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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 25, 2019

WAVY [reported](#) that a federal judge issued an opinion following the settlement of a wrongful death lawsuit brought by the family of 24-year-old Jamey Mitchell, who died in solitary confinement at the Hampton Roads Regional Jail in Virginia in 2015. Diagnosed as manic and psychotic, Mitchell had been ordered to be transferred to a state hospital, but instead spent 100 days in solitary confinement, where he lost 40 pounds before dying of starvation. Mitchell had been arrested for stealing \$5 worth of food. Mitchell's family accepted a \$3 million settlement, in which neither the jail nor its health care provider admitted fault in the death. District Judge Rebecca Smith called Mitchell's death tragic and needless and said the case brought about sharpened focus on, and heightened public awareness of, the problems of incarcerating mentally ill individuals.

Rewire.News [reported](#) that the state of Maryland currently holds incarcerated pregnant women involuntarily in solitary confinement, called medical isolation, during their third trimester. Though the Maryland Department of Public Safety and Correctional Services (DPS) claims they implement this policy in order to fulfill the woman's medical needs, women held in the medical infirmary said the medical staff often ignored them or were unavailable. Advocate Kimberly Haven said, "They have no fresh air, no exercise, their programming stops, they're isolated from any type of social support. One woman recalled her neighbor giving birth to her baby alone in her cell because staff didn't believe she was in labor because she was mentally ill. A new Maryland bill SB 809 has been introduced to stop this practice of placing pregnant women in solitary."

The *Montgomery Advertiser* [reported](#) that staff at Holman Correctional Facility in Alabama shut off the water in the cells of eight men who initiated a [hunger strike](#) last Monday in protest of being held in solitary without cause. The strike followed a previous week-long hunger strike by Robert Earl Council, also known as Kinetic Justice, protesting his placement in solitary confinement without being provided a reason. An Alabama Department of Corrections spokesperson claimed they shut off the water in order to monitor the men's food and liquid intake, but this lack of water also prevents their toilets from flushing. An attorney for the advocacy group Unheard Voices [said](#), "It just makes no sense because none of the eight have been accused of violating any regulations or rules but more importantly, they are known within the prison as recognized peacekeepers."

King County, which contains the city of Seattle, passed a law in late 2017 that claimed to ban solitary confinement for youth, after the county settled a lawsuit and paid out \$240,000 to youth held in isolation at the Maleng Regional Justice Center in Kent, Washington. A new report, however, found that the county continues to place youth in solitary for extended periods and has failed to reduce traumatization of youth, which the 2017 legislation also intended to do. [According](#) to *The Stranger*, youth said they were sent to prolonged solitary over bogus or trivial charges, including something sexual that I didn't do, and smelling like marijuana though a strip-search revealed none. Previous reports found youth of color disproportionately placed in solitary, but the most recent investigator said jail staff has failed to track this demographic data.

[According](#) to *Bakersfield News*, Kern County in California agreed to a \$2 million settlement in the case of 29-year-old Sergio Derkevorkian's 2016 suicide. His death occurred after he had been placed in administrative segregation, despite the facility being aware of his mental health conditions and his risk of suicide. The lawsuit specifies instances in which Derkevorkian clearly suffered severe delusions and paranoia, as well as his words during his arrest, which included the statement, "I'm a danger to myself." The jail did not evaluate his mental health upon his arrival nor did they contact a mental health professional after witnessing his symptoms. Derkevorkian hanged himself after five days in custody.

[According](#) to the *Los Angeles Blade*, San Francisco Senator Scott Wiener introduced a bill for a 1mg generic ativan last week mandating that all California state correctional facilities determine a transgender person's prison placement based on their gender identity. An attorney for the Transgender Law Center said that this change would save lives and will enable trans women serving sentences in California prisons to avoid some of the worst horrors they currently face on the inside, including their frequent placement in solitary confinement. A California Department of Corrections and Rehabilitation spokesperson confirmed that because transgender people often face violence being housed in facilities based on their birth-assigned gender, staff place them in solitary for their own protection, despite the known detrimental effects of isolation.

The *Associated Press* [reported](#) that in a 36 to 1 decision, the New Mexico Senate recently passed a bill that would ban the placement of youth and pregnant women in solitary confinement, as well as limit the placement of people with serious mental disabilities in solitary to 48 hours. The bill, which had already passed the New Mexico House, now awaits approval by Governor Michelle Lujan Grisham, who has not publicly indicated whether she will sign it.

The New York Campaign for Alternatives to Isolated Confinement (NY CAIC) published an [article](#) in support of the state legislatures rejection of Governor Andrew Cuomos latest proposal on solitary confinement. The release called Cuomos proposal deeply-flawed and ultimately ineffective, since it would allow correctional facilities to continue indefinitely holding people with psychiatric disabilities in solitary. Instead, the group calls for the Legislature to pass the Humane Alternatives to Long-Term (HALT) Solitary Confinement Act, which would mandate a 15-day limit on the use of solitary confinement and create humane and effective alternatives.

NOLA [discussed](#) the experiences of Albert Woodfox during his 44 years and ten months in solitary confinement at Angola prison, in light of his newly released autobiographical memoir *Solitary*. Woodfox and another fellow Angola 3 Black Panther Herman Wallace faced solitary after being convicted of killing a prison guard in 1972. But besides the lack of evidence linking the men to the murder, former Warden Burl Cain expressed his political and racial motivations for keeping the men in solitary. Even if Woodfox didnt kill the guard, Cain said, I would still keep him in in CCR [Closed Cell Restriction]. I still know that he is still trying to practice Black Pantherism, and I would not want him walking around my prison because he would organize the young new inmates. Woodfox was released in 2016 and is currently on tour, speaking about his new book.

NPR published an [interview](#) with Dr. Homer Venters, who formerly headed the New York Citys correctional health services and oversaw health care for people held on the Rikers Island jail for nine years. Venters discussed an electronic system of tracking health data that, in one study, examined 225,000 people held at the jail and found that those held in solitary confinement had a seven times higher risk to harm themselves. Venters describes the extreme behaviors of patients with mental health problems deteriorating under the stress of solitary confinement. Theyve smeared feces all over the inside of the cell. Or theyre working to light a fire inside their cell, he said. Any one of these observations should be enough to reaffirm that we should have never built this [solitary confinement] unit and we need to back away from its use everywhere.

An op-ed appeared in the Wall Street Journal under the title Solitary Confinement Helps Control Prison Gangs. In it, two academic researchers argue that while advocates are seeking to abolish it, solitary confinement remains necessary to counter the threat of gangs. Their research, as cited in the piece, shows only that gang members are more likely than others to be placed in solitary, and that prison systems offer few alternatives to solitary for people who are gang-affiliated. Beyond this, the op-ed relies on the opinions of unnamed prison officials that solitary is one of the few effective ways of stopping violence and keeping prisons safe.

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.

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by [Mirilla Zhu](#)

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by [Caitlin Konya](#)

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by [Mirilla Zhu](#)

October 12, 2022

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P.O. Box 11374
Washington, DC 20008

info@solitarywatch.org

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