

Vera Institute of Justice

Criminal Justice Issues and Prisoners' Rights

<https://www.vera.org/blog/addressing-the-overuse-of-segregation-in-u-s-prisons-and-jails/federal-reforms-to-solitary-confinement-build-on-progress-in-states-and-provide-opportunities-for-continued-reforms>

Public Facing Advocacy Writing

Over the past few years, there has been a groundswell of support for reforming the use of solitary confinement also known as segregation or restrictive housing in prisons and jails. Last week, the U.S. Department of Justice pushed the movement for reform forward with the release of a report that lays out a set of guiding principles supporting a limited use of restrictive housing, with specific recommendations for the Federal Bureau of Prisons on how to achieve this goal. President Obama said he will adopt the recommendations in a *Washington Post* [op-ed](#) making a case for why state and local jurisdictions should also rethink their use of solitary confinement.

Many of the principles and recommendations in the report represent a dramatic departure from the way corrections agencies currently use restrictive housing. Juvenile offenders are now categorically prohibited from being placed in restrictive housing. Inmates with serious mental illness are to be diverted to mental health treatment programs. Restrictive housing as a form of punishment is strictly limited, with an outright ban on disciplinary segregation as punishment for low-level infractions. Vera's experience in the field has [shown](#) that these low level infractions such as talking back, being out of place, or failing to obey an order frequently result in the use of disciplinary segregation. The recommendations also dramatically decrease the length of time for disciplinary sanctions from a current limit of 545 days to a cap of 90 days.

As the president's announcement makes clear, the desire for reform is here to stay; however, the path forward for state and local corrections officials who want to change practices is not always clear. These officials can benefit from a learning community of subject matter experts that can include corrections officials, academic and nonprofit advisors, advocates, and those impacted by the use of restrictive housing who have already begun the process of thinking about and implementing reforms.

There are examples of state and local jurisdictions around the country that have made great strides in reforming this practice, and others that already use restrictive housing in a limited way. These jurisdictions can provide especially valuable knowledge, guidance, and support. The Department of Justice report highlights some of these jurisdictions, including two states that Vera has partnered with to advise on reforms: Washington and New Mexico. Vera is now working in six additional state and local jurisdictions primarily through the Safe Alternatives to Segregation Initiative, a key component of which is an advisory council that includes correctional leaders who have implemented successful reforms. Additionally, the online [Safe Alternatives to Segregation Resource Center](#) helps promote a learning community beyond the jurisdictions participating in the initiative by serving as a clearinghouse for research, policy briefs, webinars, blog posts, and information on promising reforms already being implemented.

To further this learning community, the federal government should establish a national segregation reduction resource and technical assistance center. This center, among other things, could establish learning sites in jurisdictions that have already implemented reforms and connect practitioners with these sites.

The movement to safely reduce the use of restrictive housing has been gaining momentum for years, and the federal actions announced last week represent significant progress toward that goal. Correctional leaders across the country can benefit from those who have already taken the first step in reform to safely reduce their use of restrictive housing.

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