

Solitary Watch

Criminal Justice Issues and Prisoners' Rights

<https://solitarywatch.org/2012/04/11/european-human-rights-court-rules-terror-suspects-can-be-extradited-to-a-lifetime-of-u-s-supermax-confinement/>

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by [Jean Casella and James Ridgeway](#) | April 11, 2012

The European Court of Human Rights ruled yesterday that Britain can extradite five men to the United States to face terrorism charges. In the likely event that they are convicted, they face life sentences in solitary confinement in the notorious ADX Florence, the Alcatraz of the Rockies.

The [AP](#) is calling the high-profile case a European referendum on whether conditions at Colorado's Supermax federal prison amounted to torture. In agreeing to extradite the suspects, the court is saying that life in solitary at ADX would not violate Article 3 of the European Convention on Human Rights, which states: No one shall be subjected to torture or to inhuman or degrading treatment or punishment.

We will be writing more on this case in the coming days. In the meantime, readers are encouraged to consider two documents, and judge for themselves.

The first document consists of the [evidence presented](#) on behalf of the prisoners in question, as summarized by the court, which reads like a rundown of arguments against long-term solitary confinement in general, and ADX in particular.

The second is Susan Greenes's searing report on solitary confinement, [The Gray Box](#), which focuses largely on ADX and includes the most powerful evidence of all the testimony of the men who live there.

James Ridgeway (1936-2021) was the founder and co-director of Solitary Watch. An investigative journalist for over 60 years, he served as Washington Correspondent for the Village Voice and Mother Jones, reporting domestically on subjects ranging from electoral politics to corporate malfeasance to the rise of the racist far-right, and abroad from Central America, Northern Ireland, Eastern Europe, Haiti, and the former Yugoslavia. Earlier, he wrote for The New Republic and Ramparts, and his work appeared in dozens of other publications. He was the co-director of two films and author of 20 books, including a forthcoming posthumous edition of his groundbreaking 1991 work on the far right, *Blood in the Face*. 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.

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 [Juan Moreno Haines](#)

October 25, 2022

by [Solitary Watch Guest Author](#)

October 13, 2022

by [Vaidya Gullapalli](#)

September 29, 2022

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cooperation.

Reblogged this on [My Blog InCaseofInnocence](#).

@Joshlyn: Being Romanian you'll want to read this article on how parts of Europe see the Roma. Of course this is only a small population from Romania.

<http://www.bbc.co.uk/news/world-europe-17687435>

ok sens i was born in romania that then makes me european let me say this i can only say sorry for my nashions dumm assnes this court of thares must be vary proud of makeing us look like dummasses it cant be a sane court it must be out of its mind insane why thet would say this is ok i do not know but ples do not see all of us that were from that nashion as finding this ok that is not ok my me no one should be forsed to live in a supermax like adx it is shameing that those from were i came would find it ok then agan they are all part of the internashinal tribunal as well all i can say is thank god i live in the usa today it may be inperfect and may have things that need fixing but at least i am free to fight and say no to solitary may thare be light in the darknes of justice

The moral and cultural dilemma found in Italy is laid out in these lines. Are we much different? Have you ever watched The Wire series?

Neapolitans call it the system with resignation and pride. The Camorra offers them work, lends them money, protects them from the government, and even suppresses street crime. The problem is that periodically the Camorra also tries to tear itself apart, and when that happens, ordinary Neapolitans need to duck.

An anti-Mafia judge told me that some of the police even those who have not been corrupted would rather not see the government prevail, because they fear the even greater disorder that would result. Another judge pointed out to me that the government needs the Camorra for social control. He said, For a political leader, it's easier to speak to a Camorra boss than to 100,000 people to get a message across. More than that, he said: the Camorra sets standards, enforces laws, keeps police power itself in check, fends off aggressive tax collectors, employs a huge percentage of the population, creates and distributes wealth more efficiently than any other sector of society, and stands in to keep things going, especially in times like these, when the national economy has failed and the currency itself is at risk.

It's hardly the system you would dream up in a civics class. Nonetheless the Camorra serves society best when it is strong. The judges I spoke to all recognized this truth, and yet these were the same people who had taken Di Lauro down. I asked them if they believed in the superiority of the Italian state, and all but one replied no. That one said, to paraphrase, We have no choice. The Camorra has created an anti-state whose very existence threatens the legitimacy of the Italian state. If the courts did not act, they would not be real. If the courts are not real, Italy will not endure. Our role is not to prevail over the Camorra but to go through the motions of trying. I mentioned this to a Camorra defense lawyer. She knew the judge in question. She said, The anti-state is the state itself. It is the state, not the Camorra, that is strangling Italy. She seemed to prefer the criminals to the officials. Most Neapolitans would agree. They demonstrate daily the extent to which they can live without Italy. And if Di Lauro ever came back, their celebrations would shut down the city.

The government wanders this terrain on its own uncertain missions. You have to wonder what it is trying to achieve when, for instance, it stops some people for questioning on the streets, or throws others in prison forever.

In a place like Italy where the recent prime minister condones tax evasion as a natural right and publicly impugns the courts it becomes hard to believe that police actions are sincerely about law and order, or that officials still believe that law and order matter. As warfare raged within the Camorra, Italy itself was teetering on the edge of economic collapse and threatening to drag the rest of Europe with it and largely because of mismanagement by a succession of corrupt and cynical governments.

One day in Naples I was told of a police raid under way against what was left of the Di Lauro clan in Secondigliano. I rushed to Rioni dei Fiori and came upon an opera, with a helicopter thumping overhead and the streets guarded by uniformed officers for blocks around. At the center of the operation stood the piazza itself, a typically filthy apartment complex built around a central square littered with trash and stained with at least one large smear of human excrement. The clan had obviously heard about the raid in advance and had quietly shut its operations for the day. As a result, there were no drugs to be found, no arrests to be made. Firemen broke down a steel door and removed some fortifications that the clan had installed at the two access gates to the courtyard. Then the raid was over.

The man in charge was a detective. I asked him what purpose the raid had served. It was a show of state power, he said. Of making the dealers flee like rats. It was a public humiliation. That was the purpose. But we are not stupid. We know they will come back to take over the piazza and control the gates again. Probably by tomorrow. Look, we can squeeze the Camorra, but we know we can't stop it.

A description of what the area looks under Camorra control is given below:

A few customers had come all the way from Florence for the bargain. Men, women, young, old. Some had arrived on the R5 bus. Some could not wait to get high before heading home. Dozens of addicts milled around in a rubbish-strewn field that was littered with needles, near a patch of pavement stained with what appeared to be dried blood. They sat on concrete walls or in the dirt, exposing their arms or feet and preparing their veins with loving care, before injecting themselves with their chemical bliss. Afterward they sat nodding, or stood against the cold by a bonfire, or wandered aimlessly through the smoke and refuse. We walked among them. They were largely indifferent to our presence, but one man approached. The detective asked him, Why do you live this way?

The man said, Drugs like everyone, and everyone likes drugs.

The detective said, Me, I do not like drugs. I like women.

The man said, Yes, but the difference is that drugs won't betray you.

From your sidebar:

<http://www.irishtimes.com/newspaper/world/2012/0411/1224314608225.html>

ONE OF the former wardens at the United States Penitentiary Administrative Maximum Facility in Florence, Colorado, remembers the super-max prison, designed to hold the US's most dangerous prisoners, as a clean version of hell.

Abu Hamza had, like the others, tried hard to avoid being sent there, relying, according to yesterday's judgment, his type 2 diabetes, his high blood pressure, the loss of sight in his right eye and poor vision in his left, the amputation of both his forearms (which frequently led to infections through abrasions), psoriasis on much of his body, hyperhidrosis (excessive sweating).

Given his medical condition, Hamza is unlikely to be held there long.

Every maximum-security prisoner has the ability to earn better conditions.

Oh really? Like Thomas Silverstein or the Angola 3 now 2. How have their conditions improved with good contact?

And as for their health being a factor for consideration I noticed that in Silversteins declaration he writes that he uses bifocals, has Hepatitis C, and bleeding hemorrhoids but none of these ailments has helped ease his living conditions. Similar complaints have been made by the Angola 3 inmates with similar results. I am sure that this is also true for all the less well known inmates held under these same conditions.

Or this one which can be found in the other.

<http://www.dartsocietyreports.org/cms/>

The Grey Box link didnt work. Here is what I think you were referring to.

<http://solitarywatch.com/2012/03/09/the-gray-box-upcoming-new-york-event-on-solitary-confinement/#comments>

I am trying to reconcile a couple of court decisions reported on here with this recent decision to clear the way to possibly send these terrorists here (it is not a done deal) and the following case in Italy where in 2007 the European Court of Human Rights held that certain aspects are in violation of the European Convention on Human Rights, and that same year a U.S. judge refused to extradite a heroin trafficker to Italy because of concerns that 41-bis would be applied to him and might constitute torture.

This last line reminded me of Viktor Bouts case also reported on here. (excerpts below)

First the Italian case which is a very interesting moral dilemma story to read. Not everything is cut in dry in life.

<http://www.vanityfair.com/culture/2012/05/naples-mob-paolo-di-lauro-italy>

The Camorra Never Sleeps

In Naples, Italy the criminal clans are known collectively as the Camorra. Paolo Di Lauro was one of Napless most powerful crime bosses, running a drug and counterfeit-goods empire.

Di Lauro will turn 59 this year in a maximum-security prison 40 miles northwest of Rome in the town of Viterbo. He is being held there under a prison regime called 41-bis a program of severe and indefinite isolation by which Mafia leaders can be kept under 24-hour surveillance, cut off from contact even with guards, denied access to national or regional news, and allowed visits only from their lawyers and, for one hour a month behind plate glass, by monitored phone a designated member of their immediate family accompanied only by those children who are minors. The primary intent is to separate Mafia leaders from their organizations, and to prevent them from directing operations from within the prisons. The resulting conditions, however, are so extreme that in 2007 the European Court of Human Rights held that certain aspects are in violation of the European Convention on Human Rights, and that same year a U.S. judge refused to extradite a heroin trafficker to Italy because of concerns that 41-bis would be applied to him and might constitute torture.

Solitary Watchs previous story:

Decision of Federal Judge Frees Prisoner from Solitary Confinement

March 2, 2012

Prison walls do not form a barrier separating prison inmates from the protections of the Constitution, wrote Judge Shira A. Scheindlin, quoting the U.S. Supreme Court, when she ruled last week that a federal prisoner should be released from solitary confinement.

Viktor Bout is a notorious international arms dealer known as the merchant of death.

The desired accommodation is based on the unique facts of this case and will not create a ripple effect it does not require the transfer of a category of prisoners from the SHU to general population, nor does it impact BOPs ability to place terrorists with a history of violence in the SHU. It simply requests Bouts transfer to general population, which should not require any extra attention or resources from prison officials.

So although Judge Philip Brimmer, in the ruling issued last October declared that Silversteins conditions of confinement at the U.S. Penitentiary Administrative Maximum, or ADX, arent atypically extreme. those of Bouts and Di Lauro were found to be torture.

These incoisistant rulings seemed based on something other than the definition of torture and our willingness to inflict such measures on human beings.

This may sound cold but until America treats its American prisoners according to the Constitution I really could care less about foreign terrorists

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