

# Solitary Watch

## Criminal Justice Issues and Prisoners' Rights

<https://solitarywatch.org/2016/06/16/solitary-confinement-on-television-orange-is-the-new-black-and-pop-cultures-lockup-landscape/>

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by [Hallie Grossman](#) | June 16, 2016

Tomorrow, Netflix will release fourteen new episodes of the hit series *Orange Is the New Black*, inevitably renewing discussions of a host of prison issues. From the start of the series, the incarcerated women of Litchfield Penitentiary warn protagonist Piper Chapman about the horrors of the SHU, the federal prisons Segregated Housing Unit. Chapman's character, loosely based on writer-come-advocate Piper Kerman's experiences with prison, has spent thirty days in solitary in the course of the first three seasons. Although Kerman never spent any time in solitary while incarcerated, her fictional counterpart emerges from SHU visibly troubled in the second season premiere.

On the third and most recent season, two characters effectively disappear. Both are sent to solitary confinement, and both are not heard from for the rest of the season, mirroring the silence that characterizes the practice. Natasha Lyonne's character, Nicole Nichols, is sentenced to time in administrative segregation following a drug charge. Transgender woman Sophia Burset, portrayed by Laverne Cox, is shanked by a group of women in a hate crime and is sent to protective custody after the incident.

For *Orange Is the New Black*, a show whose plot hinges upon the relationships between women on the inside, solitary confinement holds little entertainment value. Rather than focusing on the experiences of women in solitary, the show naturally follows those able to communicate with the outside world, a telling omission that illustrates how those in the box are erased from the narrative. Regardless, *OITNB* has managed to spark conversation both in public discourse and in more official settings.

In 2014, Kerman [testified](#) before the Senate Judiciary Subcommittee on the Constitution, Civil Rights and Human Rights. The hearing, Reassessing Solitary Confinement, gave Kerman a platform to express the specific traumas facing women who enter solitary in our prisons. Regarding sexual assault, she said, Solitary is misused as a threat to intimidate and silence women who are being sexually abused by staff. The terrible threat of isolation makes women afraid to report abuse and serves as a powerful disincentive to ask for help or justice. [\[transcript\]](#)

Despite the recent growth in news and social media, solitary confinement as a plot-point in television remains sparse, at best. Its first small-screen appearance (1995's *F. Emasculated* episode of *The X-Files*) is among a small handful of times TV viewers have been asked to incorporate solitary confinement into their entertainment. After a few appearances (exclusively in passing and often in [sitcoms](#) [*My Name Is Earl* Didn't Pay Taxes, 2006]), the effects of prolonged isolation were explored for the first time in primetime. *Law and Order: Special Victims Unit* aired [Solitary](#) on October 7, 1999, highlighting the lasting psychological effects and potential dire consequences of solitary confinement.

Detective Elliot Stabler voluntarily spends a three days in solitary after being attacked by Callum Donovan, a man he had helped put away years earlier. After learning about Donovan's 15-year stay in solitary to avoid recruitment to the Aryan Brotherhood, Stabler elects to try it out for himself. Shortly into his stay, he becomes agitated and even slightly delusional. Before, he had wanted Donovan back behind bars; he changes his perspective following his own time and thinks Donovan should walk.

On the non-fiction front, MSNBC's *Lockup* and National Geographic Channels *Lockdown* both present a documentary-style look into what National Geographic calls America's hardest prisons. This sensationalized, dramatized version of what goes on inside our prisons reflects a narrative driven by the desire to create a divide between criminals and citizens. Viewers may become convinced that, as terrible as these places are, they are necessary to house our worst, most violent offenders.

Violent treatment toward those with a history of violence, however, does not prevent future dangerous behavior. Furthermore, men and women serving sentences in solitary often get released back into their communities directly from solitary, which [boosts recidivism rates and can increase the risk of violent reoffending](#). There are also [thousands of non-violent people](#) in solitary confinement, which undermines the narrative of *Lockup* and *Lockdown*. This worst of the worst theme allows viewers to dodge accountability and excuse the practice.

In the world of reality television, Fox Reality Channel aired a game show entitled *Solitary* from 2006 to 2010. At the start of the season, we enter a complex in which contestants are imprisoned for a number of weeks. The last one standing wins \$50,000, and each contestant

seems fully prepared to test his or her limits in order to win the money. The *Survivor*-style show creates an atmosphere in which the contestants' actions are dictated by a computerized voice named Val. Val refers to her prisoners as Number One, Number Two, and so on, and she is their only source of contact throughout the show.

There are various elements in the show that distract from the fact that contestants are participating in a practice that has been condemned in the human rights field and by [the UN Special Rapporteur on Torture](#). The upbeat background music, brightly colored units, and omnipresent robot voice replace the extreme silence, drab and muted colors, corrections officers, and abuse occurring in real solitary confinement units. In this context, the fascination with testing human limits extends as far as simulating torture.

The nature of the show trivializes true experiences in solitary, making it out to be a test of various strengths rather than a forceful denial of basic human rights and human contact. Contestants do not have to live with the stigma of being incarcerated, and they are able to leave whenever they want, returning to their lives, jobs, and families seamlessly. Men and women being held in solitary in real prisons may lose months or even years of their lives, and remain permanently scarred.

The increase of televised attention to solitary confinement in recent years begs the question: Is flawed media better than no media at all? Many viewers may have forgotten about *OITNB*'s Nichols and Burset when they left the general population. Is their absence enough to increase awareness about the depths of the system they were entering further into? When Burset is sent to protective custody, Michael Bryan French's character, a higher-up prison official, has no awareness that it is a form of solitary confinement. Is getting this message across to the viewer enough to change attitudes regarding the practice?

Whatever its flaws, *Orange Is the New Black*'s presentation of solitary confinement to its [enormous](#) and [critical audience](#) is a step forward. Although viewers should not assume that the show imparts an accurate education on the prison system, presence may lead to pertinence, which allowed Kerman to deliver her testimony. Making the issue present in popular culture and in news media serves to reach people who would not normally be interested.

As for reality-style series, *Lockup* and *Lockdown* could offer a more critical look into the prison system, rather than capitalizing on the split between criminals and society. For a country that prides itself for its human rights record, it would be interesting for the shows to take a look at how and why the conditions of America's hardest prisons were created and how and why they are being sustained, even after being deemed torture. And taking institutionalized violence as a premise for a game show like *Solitary* simply serves to capitalize on, if not further normalize, torture.

In the past year alone, solitary confinement has made great strides in penetrating mainstream political culture, with everyone from the Pope to Supreme Court Justice Anthony Kennedy to President Obama denouncing its devastating effects. Yet so far, reforms have brought practical change to a small percentage of the nearly 100,000 people currently in solitary. More progress is not inevitable, and popular culture can have a true impact by making bold choices that promote justice over complacency.

Hallie Grossman was a research and reporting intern for Solitary Watch and now works in communications at DKC in New York.

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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It doesn't take more than a few days in Solitary to cause the average, stable, adult to begin to unravel from a mental health standpoint. I was there as an elected official fighting corruption in an extremely corrupt southern city; it is real, not soft torture for most regular people!

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