

# Solitary Watch

## Criminal Justice Issues and Prisoners' Rights

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Our Weekly Roundup of News and Views on Solitary Confinement

by [Roxanne Barnes](#) | October 20, 2021

Jessica Schulberg from The Huffington Post and incarcerated journalist Christopher Blackwell [interviewed](#) dozens of people from across the country of the hundreds of thousands who were put in solitary confinement as a COVID prevention tactic. Even under regular conditions, solitary confinement is a dehumanizing, tortuous form of punishment that often leads to depression, anxiety, paranoia, self-harm and even suicide. Schulberg and Blackwell report. But its use as a supposedly non punitive form of medical intervention is particularly cruel. Several of the men interviewed suffered from COVID-19 while in prison, and describe how the prospect of being placed in solitary discouraged many from reporting their symptoms. The report makes clear that solitary-as-quarantine was a health hazard, and the 500% increase in its use had disastrous effects on peoples safety.

Keri Blakinger, a journalist with the Marshall Project, [writes about](#) her experience of being jailed in New York State where she was falsely accused of bringing drugs into the facility and then locked in solitary confinement as punishment. She describes how cheap, inaccurate drug tests are in use in jails and prisons across the country, landing people in solitary, and are currently at the center of a lawsuit in Massachusetts. The plaintiffs in the case say that false accusations of drugs being sent through the mail have made them wary of accepting mail from their lawyers. These kits, Blakinger says, have generated so many wrongful convictions that some courts refuse to allow them as evidence. Even so, many prison systems still rely on them to punish people for drugs they dont have.

An [article](#) from the Progressive details the ways that carceral systems across the country have circumvented laws that restrict solitary confinement. Shortly after the passage in April of a landmark law to end long-term solitary in New York State, the jails oversight body in New York City approved a policy that would, advocates say, violate the new law by reinstating the use of extended isolation. Corrections departments in California and Massachusetts have already found ways to evade reforms. Texas, Michigan, and Virginia all have a practice of holding individuals in long-term isolation and deny that it is solitary confinement. Dolores Canales, anti-solitary activist and mother to a man who was being held in solitary confinement in California, said, This work takes years, Canales says. And even then once you make a significant change, the systems in place seem to find loopholes around it.

The Washington Post [reports on](#) Carlos Murillo Vega, a man who spent 14 months in solitary confinement following his detention by Immigration and Customs Enforcement (ICE) in California in 2019. Murillo has sued the private prison company Management and Training Corporation for intentionally inflicted emotional distress, and violation of the detention standards required by ICE. Upon his arrival at the detention center, he was told that he could choose to be held in protective custody, where he would be safer than in general population. Instead, [w]hat followed was a Kafkaesque nightmare of isolation, abuse, and callous disregard for Mr. Murillos physical and mental health, according to his lawsuit. The Post reports that Murillos case is the first to be brought under a 2020 California law aimed at ensuring private immigration facilities comply with the standards for detention detailed in their contracts. Murillo is alleging that several detention policies were violated during his time in solitary, including his right to a psychological assessment prior to being held in protective custody, access to visitation, and trips outside.

In Floridas Broward County Jail, the detention deputy who forced a pregnant woman to give birth in her isolation cell will be permitted to return to work because the sheriffs offices Internal Affairs division missed their deadline for firing him by four days, [reports](#) the Sun Sentinel. Stephanie Bretas birthed her child in solitary confinement in September 2020, without access to a nurse or any form of medical care or supervision. Two higher-ranking jail commanders, not under union protections, were fired immediately afterwards and Deputy Michael Troup was put on paid suspension for a year. But the sheriffs office failed to fire him within 180 days after the start of an Internal Affairs investigation. Troup is expected to return to work as early as this week, according to a representative of his union.

Politico [reports that](#) the Department of Justice announced that it will begin an investigation into Texas juvenile detention centers, following the reported use of pepper spray and restraints against children, as well as allegations of improper or excessive physical force, the use of isolation in these facilities and the level of mental health services available to children there. The reports of child endangerment through solitary confinement physical abuse come from five Texas facilities now under investigation.

ProPublica [reports](#) on the staggeringly high rate of youth incarceration 48 percent of all juvenile court cases compared with a 5 percent national average in Rutherford County, Tennessee, describing the individual missteps and institutional breakdowns, as well as the culture

created by the presiding juvenile court judge Donna Scott Davenport. According to lawyers representing several children who were jailed by Davenport, many of those incarcerated were placed in solitary confinement, and were denied access to their medications while incarcerated. After President Obama had outlawed the use of solitary against children in federal prison, Rutherford County maintained its use of isolation in youth facilities, locking children in solitary for periods of time ranging from 12 hours to indefinite. In 2016, one developmentally disabled child was held in isolation for 23 hours a day.

The Philadelphia Inquirer [reports that](#) 90 men held in disciplinary custody at Philadelphia Industrial Correctional Center took over the housing unit and barricaded the doors for a few hours on October 13th. Several incarcerated men were injured during the takeover. Already this year, 14 people have died in Philadelphia jails, which city officials claim is the result of a staffing crisis. Pennsylvania Prison Society director Claire Shubik-Richards said that, a crisis manager should be appointed to coordinate a response across branches of government in order to reduce the population, expedite court cases, and stabilize staffing.

Reuters [reports on](#) a wave of lawsuits about prison and jail conditions in eight states that have led to reforms in the use of solitary confinement. A recent case in Louisiana where men on death row saw conditions improve following a settlement, is part of a national movement aimed at loosening the severely harmful restrictions on those incarcerated people. Multiple states have ended automatic solitary confinement for people sentenced to death as well. Betsy Ginsberg, a lawyer who worked on the Louisiana case, explains that states should recognize the benefits of reforms and, rather than wait for litigation, absolutely should voluntarily change those conditions, both because its the right and humane thing to do, and because its less costly.

A Department of Homeland Security watchdog released a [comprehensive review](#) of ICE segregation policies, determining that the federal agency fails to adequately monitor the use of solitary confinement in detention centers. CNN [reported that](#) this was the first systemic review of ICE solitary confinement policies and outcomes. The review spans 2015 to 2018, during which time the watchdog hotline received 1,200 reports of concerns about solitary confinement for issues such as detainees not knowing why they had been segregated and detainees being threatened with segregation. Further, record retention has been a problem for ICE, and the report highlights that without adequate oversight, clear policies, and comprehensive data, ICE does not know the full extent of detention facilities use of segregation, which hinders its ability to ensure compliance with policy, and prevent and detect potential misuse of segregation.

Roxanne Barnes is an educator and writer based in Los Angeles and a contributing writer to Solitary Watch.

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 [Caitlin Konya](#)

October 19, 2022

by [Mirilla Zhu](#)

October 12, 2022

by [Caitlin Konya](#)

October 5, 2022

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