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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](#) | July 27, 2020

The Appeal published an [article](#) written by Victoria Law about the continued use of solitary confinement across New York State prisons, despite support in both houses of the state legislature for the passage of the Humane Alternatives to Long-Term (HALT) Solitary Confinement Act, which would cap the maximum stay in solitary at fifteen days. Instead of passing the HALT Act last year, Governor Andrew Cuomo and legislative leaders had agreed to implement administrative regulations, which advocates claim are woefully inadequate and have still not been implemented a year later. While fifteen percent of the New York population is Black, 57 percent of those held in solitary in the state are Black. Anisah Sabur, a HALT Solitary organizer and survivor of solitary confinement, said, We should also be standing up for the Black lives that are currently incarcerated.

VT Digger [reported](#) that Kenneth Johnson died at the Northern State Correctional Facility in Newport, Vermont, on December 6, 2019, after pleading for medical attention because he couldn't breathe. The autopsy determined that Johnson died from an undiagnosed throat tumor that obstructed his breathing. But when Johnson said he couldn't breathe and asked to be sent to the hospital, an officer ordered him to knock it off or he would be placed in solitary confinement. Vermont's defender general, Matthew Valerio, said he believes racism played a factor in Johnson's denial of medical care. It's about not listening when they tell you, Look I can't breathe here, there's something really wrong here and they say, Go back to your bed or I'll put you in the hole, Valerio said.

NBC News published an [op-ed](#) written by Melania Brown, the sister of Layleen Polanco, who died last year of an epileptic seizure when she was 27 years old in solitary confinement on Rikers Island in New York City. Brown mentioned her cousin, who died unarmed at the hands of NYPD, as well as several other people who have died because of the trauma, isolation, and negligence of solitary confinement in the city's jails. They kill us out here and in cages behind bars. The prison system uses solitary confinement to break us down and mentally abuse us. It must stop, Brown wrote. This is what the jail and prison system does to Black and brown people. To Brown, the recent disciplining of officers in her sister's case and the mayor's announcement of his intention to eventually end solitary are not enough. New York City and New York State need to end solitary confinement today, she said.

The Intercept [reported](#) that immigrants held at the Stewart Detention Center, an Immigration and Customs Enforcement (ICE) facility in Georgia, have been faced with abuse and solitary confinement upon requests for medical attention. One man experiencing coronavirus symptoms had been requesting medical help for two weeks before he protested by refusing to return to his cell. An officer allegedly told him to return to his cell or go die with the sick ones in the hole. While he received medication, he was still sent to solitary confinement for the protest and was later deported to El Salvador, where he tested positive for COVID-19. Even before the pandemic, wheelchair-bound Hugh Tinarwo from Zimbabwe reported being thrown out of his chair and being forced into solitary confinement after demanding medical attention at the Georgia facility.

The Post and Courier [reported](#) that South Carolina's Protection and Advocacy group for people with disabilities filed a lawsuit against Charleston County for the conditions at the county's juvenile detention center. The lawsuit claims the jail has shown deliberate indifference to the medieval conditions that are causing children serious and irreparable physical, psychological, mental, and emotional injuries. Children between the ages of eleven and sixteen allegedly spend up to 24 hours a day in their cells, are placed in wet cells where they are forced to urinate into a drain for days, are held in restraint chairs for several hours, and face rubber bullets, Tasers, and pepper spray as disciplinary measures. The suit claims these conditions violate the children's 8th and 14th Amendment rights, and calls for a preliminary injunction to stop the use of solitary confinement at the jail.

The Santa Barbara Independent [reported](#) that Santa Barbara County and Sheriff's Office have reached a settlement with the incarcerated people who filed a lawsuit in 2017, claiming that the county's jail discriminated against people with disabilities, inflicted harmful and excessive use of solitary confinement, and failed to provide proper medical and mental health care. The lawsuit claimed the jail at the time held 120 percent of its capacity, and this overcrowding forced incarcerated people including those with disabilities to sleep on the floor. In the settlement, the county agreed to end its use of extreme isolation cells and all solitary confinement by January 2021, as well as increase the out-of-cell time from three hours a week to at least eighteen hours a week. An outside group of experts will oversee the implementation of the settlement.

Crosscut published an [article](#) about the increased use of solitary confinement at the King County Jail in Seattle, Washington, during the COVID-19 pandemic. While the jail has seen a reduction from 1,900 people to 1,300 people to alleviate the spread of the virus, those still held in the jail have been forced to remain in their cells for all but two hours a day on average. Ethan Frenchman, an attorney with Disability Rights Washington, said, The widespread use of solitary confinement trades one serious harm, which is the risk of COVID, for another, which is solitary confinement. The psychological effects are really profound, even for people without preexisting conditions. A recent report from the national Unlock the Box campaign found that across the country, the use of solitary spiked by 500 percent under the coronavirus pandemic.

In a press release, Prisoners Legal Services of New York (PLSNY) and Amini LLC [announced](#) that Imhotep HShaka has been released from solitary confinement to the general prison population after 24 years of isolation in New York State Department of Corrections and Community Supervision (DOCCS). PLSNY and Amini filed a lawsuit years ago against the state's failure to provide HShaka meaningful reviews, due process, and protect him from cruel and unusual punishment, claiming his constitutional rights had been violated by his indefinite placement in solitary. Karen Murtagh of PLSNY said, Mr. HShaka may never heal from the psychological trauma and physical damages he suffered due to his time in solitary confinement, but the torture has finally ended.

Valerie Kiebal 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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