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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](#) | April 1, 2018

The *Boston Globe* [reported](#) that individuals held at MCI-Norfolk in Massachusetts organized a hunger strike against the facility's contaminated water last month. Wayland Coleman, an incarcerated man at MCI-Norfolk, acquired and distributed bottled water to others, and was subsequently placed in solitary confinement because officials claimed that the water was a valuable item that could potentially be traded for drugs, sex, and contraband. The author of the article suggested that perhaps what really elicited Coleman's time in solitary in this instance and after mailing a water report to the *Globe* in February 2017 was embarrassing prison authorities. The facility has agreed to implement a new water system this spring, but the author suggests that the MCI-Norfolk practices and staff be investigated as well.

The Marshall Project published the [account](#) of a young man named Jordan, who first experienced solitary confinement at Onondaga County Justice Center in Syracuse, NY when he was 16 years old. He described his cell in the Special Housing Unit (SHU), the psychological effects of isolation, and the lack of access to educational or developmental programs during his time in solitary. Jordan expressed, Before I went to the SHU, my life may not have been perfect, but I was a bright, excited young man. When I came to jail, I knew I had made mistakes but was still trying to enjoy myself. In the SHU, I felt unbearable pain, and it changed me; I felt like I aged 10 years just by doing 20 days in there. Jordan became a plaintiff in a class action lawsuit brought by the NYCLU and Legal Services of Central New York, which resulted in the county agreeing to limit the use of solitary confinement for teenagers.

Leading up to Easter, the South Wedge Mission in Rochester, New York, hosted a replica solitary confinement cell to protest the practice, [according](#) to the *Democrat & Chronicle*. South Wedge, in coalition with other local faith communities, has recently organized several events and sent members to Albany to support the Humane Alternatives to Long-Term (HALT) Solitary Confinement Act. The Rev. Matthew Martin Nickoloff, speaking over a recording from a solitary confinement unit in which people can be heard moaning and banging on their cells, said, Jesus did his most important work, the work of the cross, as a convict. When he decided to liberate humanity, he did so as a criminal.

The California Department of Corrections and Rehabilitation (CDCR) settled a class-action lawsuit, *Ashker v Brown*, in September 2015 by agreeing to stop holding individuals in solitary confinement indefinitely, based on alleged gang affiliations or other perceived security risks. [As reported by](#) *Courthouse News Service*, while hundreds of individuals have been released into general population from the Security Housing Units (SHU) in Pelican Bay and other prisons, some contend that they are still being locked down for 23 hours a day, spending days on end in their cells with virtually no time for yard, day room, or other activities out-of-cell. Attorney Samuel Miller from the Center for Constitutional Rights, which represents the plaintiffs in the suit, explained, Placement in these conditions definitely deprives these prisoners of the benefit of the agreement. But a U.S. District Court judge ruled against the motion to enforce the agreement, since he claimed the settlement did not specify the conditions in general population in which people were to be held.

The Legal Intelligencer [reported](#) that Pennsylvania Rep. Tina Davis has proposed legislation to limit the use of solitary confinement in Pennsylvania to 15 days and prohibit solitary confinement for vulnerable populations, including pregnant women, youth, LGBTQ individuals, and individuals over the age of 70. Her legislation additionally includes alternatives to solitary confinement, such as step-down programs, rehabilitative programs, and informal sanctioning of privileges, as well as a citizen review board for incidents of misconduct and independent investigators for each prison. Davis said that solitary confinement is a form of torture, not a rehabilitative tool and can lead to devastating effects on [incarcerated people] and their families.

The Salem News [reported](#) that Massachusetts' maximum-security Souza-Baranowski Correctional Center has been recently cited for more than 500 health code violations, including scalding hot water with temperatures of 135 degrees in several sinks, discolored water, broken toilets, moldy and improperly stored food, and a lack of ventilation in the cells. The Department of Public Health has given the warden 10 days to resolve the violations, though the health department does not have the authority to fine the prison.

While the New York City Department of Corrections banned the use of solitary confinement on minors several years ago, following the death of Kalief Browder and a local advocacy campaign, *The Marshall Project* [found](#) that at least seven out of the ten New York counties outside the city with the highest incarcerated youth populations continue to hold juveniles in solitary in their jails. In one case, a 16-year-

old girl named Imani had not yet been charged, but because she couldn't afford bail, she was placed in the Onondaga County Justice Center, a maximum-security adult jail. Imani described the 32 days she spent in solitary: It made me feel like nothing, like an animal. Can't call nobody, can't talk to nobody. You just feel worthless. The state Commission of Correction proposed new regulations last year for restrictions on solitary confinement for youth, which would mandate that teens have at least four hours out of their cell and two hours of exercise, though this out-of-cell time can be taken away if the staff deems the teen a safety risk. The proposal is still awaiting approval.

The *Daily Press* [reported](#) that the San Bernardino County Sheriffs Department settled a class action lawsuit filed in 2016 on behalf of individuals held at county jails, claiming that the Sheriffs Department fails to provide minimally adequate medical, dental and mental health care to the people incarcerated in its jails, fails to prevent unnecessary and excessive uses of force against inmates and imposes on inmates the harmful and excessive use of solitary confinement as well as discrimination against certain inmates with disabilities. The Sheriffs Department has revised their policies regarding these violations, and under the settlement will continue to work with the Prison Law Office, which filed the lawsuit, to resolve the unlawful conditions.

Valerie Kiebala 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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