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Criminal Justice Issues and Prisoners' Rights

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by [Jean Casella and James Ridgeway](#) | July 6, 2010

Obama's oath to close the military detention camp at Guantanamo Bay within a year of his election was more than a campaign promise or a post-inauguration executive order; for many people, it signified a return to some semblance of the rule of law after eight years of a rogue administration. But the 44th president had barely taken office when the opposition and the backpedaling began. In January 2010, the White House announced that it would miss its original deadline for closing Guantanamo. At the same time, however, the administration presented a plan to buy and refit a state prison in rural Illinois, which it promised would serve as the future home for remaining residents of Gitmo.

Six months later, as the [New York Times](#) recently reported, impediments to that plan have mounted in Congress, and the administration is doing little to overcome them. Charlie Savage writes that political opposition and competing priorities make it unlikely that President Obama will fulfill his promise to close [Guantanamo] before his term ends in 2013. The article continues with quotes from members of Congress:

There is a lot of inertia against closing the prison, and the administration is not putting a lot of energy behind their position that I can see, said Senator Carl Levin, the Michigan Democrat who is chairman of the Senate Armed Services Committee and supports the Illinois plan. He added that the odds are that it will still be open by the next presidential inauguration.

And Senator Lindsey Graham, a South Carolina Republican who also supports shutting it, said the effort is on life support and it's unlikely to close any time soon. He attributed the collapse to some fellow Republicans' demagoguery and the administration's poor planning and decision-making paralysis.

According to Savage, some senior officials in the administration say that the White House has done its part, and blame Congress for failing to execute the plan to move detainees to Illinois.

One part of that plan, however, is moving forward apace. A few days before the *New York Times* article appeared, the [Associated Press](#) reported that plans to convert a virtually unused state prison in Illinois into a federal supermax facility are on track even though its potential as a site for Guantanamo Bay detainees may be foundering.

The Justice Department informed Illinois lawmakers that the Obama administration is committed to acquiring the facility in Thomson, Ill., this year, and that once purchased, the entire space will be made available to the Bureau of Prisons and converted into a high-security facility with room for 1,600 inmates. The DOJ's reassuring message, according to the AP, was meant to separate the thornier issue of where Guantanamo Bay detainees will be held from the process of turning the rest of Thomson into a supermax federal prison.

As we've written before, its possible Obama still believes that [if you build it, they will come](#) meaning that if he buys and renovates the prison in Thomson, Illinois, at least some portion of the remaining Guantanamo detainees will eventually be housed there. It's also possible that a few years from now, said detainees will still be at Gitmo, and we'll have another 1,600 cells to fill in an exorbitantly expensive, state-of-the-art federal supermax.

The recent history of the U.S. prison system has proven beyond a doubt that when we build it they *do* come: Someone will be shipped into fill those new cells at Thomson, and if they don't arrive from Gitmo they'll come from somewhere else. Some prisoners will probably be upgraded to supermax from other federal facilities, while others might come from overcrowded prisons to enjoy the comfort of 23-hour-a-day solitary confinement. They'll leave behind other beds to fill.

If statistics are any indication, the federal criminal justice system will be only too happy to oblige: Earlier this year, a [survey by the Pew Center on the States](#) found the overall state prison population declining in 2009, for the first time in 40 years. The same survey, however, found that the federal prison population continued to grow, rising by 6,838 prisoners, or 3.4 percent, to an all-time high of 208,118.

Those familiar with conditions in U.S. supermax prisons know that they are in many ways [considerably worse](#) than those experienced by prisoners at Guantanamo today, now that some of the most grievous abuses of the post 9/11 years have ceased. And in recent months, the

Obama administration has indicated that even if they are moved to Thomson, some Guantanamo detainees could be held indefinitely without trial, or be subject to military tribunals. This has [prompted some critics](#) to label Thomson Gitmo North, and to [question whether](#) there is any advantage to bringing the detainees onto American soil under these conditions.

One thing is clear: The likely outcome of current plans, which would leave Gitmo still open for business along with a new supermax in rural Illinois, is the worst of both worlds.



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.

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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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He's using our credit card. State-side incarceration is irrelevant. These are illegal combatants and stateless war criminals who are not entitled to any rights by the Law of Land Warfare (Geneva Conventions). If they were legal combatants they could be kept until the end of hostilities. Since they are less than that, why is anyone's panties in a bunch?

<http://www.strategicpublishinggroup.com/title/SavingGraceAtGuantanamoBay.html>

The bringer of all things has lost his cool, if he ever had one in the first place. We will be sitting here waiting, and waiting for him to take the higher moral ground, or to break from Bush. If ever a politician was owned and paid for by big corporations, it's him. Why doesn't he just name it Homeland Security Federal Prison, or Tar Ball North Federal Prison, or Wicked Witch of North Federal prison, or Gitmo North Burial Grounds, or the Big Gusher Federal prison.

Im sure he's got his recruiting list ready, and will be sending out pink slips to his new found enemies of the state.

Im trying to remember why Bush said let's fight them over there, so we don't fight them here.

What the article doesn't mention is how much is Obama paying for Gitmo North? What credit card is he using?

Renee, although I agree with you that our own citizens should be of a higher priority at least the conditions of Guantanamo helps illuminate the issues carried out on our own soil.

It follows that if it is wrong for foreign combatants to be held under the conditions of Guantanamo that the even worst conditions in our domestic supermax institutions is that much more wrong.

Let's take the all press on this issue that we can get then point out how our own are being treated here!

I find all the concern on Guantanamo takes away from Americans being tortured in their own country why should the focus be taken off our loved ones?

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