

Solitary Watch

Criminal Justice Issues and Prisoners' Rights

<https://solitarywatch.org/2012/08/30/judge-rules-against-colorado-supermax-that-keeps-prisoners-indoors-for-years/>

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by [Jean Casella and James Ridgeway](#) | August 30, 2012



We've [written at length](#) about the case of Troy Anderson, a prisoner with mental illness who has spent more than ten years in solitary confinement at the Colorado State Penitentiary. This past April, a Federal District Court in Denver heard a case brought on Anderson's behalf by students at the University of Denver Law School's Civil Rights Clinic. As we wrote, it was his untreated mental illness that first landed him at CSP, Anderson contends, and now the same symptoms are keeping him there indefinitely. Without proper treatment, he is unable to convince corrections officials that he's fit for the general prison population. This catch-22, his lawyers say, condemns him to an effective life sentence under conditions that are increasingly being denounced as a [form of torture](#) particularly when applied to [mentally ill](#) prisoners. The suit claimed that Anderson's treatment violated the Americans with Disabilities Act, as well as the Constitution's ban on cruel and unusual punishment and its guarantee of due process. Among other things, his lawyers pointed out that it has been more than a decade since Anderson had felt the sun on his back.

Westword's Alan Prendergast, who has also followed the case closely, [reported earlier this week](#) on the judge's ruling in the case:

In what amounts to a landmark decision, a federal judge has ruled that the conditions of solitary confinement at the Colorado State Penitentiary constitute a paradigm of inhumane treatment and must change notably, so that inmates locked down in their cells 23 hours a day can have at least three hours a week of natural light, fresh air and outdoor exercise. The Eighth Amendment does not mandate comfortable prisons, but it does forbid inhumane conditions, U.S. District Judge Brooke Jackson wrote in an order issued last Friday.

CSP has an interior courtyard that could be modified to permit outdoor exercise for inmates, Jackson notes. But since it opened in 1993, the state supermax has permitted its high-security inmates only to exercise in an odd-shaped room on each tier equipped with a chin-up bar; small holes allow some fresh air from outside to reach the room. Calling CSP out of step with the rest of the nation even the notorious federal supermax in Florence allows its inmates outdoor recreation in individual cages Jackson declared that prison officials must provide its charges with meaningful exposure to natural light and air.

Jackson's ruling came in the case of Troy Anderson, 42, a mentally ill inmate serving an 83-year sentence stemming from two shootouts with police. He's one of ten inmates who have been at CSP for ten years or more with hardly any exposure to the outdoors (except during transport to court) during that time. His lawsuit, filed with the aid of student lawyers from the University of Denver's Sturm College of Law, challenged several aspects of life at CSP, from mental health treatment to the policies that have kept him from progressing to a less restrictive prison, as unconstitutional.

On other issues, the judge ordered a fresh look at Anderson's medication issues and mental health treatment. He adopted a wait-and-see attitude toward new policies that are supposed to address other inmate concerns about how inmates receive bad behavior reports, known as negative chronos, that can prolong their stay in solitary confinement without a clear appeal process.

At Anderson's [trial](#), other inmates testified about suicidal thoughts brought on by the severe isolation and being deprived of any exposure to the outdoors. I go to bed crying sometimes because I feel I have no hope of being outside of that cell any more, one said.

A copy of the judge's order can be found here: [Troy Anderson v. Colorado DOC](#)

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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Hi my name is james and to enlighten the subject I was incarcerated in not only folsom but a few others and corcoran shu for a crime in prison I did not commit once I got to corcoran stepping off the bus the officers grabbed me and slamed me against the wall really b sard it was the wellcoming party after that there was lots of harrasment like on lunch time they would pass my cell set me up on the yard in that time they were doing the chicken fights and id always get put out on the shu yard with 2 or 3 blacks or northerners always out numberd the c, o, s. Always talked verry bad in

Well written article, I continue to struggle with the facts that humanes who are protected under the laws of The America With Disabilities Act are being treated this way, So many laws in what has been known as The Greatest Nation on Earth . and yet true tradegies like the one above are in fact reality. I believe that the majority of citizen do not know the horror and disgraceful truth about the Justice system, until they are personaly exspierence this and other forms of Injustice.

My own minor son Bryce, who is covered under this same law and whoes disability status is OHI Other Health Impaired, was arrested on 12-31-2009, shortly after turning 15 years old for a murder he is not guilty of nor culpable for. He was alone when waived his miranda rights and yet he is now serving a 30 year sentence. Bryces well documented mendical, mental health, educational and social history was ignored. His established Neurological Disorder with its cognitive and learning disabilities was ignored. on purpose. The lawyer his father hired had our child confess to all states charges at least 6 months after he was arrested, his father paid the lawyer. So many people were convering up what was really going on.

By 05-26-2010, my minor child was found to be a competent adult, Texas is scheduled to transfer my son to a notorious adult prison, G4-G5, I have been trying endlessly to stop this transfer . Bryce will be 18 on 09-09-2012. Before the victim died he named his murderer, it was NOT my son, and a forensic psychologist 55 page report that named the culpable party was never presented. What was once the greatest nation has been underminde by the injustice system, Look at the man above in the article, Troy Anderson and know that for every case like his you hear about, know that this is on an epidemic scale. Bryce, I love you and I miss you and I want you home, MoMs fighting for you. 2010-CR-JUV-003-22a. police report 090979792. 01661857

Kind Regards

4brycesbattle.org

This is wrong, on all levels, on all fronts. Cant think of a single syllable that could possibly defend it. Have never understood why being separated from society, @ the minimum, isnt good enough for those who operate/supervise prisons, such that they HAVE to add insult to injury, so to speak, in disallowing these human beings something so easy to provide as outdoor air & sun! Prison is deprivation by definition, & theres plenty an inmate is deprived of, but what the warden here is doing is just so uncalled for & unnecessary.

Listen, this is the prison within a prison. A majority of these guys did not commit heinous crimes to get there. They were put there after being sent to prison and for one reason or another were administratively segregated. I know personally of men that have been sent to CSP simply because of suspicion of gang activity. The CDOC likes to think they are California or Texas but the stats dont lie. Prison violence is extremely low in the CDOC compared to those other States. Many of these men get put here under a program designed to keep them there indefinitely. They die in there, and many of them get out from there. Keep in mind they are not all lifers and I wouldnt want someone who spent the last 5 years in here getting out and moving next door. There are other ways to deal with problem inmates, or problems in a facility than this.

Congratulations University of Denvers Sturm College of Law!

Westwords Alan Prendergast posted this cautionary note on his article.

Brittany Glidden, one of the attorneys representing Anderson, has issued the following statement in response to Judge Jackson's order:

While we are very happy that Mr. Anderson will now receive regular outdoor exercise, he is one of hundreds of Colorado prisoners who are denied this basic human need. Many prisoners at CSP have not been outside or felt the sun in over a decade. We are hopeful that this decision will be a catalyst for Colorado to end this inhumane practice for all people within its custody.

Hopefully the rest will not need to win their case one inmate at a time.

Awful.

Here's the UK version (from Wikipedia) Charles Bronson (born Michael Gordon Peterson, 6 December 1952) was born in Luton, Bedfordshire, he became a petty criminal before being sentenced to seven years imprisonment in 1974. While in prison he began making a name for himself as a loose cannon, often fighting convicts and prison officers. He also embarked on one man rooftop protests. Regarded as a problem prisoner, he was moved 120 times throughout Her Majesty's Prison Service and spent most of that time in solitary confinement.

If a judge deems otherwise than maybe the judge is the man/woman for the job in healing this individual

He should receive treatment for his illness he doesn't need to be mixed in with other people to receive it..no one in society or prison should be subjected to his disorderly way of thinking only a licensed psychologist.

P.O. Box 11374
Washington, DC 20008

info@solitarywatch.org

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