbers are therefore certainly much higher. Virtually all prisons and most jails have some form of solitary confinement, but few if any systems keep or disclose data on how many are kept in isolation or for how long.

Laura Rovner, who directs the University of Denver's Civil Rights Clinic, provided some ideas for gathering more accurate data about prisoners in solitary. She described a survey that was conducted by Mark Donatelli, a lawyer in New Mexico who represents several clients in ADX Florence, the federal supermax in Colorado, and on death row. Donatelli wrote letters to 133 ADX inmates and asked them to report on their conditions of confinement and lengths of stay. Of the 61 who responded, 33 had been in isolation for more than eight years. This simple but time-intensive method of gathering information about solitary populations could be much more widely implemented to greatly improve our knowledge and help us track changes across prison systems. Responses to the letter writing campaign yielded some new statistics and corroborated some of what has been reported elsewhere.

For example, once an inmate is transferred to ADX, it takes a minimum of three years for him to earn enough credit to be moved to another institution, and only five percent actually leave in three years. Reports described mental health interviews of ADX inmates taking place through the cuffs of the nearly soundproof doors and averaging less than five minutes. Rovner pointed out that these extremely harsh conditions, many of which are in clear violation of international human rights law, have given the European courts reason to block the transfer of terror suspects to the U.S. on the basis that they would likely end up at ADX. The case of at least one such suspect is currently awaiting review by the European Court of Human Rights.

Questions of whether terror suspects would be transferred to U.S. custody clearly raised concerns with Representative Hank Johnson (D-GA). The Congressman joined the event at the last minute and spoke briefly about his concerns regarding Bradley Manning's pre-conviction solitary confinement. The congressman appeared less willing to address post-conviction confinement practices but did stay through the whole film.

The last panelist to speak before the film screening, and the only member of the corrections community, was Michael Randle, a former administrator in the Illinois and Ohio Departments of Corrections. Randle described the reforms that took place during his time in those state systems, unfortunately as a result of litigation. The five reforms he saw as crucial to improving conditions in solitary were:

Most of the ideas Randle described are already in place in quite a few systems around the nation, including at least Illinois, Ohio, and Virginia. New York and Vermont have reformed solitary practices as well, but none of these systems has created a policy by which all inmates are humanely and safely treated.

There is a long way to go before solitary practices in the U.S. reach international human rights standards, and there is seemingly very little momentum for getting us there. Nevertheless, a briefing on Capitol Hill by this group of panelists raises some hope that at least a small group of congressmen motivated in part by the successes of the civil rights movement has decided that solitary confinement is an

issue worth pursuing at the national level. Gathering more data and continuing to report on widespread abuses and excesses can provide some ammunition for the political fight that will surely follow the introduction of any reform legislation.



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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.

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October 25, 2022

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October 13, 2022

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September 29, 2022

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kick some government ass!!! woot lol i mean bout time they made to answer for what they been doing to thare owen let the light be brought to the voids halls let there be light in the plane of justice at last tis is my hope and my driving fight of my life as well to end the misuse of solitary to put the correct back in corrections lol may there be light in the darkness of justice

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