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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](#) | December 24, 2018

The *East Bay Times* [reported](#) that a federal class-action lawsuit filed Friday claims two jails in Alameda County, California, violate the constitutional rights of the individuals held there through the use of safety cells. These cells are used for people who express suicidal thoughts, who are stripped naked, given a smock, and isolated without furniture, toilet paper, or any personal items for up to a week. Prisoners have to sleep and eat on the same floor that they must also urinate and defecate on and are also unable to wash their hands after going to the bathroom, the lawsuit says. The lawsuit calls for the jails to end the use of solitary confinement and implement mental health care for people with psychiatric disabilities.

[According](#) to the results of an inquest report on by *Patch*, 32-year-old Edward Robinson died of hypothermia with a body temperature of 84 degrees on September 19, lying in his own urine on the floor of his administrative segregation cell at the Lake County Jail in Illinois. While the inquest said that Robinson died of natural causes, the lawyer of Robinson's mother said he did not die of natural causes, he died of negligence from correctional officers. Robinson, who struggled with schizophrenia, was held in the jail for two months since he was found incompetent to stand trial, though the former sheriff noted that he was not a dangerous or a psychopathic human being at all. The investigation into Robinson's death has not yet been completed, but no officers face criminal charges at this time.

The *Omaha World-Herald* published an [editorial](#) applauding the overall reduction in the use of solitary confinement in juvenile detention centers across the state of Nebraska, which followed the 2016 publication of a report from the ACLU that found the state locked youth in isolation for some of the longest periods in the country. Legislation spearheaded by State Sen. Patty Pansing Brooks in 2016 led to a reduction in most facilities' use of solitary on youth. However, the state inspector for child welfare recently reported that the Douglas County Youth Center continues to frequently hold children in solitary for periods of eight hours. The report recommended that solitary be used in youth facilities only as a last resort and for no more than two to four hours.

An article in *Sojourners* [covered](#) the obstacles faced by prison chaplains on death row at the Allan B. Polunsky Unit in Texas, which stem from harsh conditions such as the automatic imposition of solitary confinement and the prohibition of physical contact with any visitors. Even one man's request to hold a pastor's hand during as he received a lethal injection was denied as a potential security risk. Because paperwork listed him as a nondenominational Christian rather than a Catholic, he also was not permitted to receive Last Rights of take Communion before he was executed. The article notes that nine states have prohibited the use of prolonged solitary for people held on death row, but Texas continues to treat people on death row as less than human, caged like animals, according to one chaplain at the Polunsky Unit.

Last week, Disability Rights Maryland released the findings of their investigation into the 2017 suicide of Emily Butler, who had been placed in solitary confinement at the Maryland Correctional Institution for Women two days before her death despite her documented history of psychiatric disabilities and her growing signs of depression in preceding days. Butler was denied both a phone call with her father and mental health treatment in solitary, [according](#) to the *Washington Post*. The report argued that the placement of people with psychiatric disabilities in solitary violated the 8th Amendment, the Maryland Constitution, and the American With Disabilities Act. The harm from prison segregation practices is pointedly evidenced by the death of Ms. Butler, the report said.

After eight people died at the Spokane County Jail within fourteen months, Lindsay Hayes, national expert on suicide prevention in correctional settings, conducted an investigation of the facility and released a report in October, finding an above average rate of suicide in Spokane County jails: 84.5 per 100,000 people in custody. Hayes connected this high rate of suicide to the punitive conditions in the jails' suicide watch unit, which holds people in solitary for 24 hours a day, rarely letting them out of their cells. The report recommended a maximum of six hours of cell confinement, more robust and confidential mental health screenings, and suicide-resistant bunks, among other changes. The *Inlander* [reported](#) that the county plans to implement the recommendations by March 2019 but they may need additional funding to do so.

The U.S. Department of Justice conducted an investigation of the Hampton Roads Regional Jail in Portsmouth, Virginia, after the deaths of 24-year-old Jamycheal Mitchell and 60-year-old Henry Clay Stewart at the facility in 2015 and 2016. Mitchell died awaiting transfer to a mental hospital and Stewart died of a perforated liver after being denied adequate health care. [According](#) to the *Washington Post*, the

jail holds people with psychiatric disabilities in solitary confinement for long periods of time, provides inadequate medical care, and fails to provide proper mental health treatment. The Justice Department's investigation found significant violations of inmates' constitutional rights to adequate medical and mental-health care, as well as violations of the Americans With Disabilities Act.

CNN [reported](#) that the U.S. Marshals Service released a report last month after investigating the Cuyahoga County jails in Cleveland, Ohio, following the deaths of six people in the jails' custody, including three suicides. The report described inhumane conditions at the jails, ranging from overcrowding to vermin in food areas, pregnant women sleeping on the floor, and the red zone, where people have been kept in solitary for more than a day without access to toilet paper and other basic hygienic items. One man, 36-year-old Robert Sharp, died in a Cuyahoga County jail in 2015 after officials placed him in solitary confinement instead of treating his overdose. The county claims to be working on bail reform, but community members continue to call for immediate solutions to the inhumane conditions at the jail.

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](#)

October 26, 2022

by [Caitlin Konya](#)

October 19, 2022

by [Mirilla Zhu](#)

October 12, 2022

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