

Solitary Watch

Criminal Justice Issues and Prisoners' Rights

<https://solitarywatch.org/2013/10/18/fire-federal-bureau-prisons-audits-use-solitary-confinement-buys-new-supermax-prison/>

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by [James Ridgeway and Jean Casella](#) | October 18, 2013

Amidst growing criticism of its abundant use of solitary confinement, the federal Bureau of Prisons has quietly set in motion an internal audit to review its restricted housing operations. The audit, which has been contracted out to a Washington think tank and will be conducted largely by former corrections officials, seems unlikely to bring any dramatic change to the lives of the more than 12,000 people being held in isolation in the federal prison system. Meanwhile, the federal government has completed purchase of a prison meant to house still more isolation cells.

The audit fulfills a pledge made by BOP director Charles Samuels last year, following Congress's first and so far only hearing into solitary confinement. At that [hearing](#), convened by a Senate Judiciary subcommittee chaired by Illinois Senator Dick Durbin, Samuels acknowledged under questioning that he didn't know how many people with mental illness were in isolation in federal prisons, and was short on details about the BOP's use of solitary confinement.

Since that time, controversy surrounding the BOP's use of solitary has only grown. Current lawsuits are challenging the treatment of individuals with mental illness at ADX Florence, the notorious federal supermax prison in Colorado. Increased [media coverage](#) of ADX has uncovered [horror stories](#) of psychotic prisoners who gouge holes in their own flesh or eat their own feces, along with at least one suicide.

In addition, a scathing [report](#) last spring from the Government Accountability Office [found that](#) the BOP did not know whether its use of segregated housing had any impact on prison safety, how it affected the individuals who endure it, or how much it all cost American taxpayers.

Yet when he [testified](#) before Congress again last month, Charles Samuels discussed solitary confinement under the heading Recent Innovations and Achievements. [W]e are in the midst of making significant changes to our Special Housing Unit (SHU) policies and procedures, Samuels told a House Judiciary subcommittee led by Republican chair George Sensenbrenner and ranking Democratic member Bobby Scott, during a hearing on oversight of federal prisons. These changes will allow us to improve the efficiency of our SHU operations without compromising safety.

In a statement that was permitted to stand without questioning from the committee members, Samuels asserted: I have focused significant resources on the mental health of inmates who are placed in SHUs to ensure we are doing everything we can to work with these inmates. (Samuels was only witness invited to testify, though the ACLU submitted [written testimony](#).)

Samuels also said that in the past year the BOP had decreased the number of inmates housed in SHU by 25 percent, primarily by focusing on alternative management strategies and alternative sanctions for inmates. He cited no specific alternative sanctions, but did describe changes in the processing, tracking, and reporting systems for disciplinary segregation.

When asked what had happened to the 25 percent of prisoners who had been removed from the SHUs, a Bureau of Prisons spokesperson had no concrete numbers, but said that they either were put into general population, sent to state prisons, or possibly dispatched to Special Management Units, or SMUs.

While individuals are sent to the SHU or the SMU for somewhat distinct reasons, the differences between the two types of units are negligible, with both confining inhabitants to their cells for 23 hours a day. A source with knowledge of the federal prison system told Solitary Watch that the use of SMUs has been growing since their genesis six years ago, and that shuffling prisoners from SHUs to SMUs might yield misleading statistics on the reduction of isolation in the BOP overall.

Samuels wrapped up his brief testimony on segregated housing by stating: The National Institute of Corrections recently awarded a cooperative agreement for independent consultants to conduct a comprehensive review of our restricted housing operations and to provide recommendations for best practices. We look forward to the outcome of the evaluation as a source of even greater improvements to our operations.

The [National Institute of Corrections](#) (NIC), which conducts research and develops programs, is in fact a part of the federal Bureau of Prisons, meaning that the agency is investigating itself. But the NIC has chosen, as it often does, to contract out the audit.

The BOP would not provide any details on the contract, suggesting that if we wanted them we would have to file a FOIA request. But Shaina Vanek, the administrative officer at NIC, readily provided the information. The Special Housing Unit Review and Assessment, she said, was awarded to [CNA Analysis and Solutions](#).

The audit will take a year to complete, with a literature search on segregation and inquiries into the operations of several prisons which have not yet been chosen. Overall, it is meant to take a look across a broad spectrum, according to Vanek, and to end up with an analysis and recommendations for the future. The contract for the job is worth \$498,211 small potatoes, as BOP contracts go, and not much to audit a practice that involves 7 percent of the federal prison population.

The work, which commenced in September, will be headed up by [Ken McGinnis](#), director of corrections programs for the company, whose responsibilities have ranged from the management and administration of all facets of the Illinois and Michigan correctional systems to serving as warden and directing the operations of maximum, medium, and minimum-security adult institutions. He served as the chief administrative officer of two of the nation's largest and most complex correctional systems. Most recently he was involved in a CNA study meant to bring greater efficiency to the Colorado prison system.

CNA, a nonprofit which works for all levels of government, is best known as a military think tank. (It got its start during World War II when a group of MIT scientists investigated ways to repel U-boat attacks.) Headquartered in Alexandria, Virginia, CNA has in recent years diversified into other fields, including air traffic management, energy, and prisons.

Commissioning a study by CNA is a far cry from bringing in a reform-minded outfit like the Vera Institute for Justice, which is what [several state prison systems](#) have recently done in an effort to reduce their use of isolation. The audit may recommend incremental change by reclassifying a small number of isolated prisoners, but it is unlikely to produce any serious challenge to the use of solitary confinement.

Even as the BOP moves forward with the audit, other developments suggest that the federal government is planning to increase its use of certain forms of prison isolation. On October 1, as the government shutdown began, the Obama Administration released \$165 million in unobligated Justice Department funds to buy Thomson Prison from the state of Illinois. As Solitary Watch [reported](#) earlier this year, the government has plans to use the prison for segregated housing. Some portions of the prison will be designated as Administrative Maximum, or ADX, the most extreme type of isolation, and others will be SMUs.

The purchase was celebrated by two unlikely elected officials. Senator Dick Durbin, who held the Congressional hearing on solitary and whose protégé Cheri Bustos represents the district that includes Thomson [told](#) the local *Rockford Register-Star*: I hope we'll see before the end of the year the transfer of the prison to the federal government. Illinois Governor Pat Quinn, who closed down Tamms state supermax earlier this year, said at a news conference: I want to thank President Obama and Senator Durbin for their strong support throughout this process. We look forward to Thomson being a fully operational facility that will drive major economic growth in the region in the near future.

To carry out the sale, the administration had to make an end run around Virginia's Republican Congressman Frank Wolf, who heads the House Appropriations Committee and refused to sign off on the purchase of Thomson, where Republicans believe Obama will try to place detainees from Guantanamo.

Wolf, a longtime proponent of prison reform, has also joined with the Appropriations Committee ranking Democrat, Chaka Fattah, to [float a bill](#) that would launch a \$1 million inquiry into BOP operations. The bill, which passed the full committee but has not yet gone to the floor, would establish and support the Charles Colson Task Force on Federal Corrections, named for the Watergate conspirator turned prison evangelist and reformer.

The nine-person task force would be charged with addressing the challenges in the federal corrections system, clearly with the aim of reducing the growth in both the population and cost of the BOP. But with a few exceptions (including, notably, current Prison Fellowship leader [Pat Nolan](#)), BOP critics on the right have shown little concern for the conditions in which federal prisoners actually live, including the use of solitary confinement.

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](#).

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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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This article is to scare people. Would you let them out to kill each other. The people who wrote this article don't know what they are talking about black and white t.v. ha ha for programs. They have more cable channels than I do. What Would You Do With People Who Can't Behave and Kill Because They Can?

Another case in point:

<http://www.thedailybeast.com/articles/2013/10/19/hermann-goring-s-shrink-and-the-perils-of-the-nazi-mind.html>

When the (Nuremberg) trial began in November 1945, US Army psychiatrist Douglas M. Kelley had already started to reach conclusions about the Nazi personality. None existed, he believed. The Nazis were psychologically normal. Nazi evil was not only banal, as Hannah Arendt later asserted, but its potential was widespread, especially in American politics and business. I am quite certain that there are people even in America who would willingly climb over the corpses of half of the American public if they could gain control of the other half, he said.

These conclusions unnerved Kelley and eventually led him to change the focus of his career from psychiatry to criminology. His personal connection with Gring rattled him even more deeply, and as Kelley fell into alcoholism, workaholicism, and depression, he faced his own capacity for evil.

Kelley's study of evil had turned into something personal. In Kelley's mind, Gring had possessed a combustible mix of admirable and atrocious qualities, many of which the psychiatrist shared. On New Year's Day 1958, standing in front of his family, Kelley took his life by gulping cyanide, just as Gring had done a dozen years earlier. What the psychiatrist had learned from the Nazis about human behavior was appalling. What he discovered about himself hurt more.

How do we guard against human nature?

With truly independent oversight.

You write:

The National Institute of Corrections (NIC), which conducts research and develops programs, is in fact a part of the federal Bureau of Prisons, meaning that the agency is investigating itself.

Kind of hard to be hopeful for constructive change when I read such info as:

The sociologist Robert Jackall's 1988 book, *Moral Mazes*, describes the rules that govern such bureaucracies:

- (1) You never go around your boss.
- (2) You tell your boss what he wants to hear, even when your boss claims that he wants dissenting views.
- (3) If your boss wants something dropped, you drop it.
- (4) You are sensitive to your boss's wishes so that you anticipate what he wants; you don't force him, in other words, to act as a boss.
- (5) Your job is not to report something that your boss does not want reported, but rather to cover it up. You do your job and you keep your mouth shut.

And the consequence of that is you're almost guaranteed to do evil.

The journalist and political theorist Hannah Arendt wrote in *Eichmann in Jerusalem: A Report on the Banality of Evil*,

I was shocked to find that everyone could see this man was not a monster. He was something more of a mid-level bureaucrat that displayed an utter ignorance of everything that was not directly, technically and bureaucratically, connected with his job. In her opinion Eichmann was simply a little bureaucrat who was involved in a bureaucracy engaged in unspeakable evil.

Arendt's work, as it pertains to Eichmann, has always been controversial but it may be reason enough to open up a broader exploration of how such massive bureaucracies can go awry without any particular desire to do so on the part of low and mid-level employees who are concerned only with their own career advancement.

Harvard psychologist Stanley Milgram, who was influenced by Arendt's concept of the banality of evil, found that some may protest it at first, but within the power structure set up almost all eventually comply.

People working in such oppressive systems usually don't think of the consequences, it's a kind of self-deception.

Agree with you it IS Always about the money! If Durbin (who im very disappointed in) truly wanted to change the way Solitary is run, he would have requested changes to this new prison or not agreed to the purchase at all. But in the interest of driving major economic growth the windows are still 4 and now they included a wall in front of each cell. How is that making changes to how we isolate people long term in the US? I am losing faith that anything will ever change in this country when \$\$ is at stake.

An interesting game of chess played out by Illinois Senator Durbin and the administration.

You write:

To carry out the sale, the administration had to make an end run around Virginias Republican Congressman Frank Wolf, who heads the House Appropriations Committee and refused to sign off on the purchase of Thomson.

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Illinois Governor Pat Quinn, who closed down Tamms state supermax earlier this year, said at a news conference: I want to thank President Obama and Senator Durbin for their strong support throughout this process.

We look forward to Thomson being a fully operational facility that will drive major economic growth in the region in the near future.

This BOTTOM LINE exposes the true motives behind the closing of Tamms, and the and the Rubicon pass of Thomson over to the Feds.

Definition of Rubicon crossing/pass. (to take a decisive, irrevocable step.)

Isn't it always about the \$\$\$\$

Fascinating article. Great reporting. Thank you!

P.O. Box 11374
Washington, DC 20008

info@solitarywatch.org

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