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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](#) | January 28, 2019

The *New York Times* [reported](#) that New York City settled the civil rights and wrongful death lawsuit brought by the family of Kalief Browder, and agreed to pay \$3.3 million. Browder, arrested for stealing a backpack when he was 16 years old, committed suicide after being released from nearly three years on Rikers Island, where he was beaten by staff and spent two years in solitary confinement before the charges against him were dropped. The New York City Law Department said, Kalief Browders story helped to inspire numerous reforms to the justice system to prevent this tragedy from ever happening again, including an end to punitive segregation for young people on Rikers Island. Mayor Bill de Blasio says that the city has ended the placement of 16 and 17-year-olds in solitary at Rikers, and that Kaliefs story helped inspire our efforts.

The Incarcerated Workers Organizing Committee (IWOC) [reported](#) that 250 people held at the 3C unit in California State Prison Corcoran have been on hunger strike since January 9 in protest of an indefinite lockdown at their facility. Following an altercation in September, all men held in the 3C unit have been subjected to a modified program of no visitation, no canteen, no packages, no educational, rehab or vocational programming, and little yard time. The IWOC called this response from the California Department of Corrections and Rehabilitation (CDCR) group punishment and published the letter that they received from the hunger strikers at the Corcoran facility calling for the lockdown to be lifted.

The *Post and Courier* [reported](#) that the South Carolina Department of Corrections has been holding thousands of incarcerated people in lockdown because of staffing shortages. One man held in Kershaw Correctional wrote, We are still constantly locked down. We havent had showers in over 14 days. No air ventilation. No heat. Mold on the walls. No mental health. No medical. We are living a terrible life back here, and its only getting worse. At least ten suicides took place last year in South Carolina prisons. In a 2016 settlement, the DOC agreed to improve the mental health care provided at its facilities, but a report last year found that the lockdowns and lack of staff made it difficult to provide the promised mental health services.

The mother of Sawyer Letcher, a teenager who committed suicide alone in his Texas prison cell in May 2017, has filed a lawsuit claiming that the prison and medical officials violated the Americans with Disabilities Act in their negligence of Letchers obvious mental disabilities. [According](#) to the *Houston Chronicle*, Letcher suffered from bipolar disorder and repeatedly harmed himself. He ate his own feces, cut his arms in an openly suicidal fashion and told a counselor it made him feel good to feel the blood running down. Yet, medical staff denied Letchers request to be transferred to an intensive inpatient program and instead placed him in a cell by himself, where he used his bed sheets to hang himself.

The *Virginian-Pilot* [reported](#) that the Hampton Roads Regional Jail, the state of Virginia, and the medical company NaphCare settled a lawsuit with the family of Jamycheal Mitchell, agreeing to pay \$3 million dollars but not admitting any wrongdoing in Mitchells 2015 death. The lawsuit claimed that Mitchell, who suffered from mental health problems and was arrested for stealing \$5 worth of food, was beaten, starved and treated like a circus animal in the months leading up to his death. The Department of Justice released a report last month concluding that the jail denied people adequate medical care and mental health care and subjected people to solitary confinement. A *Virginian-Pilot* [investigation](#) examined 404 deaths of people with psychiatric disabilities in jails across the country since 2010, and found that over 40 percent occurred in solitary.

WUNC [interviewed](#) *Charlotte Observer* reporters Gavin Off and Ames Alexander about the record high suicide rate in North Carolina prisons in 2018, years after the approval of a suicide prevention plan. The 2016 plan aimed to reduce the placement of people with psychiatric disabilities in solitary and increase monitoring of people at risk of suicide, but the journalists said that the high vacancy rates for officers and mental health professionals have inhibited the plan from being carried out. Off explained that in addition to the increase in time best generic brand phentermine people spend in solitary, more and more inmates with depression and anxiety and bipolar disorder and schizophrenia are being incarcerated. He said, I think its the overall weight that some of these inmates are feeling that it drives them to kill themselves.

Ashoor Rasho, along with 12,000 other people with mental illness, sued the Illinois Department of Corrections (IDOC) in 2007 for their severely inadequate mental health care and, in Rashos case, for placing him in solitary for most of his 26 years in prison. Rasho [told](#)

WBOI, Even if they would label us schizophrenic or bipolar, we would still be considered behavioral problems. So the only best thing for them to do was keep us isolated. Or they heavily medicate you. While the IDOC reached a settlement in 2016, to date only 765 of the 12,000 people have been transferred to the new Joliet Treatment Center, where they receive proper care, gym and library access, education, and job training. Most others remain at the draconian Pontiac Correctional Center, where they continue to face isolation and a culture of abuse and retaliation for their psychiatric disabilities.

The New York Campaign for Alternatives to Isolated Confinement (NYCAIC) [responded](#) to Gov. Cuomo's budget proposal, calling his severe limitations on solitary confinement ineffective. According to NYCAIC, the governor's proposal would continue to allow indefinite solitary in the form of administrative segregation, protective custody, or keeplock in their own cells; the proposal would not prohibit young people or people with physical or psychiatric disabilities from being placed in solitary; and the proposed alternative Residential Rehabilitation Units would continue to use solitary. NYCAIC calls for the legislature to pass the Humane Alternatives to Long Term (HALT) Solitary Confinement Act, which would limit the use of solitary to fifteen days and ban it altogether for vulnerable groups, in accordance with international standards.

The *Indiana Lawyer* [reported](#) that a federal District Court judge in Indiana ordered Aaron Isby-Israel to be released to general population, finding that his 28 years in solitary confinement without meaningful reviews of his status violated his Constitutional rights. An Indiana Department of Corrections caseworker testified that he had been trained to conduct perfunctory 30-day reviews for people held in solitary, simply changing the names and dates on a letter, without conducting any investigation into the person's actions or behavior. If staff had, in fact, conducted the required reviews, Isby's lawyer says they would have found he had a clean behavior record for at least two four-year periods during his time in solitary. Though the judge found this violated his 14th Amendment right to due process, she ruled that it did not violate his 8th Amendment right to be free of cruel and unusual punishment.

The *Missoulian* published an [article](#) revealing the mistreatment of youth across Montana's private residential school system, including the common use of isolation as punishment or treatment, often for periods of three to five days. One school also dealt with rule violations using a practice it called tenting, placing youth alone in a tent in the woods as punishment. One boy recalled, "It's definitely a bit more punitive when you get put in a tent. They bring you food and you have bear spray in case you get attacked by a bear." Sixteen-year-old Karlye Newman committed suicide in 2004 after being isolated nearly 30 times. In a lawsuit filed by Newman's mother, psychiatrist and expert witness Christopher Bellonci called the use of isolation on youth an outrage.

The *Los Angeles Times* [reported](#) that Gov. Gavin Newsom announced a plan this week to shift the state's juvenile justice system from under the control of California Department of Corrections and Rehabilitation (CDCR) into the hands of the state's Health and Human Services Agency. The proposed change is the final step in a series of reforms that followed decades of lawsuits and exposés against the California Youth Authority, which at one point held 10,000 youth, for staff brutality and widespread use of solitary confinement. Since then, eight out of the state's eleven youth facilities have been shuttered, leaving the number of youth detained in the CDCR at 660, with 39,000 youth on probation or detained in juvenile halls. Forty states have made similar moves, while the juvenile justice systems in nine other states remain under the state corrections departments.

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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