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Criminal Justice Issues and Prisoners' Rights

<https://solitarywatch.org/2015/07/14/obama-in-criminal-justice-speech-denounces-the-overuse-of-solitary-confinement-in-u-s-prisons/>

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by [Jean Casella and Garrett Zehr](#) | July 14, 2015

President Barack Obama said in a speech today that he has asked Attorney General Loretta Lynch to start a review of the overuse of solitary confinement across American prisons. He went on to challenge the practice as counterproductive as well as inhumane.

In a [speech on criminal justice](#) delivered at the annual convention of the NAACP in Philadelphia this afternoon, Obama said of solitary confinement:

Social science shows that an environment like that is often more likely to make inmates more alienated, more hostile, potentially more violent.

Do we really think it makes sense to lock so many people alone in tiny cells for 23 hours a day for months, sometime for years at a time?

That is not going to make us safer. Its not going to make us stronger.

If those individuals are ultimately released, how are they ever going to adapt? Its not smart.

Earlier in the speech, Obama spoke of the need for reform in the cellblock as well as the community and the courts.

While the people in prison have made mistakes, and sometimes big mistakes, they are still Americans, he said. We should not tolerate conditions in prison that have no place in any civilized country.

After mentioning overcrowding, gang activity, and rape as unacceptable in prison, Obama made his remarks about solitary confinement.

Today is the first time the issue has ever been directly addressed by the President. His statement goes beyond any other criticism of solitary that has emerged from his administration over the past six and a half years.

New Attorney General Loretta Lynch, during her confirmation hearings, [was asked](#) by Minority Whip Dick Durbin asked her about psychologically damaging treatment of incarcerated individuals in solitary. Lynch responded by stating her willingness to have further discussions about both the constitutionality and overall use of solitary.

As U.S. Attorney for Eastern District of New York, Lynch was part of the U.S. delegation to the Convention on the Elimination of Racial Discrimination and [made note](#) of the reduction of the use of solitary confinement when listing evidence of the Department of Justice efforts to eliminate racial discrimination and uphold human rights.

Lynch was apparently referencing a small reduction in the numbers of individuals held in certain forms of solitary confinement by the federal Bureau of Prisons, as noted in an audit earlier this year.

Former Attorney General Eric Holder twice criticized the solitary confinement of youth once in a [2014 video message](#), and once in [reference to a DOJ investigation](#) of conditions for adolescents on New York's Rikers Island.

Obamas promise to take action to limit solitary confinement, as well as his attack on mass incarceration, represent a shift in policy. The President has been a strong supporter of opening a [second federal supermax](#) prison in Thomson, Illinois, which will significantly increase the BOP's capacity to house individuals in solitary confinement.

During the Obama Administration, the [federal prison population](#) rose from 201,688 in 2008 to a peak of 219,298 in 2013, then dropped to 208,102 as of this month. The [Bureau of Prisons budget](#) rose from \$6.1 billion in 2009 to \$6.9 billion in 2015.

Obama plans to become the first sitting president to visit a federal prison when he travels to El Reno Federal Correctional Institution in Oklahoma on Thursday. It remains to be seen whether he will tour the prisons solitary confinement unit, as the National Religious

Campaign Against Torture [has urged him](#) to do.

Given the political will, the President has the power to set limits on the use of solitary confinement in federal prisons, where according to the BOPs own [audit](#), more than 10,000 people are in some form of extreme isolation.

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. Garrett Zehr is a Toronto-based legal aid lawyer practicing criminal defense and international human rights law, and a proud union member.

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September 29, 2022

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Change is happening. Lenny has never worried about solitary because he has never received a single infraction for anything one more reason he should be given a second chance. Learn more, <http://www.justice4lenny.org>.

Very well that he has made a comment. What about an announcement of an unfettered and unobstructed inspection of all prisons and Guantanamo by the International Human Rights Commission? I would like very much for this announcement and reality. I feel certain it is very necessary to give full access to the International Human Rights Committee so that they can document their findings and can speak openly with any incarcerated individual and interview them and ask some very poignant questions such as legal representation, fresh air, cleanliness, treatment by guards or medical staff. Complaints and or mistreatment. No more hiding what is going on inside the prisons. Human beings are being housed inside those institutions and it is necessary to treat the people incarcerated with human care of dignity and respectfulness of professionals and not tearing people apart and treating them worse than animals kept in cages in a zoo or laboratory. Most sentencing is severe and beyond reasonable, but comes closer to cruel and unusual, a violation. Everything should be done to help restore those persons kept there to their humanity so that there is every reasonable expectation for everyone who is possible and willing to be returned to their lives, working and living in their communities. Those prisons are not managed correctly if they are using them to abuse, or break people and throw them away. The profit of locking people up is criminal and if the government politicians want a prison so bad, I am sure many rooms could be put on reserve for them. I would not worry if the real criminals got locked up for a change.

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