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Criminal Justice Issues and Prisoners' Rights

<https://solitarywatch.org/2014/12/11/arizona-opens-new-50m-supermax-prison-new-report-denounces-states-use-of-solitary-confinement/>

Campaign and Advocacy

close

Search

close

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by [Lisa Dawson](#) | December 11, 2014

The Arizona Department of Corrections (ADC) has opened a new facility with 500 maximum-security prison beds in the Rast Unit at the Arizona State Prison Complex (ASPC Lewis) in Buckeye, Arizona. (Maximum-security prisons in the state of Arizona are what is usually thought of as supermax prisons.)

The opening of the new facility comes on the heels of the [ADC's agreement to a settlement](#) in a class-action lawsuit filed by the American Civil Liberties Union (ACLU) to improve prison health care and limit the use of solitary confinement in Arizona prisons.

The additional beds at ASPC Lewis are modeled after existing solitary confinement facilities AMU I and Browning Units, which, according to a new [report](#) by the American Friends Service Committee (AFSC) of Arizona, are exclusively designed for single cell long-term prisoner isolation.

[The Arizona Republic](#) reports on the new prison, which is estimated to cost Arizona taxpayers \$50 million:

The 500 beds will be in 416 cells, 84 of which are double bunked. A few are accessible to inmates with disabilities. It will be staffed round the clock by 115 correctional officers, [ADC Director Charles] Ryan said. . .

An elevated observation deck, with an electronic touch screen to open and close cell doors, overlooks rows of cells.

Each cell is about 12 by 8 feet, with a stainless steel toilet and sink. The bed is a concrete slab, which will have a mattress. At the head of each bed are electrical and cable outlets, which can be used for a television.

Critics Call the New Maximum-Security Prison Wasteful, Not Necessary

On December 1, to coincide with the opening of the new facility, AFSC of Arizona released an in-depth report, [Still Buried Alive: Arizona Prisoner Testimonies on Isolation in Maximum-Security](#), which includes the testimonies of people held in maximum-security, or solitary confinement, facilities throughout the state.

Opponents have called the new prison construction wasteful, urging the state take measures to amend [Arizona's current sentencing legislation standards](#) as an alternative. Critics of the new maximum-security beds also assert that, based on corrections documentation, the ADC is not filling the existing beds it has for maximum-custody prisoners, making the newly constructed prison facility a waste of taxpayers' dollars.

The AFSC of Arizona maintains that the maximum-security beds are not necessary, stating that the ADC should instead focus resources on rehabilitation programs. In its report, the advocacy group notes that the new maximum-security prison will be Arizona's first new state prison in years, a decision which commits the state towards increasing incarceration as opposed to pursuing cost-saving, evidence-based alternatives to incarceration as other states have recently begun exploring and implementing.

Executive Director of the ACLU of Arizona Alessandra Soler disagrees with Director Ryan's 2013 [assertion](#) that Arizona state prisons do not use solitary. The NPR affiliate [KJZZ Radio](#) reports that Soler said the state's maximum-security prisoners spend too much time in isolation, which is the reason for which the segregation of these people should be considered solitary confinement. Soler elaborates:

By policy, they're supposed to be released for two hours a day but many times because of staffing issues people will end up in their cells for 24 hours a day, without any access to any programmatic activities, without access to providers, [Soler] said.

State Defends Construction of New Prison, Citing Projected Growth in Prisoner Population

[KJZZ Radio](#) report on the new prison:

Part of the reason that we decided that this unit was going to be necessary to our operation was because we were looking at population statistics that indicated an increase and that hasn't changed, ADC representative Doug Nick told KJZZ Radio. We are still looking at that there is growth in the system and we need to manage those beds.

[According to Nick](#), the ADC plans to transfer people already held in maximum-security prisons throughout the state into the new structure, with the ultimate goal of freeing up space in the state's prison system for some of the more predatory inmates that require special management.

An estimated 325 of the 500 prisoners to be housed at the prison will reportedly come from the Eyman unit at Florence Prison located in Florence, Arizona. The remaining beds will be filled with people moved from other prisons or new arrivals.

On December 9, Solitary Watch contacted the ADC to comment on the opening of the new prison in light of bed vacancies in existing facilities. When asked why the ADC requires additional beds in spite of the current surplus, ADC spokesperson Bill Lamoreaux referenced the daily count sheets, which specify the number of beds available for each custody level.

According to the [corrections records](#) dated December 8, 2014, of the 2,705 maximum-security beds designated for men, 190 were vacant not counting the additional 500 beds. The state also has a 132-bed maximum-security prison facility for women with 39 vacancies.

When asked if the ADC was expecting growth in the number of maximum security prisons, Lamoreaux replied that a look at the count sheets reveals where the need for additional maximum security capacity is warranted.

He continued, stating, [As for projected growth,] I don't know. I'm not sure . . . You can compare the current sheet to one from a couple years ago.

According to the [December 9, 2014, count sheet](#), apparently the first to include the addition of the new 500 beds, there were a total of 661 vacancies among males and 38 among females.

Regarding projected growth, Lamoreaux also alluded to a [December 2012 report](#) by the ADC detailing its five-year strategic plan for FY 2014 to FY 2018. Despite having a relatively stable population overall, the report states that certain population segments are increasing, one of which the ADC claims is maximum security.

Finally, when asked if people held in the new maximum security prison will be given more out-of-cell time than people currently held in maximum-security Arizona state prisons, Lamoreaux stated that maximum security prisoners throughout the state will receive additional time out of their cells. He then referred to what the ADC refers to as [Directors Instructions \(DI\) #326](#), which outlines instructions implemented by Director Ryan. Ryan's stated objective is:

to facilitate a process that requires inmates in maximum custody to work through a program utilizing a step system providing the opportunity to participate in jobs, programs and other out of cell activities. Based on behavior and programming, inmates may progress from controlled based housing to open privilege based housing where movement outside a cell is without restraint equipment.

According to DI #326, the directors instructions are subject to review every 90 days.

Report: Still Buried Alive

The AFSC Arizona report presents the viewpoints of the true experts on solitary confinement in Arizona: the men and women who live it every day. With written testimonies from 41 people held in solitary confinement in Arizona state prisons, the new report highlights the conditions in maximum-security prison facilities, underscoring the detrimental impacts of isolation. Also included are prisoners' statements directed to ADC Director Ryan, Governor Brewer and Arizona lawmakers.

In preparing the report, the AFSC asked men and women held in prisons operated by the ADC for their reactions to the planned opening of the 500 maximum-security prison beds. Respondents were also specifically asked about Director Ryan's 2013 [statement](#) that solitary confinement is not used by Arizona prisons, and to compare this statement to their personal experiences of confinement.

According to the report, on one point every respondent was in agreement: solitary confinement exists in Arizona prisons and it is extremely damaging to every person who endures it.

In written testimony, an individual describes the conditions of confinement as horrendous:

The day to day conditions of confinement are horrendous. For starters, Charles Ryan claims that we were only locked in our cells for 22 hours a day. Either this is another lie on his behalf or he just has no idea what's going on in his own facilities. By policy, we were given two hours of recreation in a small concrete box and a shower and every time we leave our cells we were strip searched and handcuffed. These days are routinely canceled due to a staff shortage to conduct them. The other days of the week are 24-hour lockdown.

Another person rejected the claim that double-celling prisoners does not qualify as solitary confinement:

It doesn't matter if a convict is locked in a cell with another convict as long as such convict is confined to a cell 24 hours a day. That is considered solitary confinement in my opinion; it's worse when there are two in a cell confined 24 hours a day because it's more frustrating seeing a stranger every day and dealing with his habits and attitudes.

Others comment on the long-term effects of solitary confinement, both on the individual subjected to the practice and later, society as a whole:

I have been locked up for 9.5 years. 7 years have been spent in lockdown. I have forgotten how to be around and deal with people. I am getting out in a year and a half and am a wreck. I've been kept in a cage on meds with no human contact, no programs, and am expected to get out and be normal. . . [M]ost of us will be getting out. Why would you want to treat people like this, then set them free with no

skills, not knowing how to deal with people, offering no programs, and wonder why so many return to prison for violent crimes. [If] you treat humans like animals, they become animals. . .

Solitary confinement does not change us for the better. It makes us hate everyone and creates monsters within us. . . I am speaking for the inmates that should not be in solitary when our classification points do not warrant our stay. We become aggressive and hostile towards people I don't know.

The issues of self-harming and suicide in solitary were addressed by multiple respondents:

I almost committed suicide like other females are doing while locked down. I tried hanging myself and took a bunch of pills the second and third time.

It irritates your mind. That's why my seizures have increased these past two years, especially this last year here in SMU I. That's why inmates are most likely to commit suicide in solitary than medium or minimum custody, and statistics prove that.

The following are some final statements offered by four maximum-security prisoners about their time in solitary confinement:

On Wednesday June 12, 2013 ADC Director Charles Ryan claimed that solitary confinement does not exist in Arizona prisons. If a man is locked in a airtight naked cage alone for 23 hours each day, every day and they only take him out for a shower 3 times a week in a airtight cell or one hour recreation alone in a empty pen. It is solitary no matter their double speak. . .

I would implore anyone who has the power and authority to end the use of long-term, indefinite solitary confinement in any capacity to look beyond any myopic political motives in order to discern whether placing people under such torturous conditions serves the greater good of society or just some misguided agenda based on fear. I'd try to convince them to heed the findings of various scientific studies on the actual effects of solitary confinement.

I would emphasize that they personally need to ask themselves: So what certain life expectations or productivity can an individual who's been placed decades in solitary confinement, segregation, etc? What can they look forward towards accomplishing if, or when they are released back into society? And even more so if their mental illness has also gone untreated all those years without physical interaction with other people or with any structural rehabilitation.

I would ask why they're continuing the practice of solitary confinement when it's statistically done nothing to lessen the amount of overall violence in prison which was its intended objective. I would ask why they're so intent on pursuing this failed objective. I would ask why they're so intent on pursuing this failed policy when all they have to do is look at such states as Mississippi to see how they've closed down their isolation units and added programs excessively lowering their violence levels. . . I would ask why they're treating us like animals and in a lot of cases turning us into animals when most of us will be re-entering these communities and neighborhoods. A healthier alternative for everybody would seem to be to keep us socially connected, give us jobs, programs, and opportunities. . .

The [report](#), which should be read in full, concludes with recommendations for the ADC. It urges the Corrections Department to limit use of isolation for ALL maximum-security prisoners regardless of their mental health score; move towards full compliance with the Parsons v. Ryan Settlement Agreement as quickly as possible; improve access to out-of-cell medical and mental health care; and increase the number of and access to educational programming, jobs, and group activities throughout the ADC.

ADC Continues to Dismiss Claims That It Uses Solitary

Following the release of the AFSC Arizona's new report, ADC representative Nick dismissed claims that Arizona state prisons use solitary confinement. [KJZZ Radio](#) reports that Doug Nick of the ADC referred to the definition of solitary as archaic:

The state has single cells, of course, Nick said. If you have a predatory inmate, a violent inmate, an inmate who is a threat to somebody else, clearly there's a reason to have a single-cell environment for their safety, of the institution, and the safety of the other inmates.

The AFSC Arizona responds to Nick's statements in a recent [blog post](#):

Further confirming that the Arizona Department of Corrections has no understanding of the critiques leveled against it by AFSC or any other prisoner rights advocates, Nick seems to suggest that being in a single cell is the problem, and not the fact that over 2,000 prisoners and soon 500 more in ASPC Lewis barely leave their cells for years at a time. Single, double, or triple bunks, when prisoners aren't allowed out of their cells and are confined to a space the size of a bathroom for years at a time it causes mental, physical, and psychological damage that often cannot be undone. It drives people crazy, makes them suicidal, and results in physical deterioration.

Lisa Dawson served as an assistant editor, social media manager, and contributor at Solitary Watch. She continues to support prisoners and their family members who need help navigating re-entry. She is on Twitter [@endsolitary](#).

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

Solitary Watch encourages comments and welcomes a range of ideas, opinions, debates, and respectful disagreement. We do not allow name-calling, bullying, cursing, or personal attacks of any kind. Any embedded links should be to information relevant to the conversation. Comments that violate these guidelines will be removed, and repeat offenders will be blocked. Thank you for your cooperation.

Yes 24 hours is too long plus years of living in a 12 by 8 foot cell is going to cause major health issues.

Governors need donations for the next election, and interests in warehousing inmates are involved, a well established industry growing since 25 years.

Some more examples though I'm convinced you know them and better than me, and right, >It's a huge business, said Fort Lauderdale defense attorney Bill Gelin<: Prison Proletariat: Exploiting Inmate Labor, 03/28/2007

The U.S. Prison System: A Multimillion-Dollar Industry, by: Natasha G. Feb 20, 2010

<http://www.care2.com/causes/human-rights/blog/the-u-s-prison-system-a-multimillion-dollar-industry/send/more/>

Follow the Prison Money Trail

By Silja J.A. Talvi September 4, 2006, to save construction cost.:

Governor Bill Richardson (D-NM) has already received more contributions from a private prison company than any other politician campaigning for state office in the United States. <http://www.inthesetimes.com/site/main/article/2797/>

I remember years ago when it was fashionable to redo your bathroom with a stainless steel toilet and sink like in the prisons. It was pretty expensive. Anyone else remember this?

I have a website for a man in Huntsville Prison in Texas. At the top of the page are several links to the writing of two other inmates. One is in the Polunsky Unit in Texas that is mentioned in the article and the other man, Armando Macias, is in the SHU in San Quentin. I recently published two posts from Armando that are titled, The inhumane Welcoming Society, part one and part two (there will be a third.) He explains very clearly what it is like to be on death row while being Hispanic. They are treated differently from other inmates on death row. There is no such thing as being able to get a program of any kind. He states that the judge ordered him to death row but he didn't order the prison to mistreat him any way they could, trying to kill his spirit and his mind before they kill his body. It wasn't part of his sentence. Last year the death penalty was taken off the table in Ca. I wonder how that will affect him.

mynameisjamie.net

It seems, in other cases where the states have been told to make changes and even when new laws have been passed, the states and the prison systems often don't comply. There doesn't seem to be a way to make them adhere to any law they choose not to.

A comment on another article stated that our prisons are like club med compared to other countries, but that is simply not the case. Our level of torture can be pretty outstanding.

So true, pray for inmates in Estelle unit tdcj, huntsville Texas. It's a medical unit, guards give cases for blind people stepping on line in halls, on deaf people for not hearing orders, or lay-ins missed. You can build all the new facilities needed, but long as they're manned by these kind of sadistic people, unfairness will always prevail. carol kobus

It is interesting to note, and would be interesting to watch the reactions of the fine, Christian people who howl for solitary confinement and other practices, that the Bible NOWHERE calls for or commands men to build prisons and to do to people what our prison system does.

And now that prisons are being built for profit, God help the poor schmuck who winds up in the court system. His chances of being found guilty are higher than ever.

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