

# 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](#) | October 28, 2018

*San Jose Inside* [reported](#) on the settlement of the 2015 [class action lawsuit](#) Chavez v. County of Santa Clara, which challenged the use of solitary confinement at San Jose's Main Jail as unconstitutional. The lawsuit alleged that many of those held at the Main Jail had not yet been convicted of the crime with which they were charged, but remained confined in 6-by-7 foot cells for 23 to 47 hours at a time, for months or years on end. At least 40 people have died while in the custody of San Jose's jails since 2010, including Michael Tyree, who was fatally beaten by guards in 2015. The settlement includes reforms such as improved medical and mental health care, a reduction in the use of solitary, a review process for those held in restricted housing, and extensive training for correctional staff to emphasize de-escalation over the use of force. Solitary Watch reports this week on the impact of solitary confinement and jail deaths on the sheriff's race in Santa Clara County.

Forty-four-year-old Anthony Gay, who was released after spending twenty years in solitary confinement at Illinois Department of Corrections facilities, spoke about his experiences last week at Church of Peace in Rock Island, Illinois. [According](#) to WQAD, Gay recalled, On one occasion I was strapped down naked in a cell with six-point leather restraints and not allowed to eat. I was feeling isolated and questioning my worth. I was desperate. Originally arrested for a minor robbery, Gay ended up serving many additional years for unruly behavior while in prison, much of it caused by his untreated mental illness. His time in solitary, much of it at the now-shuttered Tamms supermax, was marked by self-harm and suicide attempts. Gay told the audience of the persisting effects of his two decades in solitary, and vowed to be a voice for those behind bars.

[According](#) to the *Bangor Daily News*, this week the Maine Supreme Court heard the case of Edward Arbour, a man formerly held at Maine State Prison who was placed in solitary after a guard alleged Arbour harassed him by using profanity in response to a late mail delivery. While the prosecuting attorney argued that Arbour's language undermined the authority of staff, Arbour's lawyer argued the facility's actions violated the First Amendment. For having said those 26 words, he said, prison officials locked Mr. Arbour in solitary confinement for 23 days. That's nearly a day in the hole for each word he said. Mere words, without context, cannot be punished.

The group Princeton SPEAR, Students for Prison Education and Reform, organized a demonstration in which students alternated shifts during a period of 23 hours being isolated in a 7-by-9 foot square on their campus. The students distributed information about solitary to passersby and called for people to donate to Solitary Watch's pen pal program [Lifelines to Solitary](#). One participant [told](#) the *Daily Princetonian*, While in the box, I was struck by just how small and constricted the space is. Your ability to move freely was completely restricted in a way that is unhealthy for all human beings. The group hosted formerly incarcerated organizer Ojore Lutalo, who spent 22 years in solitary, to close out the protest with a speech.

The *Tampa Bay Times* [reported](#) that the 2nd Circuit Court of Appeals had upheld the indefinite solitary confinement of 60-year-old Mustafa Kamel Mustafa, who is serving a life sentence for terrorism-related offenses at the federal supermax ADX in Florence, Colorado. Mustafa, who lost an eye and both hands in an explosion, was extradited from the United Kingdom to the U.S. in 2012. His lawyers argued that he should be placed in a facility better suited to people with disabilities and that the memory loss and defective communication skills resulting from his years of solitary at the supermax facility should have been taken into account at trial. The court sided with the government, ruling that Mustafa could continue to be held at ADX.

The *Richmond Times-Dispatch* published an [editorial](#) arguing for criminal justice reform that focuses on keeping families together. The article says, The numbers are useful. But they are only crude attempts to quantify that which cannot be quantified, which is deep human suffering, both individual and societal. The dry statistic that more than 60,000 Americans are held in what Virginia inmates call isolation, or solitary confinement, for up to 22 hours a day is important to know but can only hint at the psychological damage such punishment inflicts. The article concludes that the second-hand suffering of the nearly 3 million children growing up with an incarcerated parent must be a priority in criminal justice reforms.

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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