

# Solitary Watch

## Criminal Justice Issues and Prisoners' Rights

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Our Weekly Roundup of News and Views on Solitary Confinement

by [Valerie Kiebala](#) | May 27, 2019

[NBC News](#), [The Intercept](#) and the [International Consortium of Investigative Journalists](#) (ICIJ) jointly published the findings of a major investigation into the use of solitary confinement in Immigration and Customs Enforcement (ICE) facilities, based on their review of over 8,400 agency reports. The investigation found that immigrants face isolation as punishment for minor violations and for engaging in hunger strikes. A third of the people held in solitary had a known psychiatric disability and many had been victims of abuse, had attempted suicide, or identified as LGBTQ. A whistleblower working in the U.S. Department of Homeland Security, Ellen Gallagher, said, People were being brutalized. The investigation uncovered descriptions of immigrants mutilating their genitals, gouging their eyes, cutting their wrists, and smearing their cells with feces. Gallagher [said](#) that ICEs use of isolation violated their own policies, but when she submitted a request to the Office of Special Counsel (OSC) for further investigation into the violations, the OSC said, The case will remain closed.

A group of women at Perryville Prison in Arizona sent a powerful [letter](#) for publication on the website of filmmaker PJ Starr, director of a documentary called [No Human Involved](#) about the death of an incarcerated woman named Marcia Powell. Powell, who had psychiatric disabilities and was serving a short sentence for prostitution, in May 2009, after guards at Perryville locked her alone in an unshaded outdoor cage in the blazing midday sun for more than four hours as temperatures reached 107 degrees. As officers sat in a control room less than 20 feet away, ignoring her pleas to be given water and taken back inside, [Powell slowly baked to death](#). The Maricopa County medical examiner ruled the death an accident rather than negligent homicide, and the county attorney [declined to prosecute](#) Arizona DOC staff. In the letter, the women pay homage to Powell, and point out that they still face the same life-threatening conditions that led to her death ten years ago. The dangers we face as prisoners of the Arizona Department of Corrections, whether they be from fire due to doors that can be only unlocked with a key or from cancer left to spread unchecked, all stem from the root cause: the failure on the part of the prison staff to recognize that those of us living in prisons are human beings, they wrote. A prison sentence should not be a death sentence.

The ACLU of Southern California has released a new report called [Toxic Treatment: The Abuse of Tear Gas Weapons in California Juvenile Detention](#). The report finds widespread use of pepper spray, or O.C., on children as young as twelve. California has severely restricted the use of solitary confinement in juvenile detention, but pepper spray is still sometimes used in conjunction with short-term room confinement. The report also notes that both solitary and pepper spray are unacceptable and ineffective responses to difficult situations involving youth. The incidents the report describes serve to underscore the types of struggles for power and the retributive, punitive impulse reflected in reliance on solitary confinement and pepper spray in juvenile facilities and the reasons for which best practices for detaining and caring for youth required both to be banned. The report's author, Ian Kysel, also wrote the groundbreaking first comprehensive report on the solitary confinement of children in adult prisons, [Growing Up Locked Down: Youth in Solitary Confinement in Jails and Prisons Across the United States](#), released by the ACLU and Human Rights Watch in 2011.

*The Appeal* published an [article](#) discussing the New York State Department of Corrections and Community Supervision (DOCCS) shock incarceration programs and the allegations of abuse that occurs at the military-style disciplinary facilities. The programs often allow people to reduce their prison sentence, but one man who went through two different programs said, Sure it gets you out early but it damages you more than the state prison does. People who have been through the programs reported facing brutal abuse and humiliation, including derogatory name-calling, physical beatings, rape, and instances of solitary confinement for reporting sexual abuse or as punishment for resisting physical abuse. While two of the New York facilities have been closed, three remain holding about 1,200 people. DOCCS is currently considering changes at one of the three facilities, but overall, but not changes to its shock incarceration program overall.

WHYY [reported](#) that the New Jersey State Assembly passed the Isolated Confinement Restriction Act last week, which would ban the use of solitary longer than fifteen days. The bill, which was first passed by the legislature but vetoed by former Gov. Chris Christie in 2016, now awaits the signature of Gov. Phil Murphy. Christie denied the existence of solitary confinement in New Jersey prisons, but attorney Tess Borden with the ACLU said, The lifelong effects do not lessen if you call it by a different name. Isolated confinement is used in New Jersey. It is used in ways that are antithetical to sound and safe correctional policy. We must eliminate the cruel and arbitrary

use of isolation. The ASCA/Liman Center report released in 2018 found that New Jersey holds 5.2 percent of its incarcerated population in solitary confinement, a percentage higher than the national average.

[According](#) to the *Cincinnati Inquirer*, 43-year-old Michelle Kindoll was placed in solitary confinement for days at the Grant County Detention Center in Kentucky, after she suffered several strokes. Kindoll informed medical staff of her symptoms of slurred speech, obstructed vision, a curled arm, and an impaired leg, but she was barred from receiving treatment. One jail official concluded Kindoll was merely being disruptive. Kindoll was then placed in isolation for reasons of preventing injuries to herself or other detained people. Even after a nurse diagnosed the stroke symptoms, she was returned to solitary and not hospitalized until 48 hours after her first stroke. Kindoll is now disabled, and a trial date has been set for her lawsuit against the county for denial of what the judge described as her constitutional right to adequate medical care.

The *Florida Phoenix* [reported](#) that Dignity Florida, a coalition of formerly incarcerated people and advocates, sent a letter to Broward County and the Florida Department of Corrections calling for changes to the treatment of women in the local jail. The demands come after 34-year-old Tammy Jackson gave birth in solitary confinement at the Broward County jail. Valencia Gunder of Dignity Florida said, Women and girls in general are not treated with dignity and humanity in the prison system, and Tammy Jackson's case tells us just how much worse it can be for black and brown incarcerated women. No pregnant woman should ever be placed in solitary confinement and left to her own during childbirth. That is unacceptable. The letter called for an investigation into the incident, the termination of officers involved, and an end to keeping pregnant women confined in jail, among other demands.

The *Atlanta Journal-Constitution* [reported](#) that the family of Jeancarlo Alfonso Jimenez Joseph, who died by suicide in the custody of the Immigration and Customs Enforcement (ICE) Stewart Detention Center in Georgia in 2017, filed a lawsuit against twelve ICE officials for medical negligence. Jimenez Joseph, 27 years old when he died, faced documented psychiatric disabilities and was punished with solitary confinement for a suicide attempt instead of receiving mental health treatment, according to the lawsuit. Defendants' torture and cruel, inhuman, and degrading treatment of Jean as punishment for his mental illness caused him severe physical and mental pain and suffering, the lawsuit says, and ultimately, caused his death. The lawsuit seeks unspecified damages.

The *Washington Post* published a [commentary](#) by Radley Balko examining what he calls New York's crushing parole system through the story of Buffalo resident Jerome Wright, a 58-year-old deacon, husband, father, and criminal justice activist who served 30 years in prison for a crime he committed when he was 18. Wright is currently an organizer for the [#HALTsolitary campaign](#), which is seeking to pass legislation to sharply limit solitary confinement in New York. But when Wright was assigned a new parole officer, the officer imposed a curfew and travel restrictions, making it difficult for Wright to continue his work. Ultimately, the officer allegedly coerced Wright to confess to cocaine use and, despite the lack of evidence, Wright ended up back in jail, where he has now remained for six months, despite being the primary caretaker for a wife and son who both have disabilities. Balko asserts that Wright's story exemplifies the unchecked power afforded to parole officers, and the lack of 6th Amendment rights for parolees to challenge the charges against them.

The ACLU published a [video](#) featuring Albert Woodfox, who was released from prison in 2016 after spending over four decades in solitary confinement in the Louisiana state prison system for a crime he did not commit. Woodfox and two other Black Panthers incarcerated in Louisiana became known as the Angola 3, and Woodfox, the last to be released, endured the longest known time in isolation of any person in the country. Woodfox recently published a widely praised [memoir](#), and has become a prominent voice in the campaign to end solitary confinement in the U.S. prison system. He speaks in the video about how he survived the torture of solitary and struggled to maintain his sanity. He says he came to understand that solitary confinement has no purpose other than to break the human spirit and that he was just an individual who had been exploited by the political system in which I live.

Valerie Kiebal 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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