

Equal Justice Initiative

Criminal Justice Issues and Prisoners' Rights

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Photo by Richard Ross

Corrections departments from California to New York are reforming the use of solitary confinement amid growing criticism that isolation is cruel, expensive, and a risk to public safety.

As many as 80,000 state and federal prisoners across 44 states are in solitary confinement in the United States the only advanced nation that uses prolonged isolation as a routine tool of prison management. Solitary confinement costs two or three times regular imprisonment and studies suggest its use may increase violence and recidivism.

Specific conditions in solitary vary across prisons, but generally prisoners in solitary spend 22 or more hours a day locked in small, sometimes windowless, cells sealed with solid steel doors. They are denied meaningful social interaction with other prisoners and contact with staff is restricted to the delivery of meals through a slot in the cell door and being handcuffed and shackled every time they leave their cells. Phone calls and visits with family and loved ones are severely restricted or prohibited. A few times a week, prisoners are let out for showers and solitary exercise in a small, enclosed space, sometimes indoors. They often have extremely limited or no access to educational and recreational activities or other sources of mental stimulation, and in some prisons, they are denied access to anything other than the basic necessities of survival. In Pennsylvania's supermax, for example, prisoners are not permitted to have photographs of family members or newspapers and magazines.

People held in solitary suffer from headaches, an oversensitivity to stimuli, digestion problems, loss of appetite, self-mutilation, chronic dizziness, loss of the ability to concentrate, hallucinations, illusions or paranoid ideas. One study found that about a third developed acute psychosis with hallucinations. As many as half of the suicides in prison take place in solitary, even though isolated prisoners are only about 5 percent of the prison population. New York City jail inmates placed in solitary confinement were nearly seven times as likely to harm themselves as those in the general jail population. These problems are most severe among juveniles and the severely mentally ill.

Prisoners may spend weeks, months, even decades in solitary confinement. Last summer, four alleged leaders of rival prison gangs worked together to organize a hunger strike at California's Pelican Bay State Prison to protest long-term, indefinite incarceration in solitary confinement. All of them were in solitary; one had been there for more than 20 years. The strike began with 30,000 inmates refusing meals and drew national and international attention to the problem of solitary confinement.

In the months since the strike ended, several states have enacted reforms. Corrections officials in New York last month agreed to new guidelines for the maximum length of time prisoners may be placed in solitary and made the state's prison system the largest one yet to end the most extreme form of isolation for juveniles.

Colorado's prison chief Rick Raemisch, whose predecessor was shot to death by a former inmate released directly from solitary confinement after spending years in isolation, has reduced the number of inmates in solitary to 577 from a high of 1500 and vowed that Colorado will no longer place severely mentally ill people in solitary.

California's governor has proposed new rules that forbid assigning prisoners to solitary units simply because they associate with gangs. It was far too easy to get in and too hard to get out, Undersecretary for Corrections and Rehabilitation Martin Hoshino said at a hearing last month. Relying on the units to control prison gangs was an overreaction that then morphed into a regular practice that now needs to be re-designed. The state is reviewing the cases of nearly 4000 people in solitary and has moved 400 out of isolation.

Some prison officials have argued that isolation is necessary to decrease prison violence, but Maine and Mississippi dramatically reduced the use of solitary confinement without a rise in violence. Maine's supermax prison, which houses inmates in solitary confinement, was plagued by inmates cutting up, by suicides and suicide attempts, hunger strikes, inmate assaults on guards, guard assaults on inmates and unexplained inmate deaths. In 2011, Maine's corrections commissioner reduced the number of prisoners in the supermax by almost 60 percent, from 132 cells to 54 in a matter of weeks. One immediate result was that the unit became calmer, and no great disruption has occurred from putting inmates back into the prison general population. A lawsuit had earlier forced Mississippi to reduce its supermax

population at Parchman prison by 90 percent, also without upheaval.

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