

# Solitary Watch

## Criminal Justice Issues and Prisoners' Rights

<https://solitarywatch.org/2010/02/20/solitary-confinement-cells-have-become-america%E2%80%99s-new-asylums/>

## Campaign and Advocacy

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by [James Ridgeway and Jean Casella](#) | February 20, 2010

Our article [Locking Down the Mentally Ill](#) appeared last week on The Crime Report, the online publication of the [Center on Media, Crime and Justice](#) at John Jay College, City University of New York. We're posting a few excerpts here, but hope you will read the entire piece on [The Crime Reports](#) site.

If you want to know where they are all being kept, said Todd Winstrom, they're down in the hole.

Winstrom, a staff attorney for Disability Rights Wisconsin, was talking about what happens to mentally ill offenders when they enter his state's prison system. Without treatment options and without any place else to put them, these prisoners quickly end up in solitary confinement, where they may remain for months or years.

Since solitary confinement has been shown to cause severe psychological trauma in prisoners *without* underlying psychiatric conditions, it would be difficult to imagine a more damaging place to incarcerate the mentally ill.

Wisconsin is far from alone in these practices. While there are no national statistics to indicate how many mentally ill prisoners end up in lockdown, a 2003 [report](#) from Human Rights Watch, based on available data from states around the country, found one-third to one-half of prisoners held in what are usually called secure housing units (SHUs) and special management units (SMUs) were mentally ill.

The report concluded that persons with mental illness often have difficulty complying with strict prison rules, particularly when there is scant assistance to help them manage their disorders. Eventually accumulating substantial histories of disciplinary infractions, they land for prolonged periods in disciplinary or administrative segregation.

In the article, we look at what happened in recent years in New York State when the group Disability Advocates sued on behalf of mentally ill inmates, and an organized movement began pressing for state legislation to ban their placement in solitary confinement.

The movement's ammunition came largely from a 2003 [report](#) by the non-profit Correctional Association of New York. The group had visited nearly all of New York's 26 SHUs, where some 5,000 prisoners were held in lockdown for periods that in some cases lasted 23-hours-a-day or more. Its report found that a quarter and in some units as many as half of the prisoners were identified as seriously mentally ill. The SHUs held about 10 percent of the state's prisoners, but accounted for nearly half of its suicides.

A third of the SHU prisoners engaged in cutting or other forms of self-mutilation. Unthinkable to outside observers, the Correctional Association said, the Department [of Corrections] issues misbehavior reports to inmates who attempt to kill or harm themselves and the punishment was often more time in lockdown. While the state's prison population had tripled in the previous 20 years, it still had the same number of places just 200 in its sole psychiatric center. The Correctional Association's Executive Director Robert Gangi would later [describe](#) placing mentally ill inmates in solitary as state-inflicted brutality.

The lawsuit was settled in 2007 and the law was passed in 2008, a considerable triumph, relative to other states. But there is, unsurprisingly, continuing controversy over who is classified as mentally ill, how much treatment they are really receiving, and at what pace changes are taking place. More from the article:

While most advocates see the settlement and especially the legislation as what a 2007 [New York Times editorial](#) called a step toward basic human decency, few believe that it goes far enough. Maltreatment of mentally ill prisoners is a national shame, the *Times* editorial continued. The basic problem is that severely ill inmates should not be held in lockdown at all. In the eyes of some critics, what New York and a handful of other states have done is simply reduce the frequency and severity of a practice they equate with torture.

The UN Human Rights Committee, European Committee for the Prevention of Torture, Amnesty International, and Human Rights Watch have all, in various terms, deemed long-term solitary confinement cruel and unusual punishment for all prisoners. A 2003 Human Rights Watch report stated: Even if they have no prior history of mental illness, prisoners subjected to prolonged isolation may experience depression, despair, anxiety, rage, claustrophobia, hallucinations, problems with impulse control, and/or an impaired ability to think, concentrate, or remember.

When it comes to mentally ill prisoners, several U.S. Courts have joined in denouncing the use of any segregated confinement. In the most famous of the relevant cases, *Madrid v. Gomez*, a federal judge in California declared that solitary confinement may press the outer bounds of what most human beings can psychologically tolerate, while for mentally ill prisoners it is the mental equivalent of putting an asthmatic in a place with little air to breathe.

No widespread ban on the lockdown of mentally ill prisoners is likely to take place without changes in the trend toward criminalizing the mentally ill, which has been underway for more than 20 years. In 2003, Human Rights Watch [concluded](#) that Americas prisons and jails held three times as many mentally ill people as its psychiatric hospitals. The Los Angeles County Jail and New Yorks Rikers Island effectively functioned as the nations two largest inpatient mental health facilities, and incarceration had become its default treatment for mental illness.

According to Bureau of Justice Statistics [data](#) more than half of all prison and jail inmates self-report that they suffer from mental health problems five times the rate in the general population. According to the [National Alliance on Mental Illness](#) approximately 24 percent of inmates in U.S. prisons and 17 percent of those in local jails have what would be diagnosed as serious mental illness.

Also, take a look at [Trapped: Mental Illness in Americas Prisons](#), documentary photographer Jenn Ackermans powerful collection of photos of prisoners in lockdown in a psychiatric treatment unit. (We learned about these from Pete Brooks excellent [Prison Photography blog](#).)

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.

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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Awww. is prison a tad uncomfortable for you? Try not being a detriment to society

every one just fighting the beast rong all we do is go for the head solve one part then they find a way to get round it the you got two heads where one use to be loping the heads off this beast just makes more heads we need to go for the heart of it to kill it

anyone who thinks solitary is good for you or for the mentally ill or good at all needs to spend a month in a local supermax shu unit then get back to us on if it is cruil lol god bless those of us who dare to bring light and love to the dark void of hell for even now we stand at the gates of it standing are ground to that dark solitary ways like canser it grows and we still stand like spartans yet this time it not threhudred more like one vs all of hell yes hell is on eath it is in every prison sept esp who was unknowing for what solitary did every one after it thow is taned a shard of hell that we wo see tue justice are sendt to fight and stand at the gates of hell ready to fight to bring back the light of justice

[http://realcostofprisons.org/blog/archives/control\\_unitsshusupermax/index.html](http://realcostofprisons.org/blog/archives/control_unitsshusupermax/index.html)

Scroll down to this rather long article.

March 06, 2008

MA: Breakdown: The Prison Suicide Crisis (3 articles)

3 articles in the Boston Globe

BREAKDOWN | THE PRISON SUICIDE CRISIS

A system strains, and inmates die

December 9, 2007

Part 1

So common has it been to find a man with a makeshift noose around his neck that some correction officers have taken to carrying their own pocket tools to cut them down. The tally of suicide attempts and self-inflicted injuries 513 last year and more than 3,200 over the past decade tells a story of deepening mental illness and misery behind the walls of the states prisons, despite repeated calls for better training of officers and safer cells for mentally troubled inmates.

You're taking people who are vulnerable and can't cope in society, said a psychiatrist who consults to prisons and is an assistant professor at University of Massachusetts Medical School, and putting them in the worst situation imaginable.

The Department of Correction guards the details of these events in secrecy, revealing little to the public, or even to the families of the suicide victims.

### Part 3

On a damp Saturday last fall, he collected a stack of papers and notebooks that chronicled his decade as a state correction officer and set them ablaze in a cemetery near his home.

He had liked his first eight years at the prison, but his last two had turned hellish. He hoped the graveyard bonfire would exorcise memories of his work behind the walls of the states toughest prison.

Especially his memory of what happened there one night in late 2000.

Shortly before 10 that November night, a deeply disruptive inmate lay shackled to a concrete slab in a cramped cell. As he stood watch, a captain and three other officers swept in, the captain grabbing, as he went by, a foam cup that he had been using to catch tobacco juice and sunflower seeds.

He watched as the captain tilted the cup over the mouth of the prisoner. Sickened, he turned away. But he could hear the parting admonition to the 33-year-old inmate: If you don't behave, my officers will pour [excrement] down your throat. Because I can do anything I want to you.

The captain was just sadistic. He thought this was the way to rule. Sometimes you have to use force in the prison. Its just the dynamics. But the way I was schooled, once you're in restraints, its over.

Another officer assigned to the control room and said he could see him tilt a foam cup over the inmates head.

What happened that day was totally wrong. You're in four-point restraints. You can't do anything. Thats torture.

Two months later, the inmate hanged himself with elastic from his underpants and bed sheets.

The larger point is hard to miss: Some correction officers, he said, are unfit to deal with the mentally ill or deeply troubled inmates who are increasingly their charge. The result is an incendiary dynamic between inmates and officers, a climate ripe for abuse.

The inmate was restrained. He had no way to defend himself, said one of two officers who reported the incident. It would be akin to a police officer raping somebody. Theres no gray area there.

The treatment of this inmate who was in four-point restraints for nearly 40 hours over four days is one of the most flagrant of the cases of abuse of inmates whom prison officials or prisoner advocates say had acute mental problems.

But it is hardly an isolated example. A Spotlight Team investigation into a recent surge in prison suicides and suicide attempts found other cases in which correction officers, with scant training in how to handle the burgeoning number of mentally ill in prison, brutalized, mistreated, or neglected inmates.

Indeed, as prisons increasingly become the asylum of last resort for the mentally ill with the closure of state hospitals and the deinstitutionalization of their residents desperation, frustration, and violence are rising on both sides of the cell door.

thank you for sharing, it is eye-opening

I previously posted a message Mr. Silverstein wrote on his blog <http://www.tommysilverstein.bravehost.com> but here is an excerpt that applies to this article.

Then there is the guys going stir crazy and on psych meds, who do likewise, but for other reasons, they bang, shout and constantly go off cuz they cannot take the endless confinement! Making sleep and concentration impossible for everyone else. According to LAW and BOPs own policy, they are not even supposed to be here cuz the experts have determined this type of confinement is so psychologically damaging that the mentally ill shouldn't be subjected to it but since when does prisonrats and this Govt. Obey the laws they condemn others for violating. I am allowed less property and outside rec, than before and around folks I cannot stand with exception or to call it paranoia, but I wouldn't put it passed em to purposely surround me with mentally ill prisoners, just to drive me nuts 24/7! Along with rats that keep a watchful eye on me 24/7 so aside from the isolation, it is actually better to be alone than put up with unbearable racket and flesh eating parasites day in day out!

After over twenty years of isolation in his own solitary wing his new cell next to these men has made him so depressed he no longer regularly writes to his supporters.

Thanks, Alan. We will put Tommy Silversteins writing up soon in Voices from Solitary, along with his remarkable artwork.

Thank you Alan

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