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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](#) | March 2, 2020

The *Montgomery Advertiser* [reported](#) that the families of four men who committed suicide in Alabama prisons in the past two years have filed a wrongful death lawsuit, claiming they faced cruel and unusual punishment. The Southern Poverty Law Center says that the Alabama Department of Corrections (ADOC) violates their own policies, including routine security checks for people in solitary, where most of the recent suicides have taken place. One of the men whose cases are the subject of the suit, Paul Ford, had a history of suicide attempts in prison, first setting his solitary cell on fire, then hanging himself. After two days in suicide watch, Ford was allegedly sent back to his previous cell with the noose still hanging in it. Ford ultimately died by suicide in solitary, after being transferred to a facility that was not informed of his psychiatric history. The lawsuit claims that Alabama fails to adhere to the national standard of 20 hours out-of-cell time a week for people with serious mental illness, since ADOC only allows them five hours out.

Another story by the *Montgomery Advertiser* [reported](#) a pattern of retaliation against two incarcerated men, Robert Earl Council and Kenneth Traywick, for speaking to the press about conditions in Alabama prisons. The Unheard Voices advocacy organization says that Council was placed in solitary confinement after exposing to the *Advertiser* an inhumane practice called the [bucket detail](#) and helping other incarcerated men file complaints and a lawsuit. Prison officials say Council had drugs in his cell, though Unheard Voices said he has no history of drugs throughout the decades of his incarceration. Council remains in solitary, only allowed one 15-minute phone call a month. Traywick wrote, ADOC has numerous ways that they retaliate against those who may disrupt their corruption or speak against them in any way. These tactics range from physical assaults, bogus disciplinary actions, transfers to other facilities, placing in segregation and held for long durations. One pays a steep price to exercise what is alleged a right.

FOX43 [reported](#) that Eric McGill has filed a lawsuit against the Lebanon County Correctional Facility in Pennsylvania for holding him in solitary confinement for over a year because he refused to cut his dreadlocks. McGill, a Rastafarian, believes that his hair has spiritual significance. He believes that it connects him with his ancestors, he believes that it gives strength and purity that he needs for the afterlife, said his lawyer Matthew Feldman. The lawsuit claims the jails policy prohibiting dreadlocks but allowing long hair in ponytails, violates the First Amendment and Fourteenth Amendment. McGill is only allowed out of his cell for one hour between midnight and 2 a.m., and Feldman says his mental health is deteriorating. The lawsuit calls for officials to immediately remove McGill from solitary and provide him monetary damages.

The *CT Mirror* [reported](#) that Nils Melzer, the UN Special Rapporteur on Torture, released a statement last week condemning the use of solitary confinement across the United States, and specifically in Connecticut. There seems to be a state-sanctioned policy aimed at purposefully inflicting severe pain or suffering, physical or mental, which may well amount to torture, Melzer wrote. The severe and often irreparable psychological and physical consequences of solitary confinement and social exclusion are well documented. The statement came in response to a letter from a human rights clinic at Yale Law School claiming that Connecticut's supermax Northern Correctional Institution engages in torture through its use of solitary confinement. [According](#) to the *Journal Inquirer*, Senator Gary Winfield has announced that he is currently drafting a bill to restrict the use of solitary confinement across the state.

NPR [reported](#) that the federal U.S. Commission on Civil Rights released the report [Women in Prison: Seeking Justice Behind Bars](#), following an investigation of the treatment and punishment of women in prisons and jails across the country. The report found that Black women face some of the harshest punishments. While Black women make up 23 percent of the women prison population, they make up 40 percent of the women in solitary confinement. The report, citing a 2018 NPR investigation that found incarcerated women to face harsher disciplinary punishments for minor rule violations than their male counterparts, made recommendations, including restricting the use of solitary confinement, training staff to address trauma, prohibiting the shackling and isolation of pregnant women, providing better medical and mental health care specific to women, and facilitating more family communication.

[According](#) to *Truthout*, queer and transgender immigrants detained in Immigration and Customs Enforcement (ICE) facilities face a 97 times greater likelihood of sexual assault than other detained immigrants, partially due to their increased placement in solitary confinement. Francisco Morales Torres, a young detained man from Mexico who is gay and struggles with mental illness, recalled being sent to solitary confinement at the Dodge County Detention Facility in Wisconsin for asking about commissary prices, defending an elderly man with a physical disability from harassment, and arguing with an officer over his confiscated books. A policy director at the

Center for American Progress, Sharita Gruberg, said, There is never a situation where solitary should be used in civil detentionSolitary is torture.

Maryland Matters [reported](#) that Delegate Jazz Lewis introduced two bills in the House that would restrict the use of solitary confinement in Maryland state prisons. House Bill 740 would require at least 180 days between time in solitary confinement and release to the public. Lewis cited that in 2018, 287 people were released directly from solitary to the streets of Maryland. House Bill 742 would restrict the placement of people with serious mental illness in solitary, allowing a maximum of fifteen days in isolation for exceptional cases. Lewis said that 75 percent of incarcerated people in Maryland had beenheld in solitary in at some point during 2018, and 230 of those people had serious mental illness. Senator Jeff Waldstreicher has sponsored the corresponding bills in the Senate. Maryland Department of Public Safety Secretary Robert Green said the legislation conflicts with the some of the standards set out by the American Correctional Association. But Rabbi Chuck Feinberg of the advocacy group Interfaith Action on Human Rights said the continued use of solitarysuggest that the state is more interested in torturing people than restoring their psychological and physical health.

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 [Mirilla Zhu](#)

October 26, 2022

by [Caitlin Konya](#)

October 19, 2022

by [Mirilla Zhu](#)

October 12, 2022

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