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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](#) | October 5, 2020

The [Georgetown Law Institute for Constitutional Advocacy and Protection](#), along with 68 current and former prosecutors and U.S. Department of Justice officials, filed a [brief](#) to the U.S. Court of Appeals for the Fifth Circuit calling for Dennis Hope to be released from solitary confinement in Texas. Hope has spent the last 26 years in solitary, after he escaped from prison in 1994, but Hope says his file has not classified him as an escape risk since 2005. Yet, he remains in solitary confinement, which Hope says has caused him serious physical and psychological damage. The brief argued that solitary confinement undermines any rehabilitative goals, and declared, It is time that the courts address the grave concerns raised by the continued use of prolonged solitary confinement in jails and prisons across the country.

Shadowproof [reported](#) that a British magistrate court held an extradition trial for WikiLeaks founder Julian Assange, and U.S. prosecutors claimed Assange would still be able to communicate with other incarcerated people held in administrative segregation, or solitary confinement, at the Alexandria Detention Center in Virginia. Inmates in administrative segregation are able to speak to one another through the doors and windows of their cells, claimed an assistant U.S. attorney for Virginia. But Joel Sickler of the Justice Advocacy Group called it preposterous to think that someone could have a conversation in the Secure Housing Unit (SHU). There's a lot of noise and a lot of screaming. It renders people angry and confused, and there's a lot of yelling. The judge has not yet made a ruling on whether Assange will be extradited to the U.S. or not.

The *New York Review of Books* published a [piece](#) about the negligent response to the coronavirus in women's prisons around the country. When Krystal Clark informed a correctional officer at New York's Huron Valley Correctional Facility in May that her cellmate had lost her sense of taste and smell, the officer told her not to bother him with that bullshit. At a Florida prison, Demetria Mason said when another woman was vomiting blood, the staff just told her it's part of the virus. In addition to facing the virus, women also faced increased psychological harm when prisons locked down during the pandemic. Nearly 88 percent of incarcerated women in the U.S. faced abuse before landing in prison, according to the Prison Policy Initiative. And this prior trauma can heighten the damaging effects of isolation. Incarcerated journalist Elizabeth Hawes said an 87-year-old woman didn't break any rules but was still sent to solitary at Shakopee Prison in Minnesota, allegedly for her own protection, but she wasn't able to bring any belongings. Hawes expressed concern for her and said, There's no TV there. It's cold up there.

Side Effects covered the [story](#) of one correctional officer Amanda Kohlhepp, who was transferred from working at a men's prison in Indiana to the Indiana Women's Prison. Kohlhepp described the conditions at the prison when she arrived in April as a lockdown, confining women to their cells, where most of them do not have running water or toilets. Women were forced to urinate in cups and throw it out the window. Kohlhepp said that women were more frequently punished for minor infractions than men. The women get treated worse than men. It was an everyday struggle with my morals, she said. Kohlhepp recalled one time when a woman accidentally flailed and kicked her, and even though Kohlhepp was not injured, the woman was sent to solitary confinement for nine months. Ultimately, Kohlhepp was fired for giving an ice pop to an incarcerated woman, which the department considered trafficking an article.

The Vera Institute of Justice published an [post](#) on its website calling for an end to the use of solitary confinement for women. Vera found that women are much less likely to be isolated for serious violent actions, but rather, most are sent to solitary for minor nonviolent infractions, such as disobeying orders or insubordination. Incarcerated women have been found to have extremely high rates of trauma, which is often the reason behind their disruptive behavior. This prior trauma also increases the likelihood of women struggling with mental health conditions, which are in turn exacerbated by isolation. The author advocates for jails and prisons to adopt gender-responsive and trauma-informed approaches and to train staff to recognize and understand the roots of many behaviors defined as defiant, in order to create a safer environment for both staff and incarcerated women.

Yahoo! Finance published an [article](#) featuring Johnny Perez, a solitary survivor and the director of U.S. prison programs for the National Religious Campaign Against Torture (NRCAT). Describing a solitary cell, Perez said, If you close your eyes for a second and you reach out both hands imagine that both of your hands can touch both walls of the room. That's how small it is. The cell is a little bit longer than your bed, except that I'm six feet tall. So when I stretch my legs out, I can touch the edge of the bed. Perez said people in solitary are often forced to go over fourteen hours without eating. Personally, Perez lost 20 pounds after spending ten months in solitary. According

to NRCAT, people in solitary in New York are five times more likely to commit suicide than the rest of the prison population, and one-third of all prison suicides in 2019 occurred in solitary.

The *Herald Dispatch* [reported](#) that 42-year-old Charles Jason Lively was just found innocent of a crime for which he served fourteen years at West Virginias Mount Olive prison, mostly in solitary confinement. In 2006, Lively was found guilty of setting fire to a 70-year-old mans house that killed him. But new evidence surfaced that the fire was caused by an electrical shortage and the judge ruled, Had the jury in the defendants trial been presented with this substantial evidence and competent scientific evidence, it likely would not have, indeed, could not have concluded that arson was the cause of the fire. After being released, Lively said, I lost 14 years of my life due to an unfortunate accident. Now Im ready to see what the world has to offer.

VICE [covered](#) the coronavirus outbreak at San Quentin State Prison and the affect it has had on the men held on the death row unit. While California Governor Gavin Newsom halted all executions in 2019, the transfer of sick prisoners from Chino turned the whole prison into a death chamber, leaving 2,237 incarcerated people infected and 26 dead. One incarcerated man Ronnie Dement said that people suspected to have the virus were sent to the Adjustment Center, a solitary confinement unit used to punish people. If you werent going to the hospital, Dement said, you were going to the hole. People didnt want to say nothing. They were getting ill and fighting the virus in their cells without even saying anything because the administration was locking them up. While families of infected loved ones at San Quentin claim the outbreak was preventable, no one in the administration has been held accountable.

Valerie Kiebala 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 [Caitlin Konya](#)

October 19, 2022

by [Mirilla Zhu](#)

October 12, 2022

by [Caitlin Konya](#)

October 5, 2022

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P.O. Box 11374
Washington, DC 20008

info@solitarywatch.org

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