

Solitary Watch

Criminal Justice Issues and Prisoners' Rights

<https://solitarywatch.org/2013/01/30/state-bar-association-calls-on-new-york-to-profoundly-restrict-its-use-of-solitary-confinement/>

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by [Jean Casella and James Ridgeway](#) | January 30, 2013

The New York State Bar Association last week passed [a resolution](#) calling for a dramatic transformation and curtailment of solitary and other forms of isolated confinement in its state prisons and city jails. The strongly worded resolution, written by NYSBA's Civil Rights Committee, cites the damage caused by prolonged solitary confinement and the ability to ensure prison and public safety without resorting to its use. It urges the New York State legislature to hold hearings on solitary confinement, and on Governor Andrew Cuomo, Mayor Michael Bloomberg, and the state and city departments of corrections to undertake sweeping changes in their prison practices.

After laying out the problem, the document presents the following resolution:

RESOLVED, that the New York State Bar Association calls upon the New York State Department of Corrections and Community Supervision (DOCCS) and New York City Department of Correction (DOC) to profoundly restrict the use of long-term solitary confinement, by adopting clear and objective standards to ensure that prisoners are separated from the general prison population only in very limited and very legitimate circumstances and only for the briefest period and under the least restrictive conditions practicable.

FURTHER RESOLVED, that the New York State Bar Association calls upon the Commissioners of DOCCS and DOC to adopt stringent criteria, protocols and safeguards for separating violent or vulnerable prisoners, including clear and objective standards to ensure that prisoners are separated only in limited and legitimate circumstances for the briefest period and under the least restrictive conditions practicable; and auditing the current population in extreme isolation to identify people who should not be in the SHU, transitioning them back to the general prison population, and reducing the number of SHU beds accordingly.

FURTHER RESOLVED, that the New York State Bar Association urges the Governor of New York State, the Mayor of the City of New York and the Commissioners of DOCCS and DOC to take necessary steps to proscribe the imposition of long-term solitary confinement on persons in the custody of DOCCS and DOC beyond 15 days.

FURTHER RESOLVED, that the New York State Bar Association calls upon the State Legislature to hold public hearings to inquire into the harmful effects of long-term solitary confinement and to solicit both professional and academic commentary on the matter and comments from persons who have been placed in long-term solitary confinement, and to otherwise conduct these hearings in a manner that will best inform lawmakers and the public at large regarding the effects of long-term isolation.

An excellent report attached to the resolution takes as its epigraph a statement from a former prisoner at Guantanamo: *Please torture me in the old way. Here they destroy people mentally and physically without leaving marks.*

The report traces the history of solitary confinement both nationally and in New York State; documents the psychological and physical damage caused by isolation and its widespread abandonment by the international community; and notes that solitary is counterproductive to the goals of prisoner protection, discipline, rehabilitation, and reintegration. It concludes:

Policy makers looking for guidance should first remember that conditions of confinement that deprive prisoners of the minimal civilized measure of life's necessities offend not just the conscience, but the U.S. Constitution. It should be kept in mind that these conditions can easily, perhaps even reliably, lead to legal exposure for prison administrators and state officials who choose to employ it without strict guidelines and significant restrictions on the length of time that inmates can be placed in solitary confinement. In every relevant way, long-term solitary confinement is counter-productive to the legitimate penological interests of both state officials and prison administrators and to the public safety interests of the public at large.

In light of the foregoing, solitary confinement, if used at all, should be measured in days, not years, months, or even weeks, ensuring that all prisoners, regardless of their conditions of confinement, have some minimal measure of interactive activity so that their psyche does not begin to deteriorate. Preventing psychological harm to inmates encourages institutional safety, security and discipline by preventing the development of serious mental illnesses which exacerbate the problems that supermax and SHU-style detention are intended to

solve. Abandoning long term solitary confinement alleviates these problems while ensuring that the health and dignity of prison inmates remains intact.

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.

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 [Juan Moreno Haines](#)

October 25, 2022

by [Solitary Watch Guest Author](#)

October 13, 2022

by [Vaidya Gullapalli](#)

September 29, 2022

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These nut jobs were perfectly normal until they were sent to a super max prison.

I won't believe anything until I see the last of solitary confinement units burnt to the ground. Moving inmates around in prisons does not mean the end of solitary confinement. These inmates lose their minds in just a few months, then get classified as insane, then it becomes the DOC excuse to keep them in there. I'm convinced there are more mentally ill people in prison than in the free world. Solitary was created, practiced and now there is a huge problem with what to do with the mentally ill so in my opinion we will never see the end of solitary confinement! Very sad because humans created this problem/torture for other human beings.

So many hearings and it was established years ago Solitary confinement is harmful to man and animal. More hearings is just great the findings will be the same harmful so then what? I have been waiting for the what for years. My husband has been waiting nearly 3 decades as the men around him pull out their eyes castrate themselves, take their lives and scream on and on Isolation has been proved over and over to be harmful so I'm at a loss to see progress other than Tamms was closed.

I see this as progress and I only hope that other states will take notice.

As in the past, I would like to share my thoughts with you. On 1/24/13 I testified at a City Council Hearing dealing with storm Sandy. I questioned the lack of a transparent plan of evacuation for correction officers and incarcerated people. One bridge connects Rikers Island with Queens. Where do 13,500 people go in the event of mass flooding? Are there 13,500 life jackets to survive rough waters? The entire video can be found on the internet. Hit up NYC COUNCIL CALANDER and go to 1/24/13 Committee on Health and hit video. At the 5:11:28 mark and ending at 5:17:28 mark is my brilliant testimony. Share your thoughts with me.

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