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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](#) | September 8, 2020

Sara Mariposa Fonseca, who has been incarcerated for eighteen years in the California state prison system, including several years in solitary confinement, [will be released](#) from prison on September 11, 2020. During her lonest stint in solitary, Fonseca wrote a play about her experience, in partnership with artist and activist Julia Steele Allen, called *Mariposa & the Saint*. The play, which has been performed over 70 times across ten states, illustrates the realness of the situation in solitary with the magic that comes from the struggle to keep your spirit alive, according to Fonseca. Allen partnered with local and national advocacy organizations to ensure that the performances would become part of the struggle to end solitary confinement. The play also resulted in a [report](#) describing its creation and its use as an organizing tool, which includes a foreword written by Solitary Watch co-director Jean Casella. The walls of silence and invisibility that surround solitary confinement have been broken only by individuals [such as Fonseca] with the fortitude to reach out and to risk harsh retaliation from prison staff in order to share their stories of life in solitary, Casella wrote. Through [the play], Sara's voice along with her humanity, her struggle, her humor, her suffering, her love were able to not only transcend the concrete walls of her small cell, but also reach thousands of people across the country.

USA Today published an [op-ed](#) by Johnny Perez, the director of the U.S. Prisons Program at the National Religious Campaign Against Torture. Perez, who spent thirteen years in prison overall including three in solitary confinement, expressed the constant fear of being killed in America as a Black person. For incarcerated people, that fear is exponentially higher, Perez wrote. This fear is now compounded by the public health crisis of COVID-19 in prisons and the resulting explosion in the use of solitary confinement rather than medical treatment. A recent report released by the national Unlock the Box Campaign found that the use of solitary during the pandemic increased by 500 percent. Perez said, If there is one lesson I learned from my own experience of incarceration, it is that where there is little visibility, there is little accountability. Prison is the least visible institution in America.

The latest issue of the *Northwestern Law Review* contains essays on the legal aspects of solitary confinement, as well as a statement from a 2018 convening in Santa Cruz on solitary confinement and health. The statement affirms and expands upon the Istanbul Statement on the Use and Effects of Solitary Confinement from 2007, which found that solitary should only be used as an absolute last resort, due to its harmful effects. Reflecting on the use of solitary since the Istanbul Statement was made ten years prior, the [Santa Cruz Summits statement](#) condemned the continued use of the practice in prisons across the U.S. The article included eight guiding principles for meaningful reform of solitary confinement. Professor of Psychology Craig Haney additionally authored the article [The Science of Solitary: Expanding the Harmfulness Narrative](#), detailing the history and science behind the use of solitary.

The *Cut* published an [article](#) about the death of 27-year-old Afro-Latinx transgender woman Layleen Xtravaganza Cubilette-Polanco in solitary confinement at Rikers Island Jail in June 2019. The New York City Board of Correction has released a [report](#), investigating what happened leading up to Polanco's death. The report found that the jail's methods for determining people's placement in solitary confinement are insufficient, inconsistent, and potentially susceptible to undue pressure from the Department of Corrections. Despite a psychiatrist actively opposing Polanco's placement in solitary confinement, based on her history of seizures, Polanco was sent to solitary for 20 days. Ultimately, she died from a seizure on her ninth day in solitary. The Polanco family has agreed to settle a wrongful death lawsuit for \$5.9 million, but Melania Brown, Polanco's sister, declared, This is just the beginning of justice for my sister.

Outlier [reported](#) that the coronavirus is surging in Michigan prisons, and in response, the Michigan Department of Corrections has been placing sick people in solitary confinement, exacerbating the spread of the virus. Edmund Fields, held at Thumb Correctional Facility, was sent to solitary after his cellmate tested positive for the virus. Fields said he was locked in his cell for fourteen days with only a toilet and a bunk for all but 30 minutes every other day and was denied communication with his family. Two people held at Thumb said they suppressed their virus symptoms in order to avoid solitary. One coughed into a pillow, spread body wash on his clothes, and saw people spray disinfectant up their nose. The number of people held in solitary in Michigan is unknown, as *Outlier* filed a Freedom of Information Act but was told the information would cost \$1,300. An administrator for the state said that even before the pandemic, the data on administrative segregation was relatively sloppy.

Earth Island [reported](#) that conditions at San Quentin State Prison have measurably improved since the COVID-19 outbreak at the facility, in which over 2,200 incarcerated people were infected and 270 staff members as well. The outbreak followed the transfer of untested

people from another California state prison, and since then, 25 people incarcerated at San Quentin and two officers there have died from the virus. Juan Haines, editor of the prisons newspaper, said, Its overcrowded. Its the perfect environment for the virus and its the perfect environment for people to die in. Overall, 59 people have died from the coronavirus across California state prisons. The outbreak at San Quentin resulted in heightened use of solitary confinement, and Haines himself was placed in solitary after testing positive.

Valerie Kiebal 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](#)

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by [Caitlin Konya](#)

October 19, 2022

by [Mirilla Zhu](#)

October 12, 2022

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