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Criminal Justice Issues and Prisoners' Rights

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by [Abby Taskier](#) | December 19, 2013

Just east of Capitol Hill, on 19th Street between D and E streets, lies a complex of reddish brown concrete buildings. These are the District of Columbias jail facilities the Central Detention Facility (CDF) and The Central Treatment Facility (CTF). Along with some [2,000 adults](#), these buildings house children under the age of 18 who have been charged as adults.

For Michael Kemp and Alisha Carrington, both of whom were sent to the DC jails at the age of 16, doing time here meant being locked down 23 hours a day, alone, in small, barren cells. Like many other youth in adult jails, Michael and Alisha were isolated as a form of protection against other prisoners. This was administered in the form of solitary confinement, which Alisha and Michael endured for months.

Prison isolation lasting more than a few weeks has been shown to cause serious, and sometimes permanent, psychological damage in adults. For youth, the effects are believed to be even more severe. In his 2012 report [Growing up Locked Down](#), published by the ACLU and Human Rights Watch, Ian Kysel writes: Experts assert that young people are psychologically unable to handle solitary confinement with the resilience of an adult. And, because they are still developing, traumatic experiences like solitary confinement may have a profound effect on their chance to rehabilitate and grow.

In Washington, DC, as in many other jail systems, the law demands that kids charged as adults be housed away from the general population to ensure the childrens safety. According to DC Department of Corrections spokesperson Sylvia Lane, juveniles being adjudicated as adults, remanded to the custody of the DC Department of Corrections (DCDOC) are housed in a dedicated unit within the Correctional Treatment Facility. Since 1997, CTF has been privately run under a 20-year contract with the giant Corrections Corporation of America (CCA). They are kept out of the sight and sound of the adult population.

In practice, this safety measure often amounts to near-complete isolation. The [Campaign for Youth Justices \(CYJ\) 2007 report](#) on youth in DCs adult criminal justice system states that in a recent visit to the DC Jail, facility staff indicated that 14 of the 42 youth currently held in the jail are on administrative segregation, which means that they can spend as much as 23.5 hours a day, for 30 days at a time, in a segregated cell.

Just Living in Steel and Concrete

The CYJ report also states: One young woman [was] held in DC Jail since August 2006, and since there is no separate wing for juvenile female offenders, she was spending 23 hours a day locked in her cell. The young woman from the report is Alisha Carrington. Alisha first entered into the juvenile justice system when she was 13 years old. She was arrested again in 2006, and her case drew attention because it marked the first time in recent memory in the District that a girl was charged as an adult with murder, according to the [Washington Post](#).

When I meet her for an interview, Alisha sits behind a table in a small classroom situated inside of the DC Church of the Pilgrims on P Street. Recalling the reason for her arrest in 2006, Alisha says, I was coming home real late after sneaking out to a party. She pauses. A neighbor had grabbed me into his home, and I stabbed him. Due to the violent nature of her crime, Alisha was arrested and charged with second-degree murder, and sent to the DC jail system to await trial.

Alishas attorneys argued that she should be moved to a secure psychiatric facility, citing her mental health problems. A DC [Superior Court judge](#) said that the city was probably violating federal law by housing her in solitary. Quite frankly, I think its barbaric I think its barbaric to keep someone in that kind of condition, given her age, Judge Wendell P. Gardner Jr. stated. But he also said that he lacked the authority to remove her.

Housed in isolation for several months at CTF, Alisha says that her cell was the size of your bathroom, maybe, if that. [There was] a bunk bed, a steel toilet, and a desk. Being the only juvenile female in CTF at the time, Alisha had no medium for human contact or programming. In order to get her access to even one book, Alishas lawyer had to plead with the court.

Michael Kemp, first incarcerated at the age of 12, was charged as an adult in 2007, also at the age of 16. Charged with robbery, Michael

was housed at the Central Detention Facility, the government-owned DC Jail facility, which up until recently also housed juvenile males charged as adults. Now they are held in the juvenile unit at CTF. He says that his cell was 4 by 9, or 6 by 9. Basically you live in a bathroom, not a mansion bathroom, but a regular house sized bathroom. And a steel bed and a steel desk. Just living in steel and concrete.

Michael was put into solitary, without access to programming or any general facilities for 6 months because he was on special handling. The [CYJ report](#) states: Youth on protective custody are also segregated from the rest of the juvenile population and may face the same constraints as those on administrative segregation.

According to the DC Department of Corrections, there is no such thing as solitary confinement in the juvenile wing. DOC spokesperson Sylvia Lane says, There are no isolation cells on the juvenile block. Juveniles may be placed on administrative lockdown within the unit for a maximum of 5 days if circumstances so warrant; however, at that point in time a multidisciplinary hearing panel must be convened to review the case in totality.

Liz Ryan, President and CEO of The Campaign for Youth Justice, says that when CYJ spoke to the new director of DCDOC, Thomas Faust, about the issues of juvenile solitary confinement, he said he was putting in place a policy that would require a five-day maximum cell confinement. However, Ryan's response to him was that five days was too excessive and that in the juvenile justice field 48 hours was the maximum number. Ryan says they answered to that by assuring me that they have some policy in place. I have yet to see it, and I also don't think that they follow it because on many occasions we've heard from families of inmates that are on lockdown.

DC Kids in the Federal Prison System

For Alisha and Michael, solitary confinement in the DC jail system was only the beginning of their experience of prison isolation. DC code 24-902 (c) states, The Federal Bureau of Prisons is authorized to provide for the custody, care, subsistence, education, treatment and training of youth offenders convicted of felony offenses and sentenced to commitment. In essence, once convicted, youth fall under the custody of the Federal Bureau of Prisons (BOP.) After being sentenced, they are placed in various facilities around the country, making visits from family members nearly impossible.

Sentenced to 7 years of incarceration, Alisha was sent to North Dakota, about an eight hour plane ride away from DC and the first of many prisons to which she would be transferred. Alisha's transit, as she describes it, consisted of being shackled, handcuffed, a surgeon's face mask over my mouth, a belt tied around my waist of chains, my feet shackled. She arrived in North Dakota only to be put in solitary again. Although she was no longer the only person under 18 in the facility, Alisha says I was confined because the extent of my charge, even though there were other juveniles there being charged as adults, they still didn't want me mixing with them for whatever reasons.

After two months in North Dakota, Alisha was sent to FCI Danbury, an all-female federal prison in southwestern Connecticut. Alisha's final destination to serve her sentence was the Federal Detention Center in Philadelphia, Pennsylvania.

Rather than being sent directly to the new facility, roughly a three-hour drive away, Alisha says, I went on a bus, and then I went on a plane that took me to Oklahoma Transfer Center, and then [they] brought me back to Philadelphia. They do the bus and the train when the institutions are close like that because they don't want to risk escape. Alisha also recalls that during her transit she stayed at a county jail in Grady County, Oklahoma, where she lived with thirty other women in a room about as big as a living room. They kinda mixed the county and federals together and we were dressed in white and black striped jumpers.

While incarcerated in Philadelphia, no longer a juvenile, Alisha again was put into solitary. She says, that was maybe the hardest out of them all outside of 23-1 lockdown in DC jail because when I went to Pennsylvania it was a coed facility but they had pre-trials there so it was locked down. Alisha, now 23 years old, is no longer in solitary confinement or in prison, after having spent an enormous portion of her sentence in isolation for disclosed and undisclosed reasons.

Michael was also transferred to the federal system once convicted of his crime at the age of 17. Describing his trip to a privately owned CCA juvenile facility in Memphis, Tennessee Shelby Training Center Michael says, it was the worst experience you could do for anybody. For the first time for me to actually leave DC, to leave and travel on an airplane in shackles and chains and a belly chain, I felt like real livestock being transferred around. And if anything were to happen I would die.

A day or two into his time at Shelby, Michael admits that since his 18th birthday and Christmas were coming up, he had a little outburst [was taken] to the hole. So I spent my birthday and Christmas in solitary confinement for like a week or two.

Michael, no longer legally a juvenile, was moved from Shelby to a facility in Arkansas only a month later. He recalls thinking, Will I have to be faced with killing someone or someone trying to kill me? Like I should be in college or something. After Michael finished his sentence in Arkansas, he returned home, only to be re-arrested thirty days later. According to a study quoted in the U.S. Department of Justice's [Juvenile Justice Bulletin](#), A higher percentage of youth who were tried for robbery in criminal court were rearrested (91 percent) than those tried for robbery in juvenile court (73 percent).

Michael, now a part of the 91 percent, was sent back to DC, to re-encounter the place where his relationship with solitary began. Michael remained at CDF from October 2008 to April 2009, until he was sentenced in the end of April and taken to the Northeast Ohio Correctional Center, a CCA-owned holdover facility.

During his time in the federal system, Michael was housed in two CCA-owned facilities around the country Shelby Training Center, which was closed in 2008, and Northeast Ohio Correctional Center. These are merely two of the many privately owned facilities that contract with the DC government to house the people convicted in the District. In a 2001 article in the [Washington Post](#), Peter Slevin reported: Wackenhut and CCA recently scored coups when the U.S. Bureau of Prisons awarded contracts for a rapidly increasing federal prison population, which includes District inmates and deportable aliens. According to an article published in [The Nation](#) in 2013, CCA now manages facilities with over 90,000 prisoners in over 20 states.

Michael ended his second sentence at a facility in Pennsylvania, where he again was put into solitary. According to Michael, in the hole, You gotta wake up in the morning for recreation and you gotta be standing up when they walk past your cell if you wanna go outside. As

soon as you go outside for rec you aint going nowhere, but the four walls that surround you, you surrounded by concrete and when you look up its a cage over you.

Locking Down Youth, in DC and Beyond

The experiences that both Michael and Alisha had in the DC jail system, and subsequently in the federal system are not unique to them. According to [CYJ](#), the number of juveniles who enter the adult criminal justice system may be as high as 200,000 a year. According to *Growing Up Locked Down*, a fair number of these children will at some point spend time in solitary confinement.

In the District of Columbia, the overall jail population has dropped somewhat in recent years, and so has the number of children in the jail system. As previously noted, the CYJ found that in 2007 there were 42 kids being housed in the DC jail system. Currently, according to DCDOC, there are 19. The methods of protecting children against the general population of adults nonetheless remain ambiguous and harmful.

Any official efforts toward reforming juvenile justice in the District do not look promising. According to the [testimony](#) of CYJs Carmen Daughtery at an oversight hearing addressing DC City Council in April 2013, In the 2012 budget, language was included requiring the DOC to contract with an independent expert to conduct a study of the conditions, services and treatment of youth at the Juvenile Unit at CTF. The RFP was released in January and a vendor, The Ridley Group, was finally chosen just in March.

The study remains to be seen. Further, none other than former Director of DCDOC Walter Ridley runs the independent expert group conducting the study. When asked about the completion of the assessment and its whereabouts, spokesperson Lane exclusively states that, DCDOC did procure the services of the Ridley Group to conduct a comprehensive assessment of juvenile programming. And that, The audit has been completed. Ryan believes that, the DOC is now attempting to address all of the major problems that were identified in the study so that when its released they can say that they fixed a whole bunch of things.

While this might mean that the DCDOC is working to improve conditions for juveniles, few changes have been visibly made. Further, the transfer of youths into the various federal and sometimes even state facilities around the country is an ongoing BOP practice that has absolutely no foreseeable end. Repeated inquiries to the BOP regarding its involvement with convicted and sentenced juveniles from the District went unanswered.

As DCDOC seemingly attempts to limit youth in the DC jail from receiving human contact by protecting in the form of isolation, and by implementing a new alternative method of visitation through video streaming, prisons all around the nation are isolating their children in the form of solitary confinement.

Ian Kysel, author of *Growing Up Locked Down*, says, It was a challenge all over the country to determine how children were treated in adult facilities. In DC, it wasnt even clear at first who to contact the CCA folks were pointing one way, the DOC another. Ryan says that the juvenile unit, which is housed in CTF, the CCA owned facility is run by the same DOC staff as at the jail. They all report to DOC. Though CCA and DCDOC act independently in regards to the media, the intermingling of CCA and DCDOC exhibits the shifty line of conduct employed by staff members at the juvenile unit.

Kysels report reminds readers that subjecting children to solitary confinement for one day or more violates the obligation to treat young people deprived of their liberty with humanity and respect for their inherent human dignity and status as children under the International Covenant on Civil and Political rights and the Conventions on the Rights of the Child.

Ryan, who has been fighting with CYJ for childrens rights in the DC jail system, says in desperation, in the five years or more that weve been weighing in on this, I just havent seen very many changes.

Abby Taskier was a research and reporting intern for Solitary Watch. She taught English and Creative Writing inside jails and prisons, and is now an art and drama therapist.

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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Excellent reporting

Perhaps courses should be taught in our schools on how to avoid spending the rest of your life in prison.

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