

# Solitary Watch

## Criminal Justice Issues and Prisoners' Rights

<https://solitarywatch.org/2010/03/16/ask-shamu-solitary-confinement-is-torture-for-orcas-and-humans/>

## Campaign and Advocacy

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by [Jean Casella and James Ridgeway](#) | March 16, 2010

The terms torture and [solitary confinement](#) have surfaced over and over again in articles and commentaries about Tilikum, the captive killer whale who drowned his trainer at Floridas SeaWorld last month. For the most part, the authors of these pieces have sought mercy for Tilikum. While the six-ton orca had been implicated in two previous human deaths, they argue, Tilikum's torturous life in captivity rendered his behavior understandable, however horrific its results may have been.

Many of Tilikum's defenders highlight the [rare intelligence](#) and sensitivity of orcas and other dolphin species. And by way of mitigating circumstances, they point to his tragic youth, in which he was forcibly ripped from his family and community, and to the lonely and restricted life he has lived ever since, released from isolation in his tank only to perform or to breed.

While the FAQ section on SeaWorld's web site, called [Ask Shamu](#), emphasizes that the theme park often rescue[s] sick, orphaned, or injured animals, Tilikum's history is far less benign. In the [Harrisburg Patriot News](#), Karen Steinrock wrote:

Tilikum's idyllic life came to an abrupt halt in November 1983 at the age of 2, when he was snatched from his mother and siblings off the coast of Iceland a traumatic experience for any young orca. For the next 28 years, he learned to perform tricks for food in a confined ocean measured in feet instead of fathoms, circling endlessly with an artificial family. Holding a highly social creature in solitary confinement for decades and asking him to perform repetitious stunts in unnatural surroundings seems cruel.

One of the more compelling opinions of the SeaWorld tragedy came from *Psychology Today* contributing writer Gay Bradshaw, Ph.D. She specializes in human-animal relationships and trauma recovery. Bradshaw believes after suffering a violent and premature separation from his mother, Tilikum's diagnosis conforms to post-traumatic stress disorder (PTSD). Tilikum suffered shock and relational trauma from the capture, disrupted development and chronic stress during imprisonment for three decades, she writes.

Even legendary marine explorer Jacques Cousteau weighed in years ago, stating there's about as much educational benefit studying dolphins in captivity as there would be studying mankind by only observing prisoners held in solitary.

The solitary confinement metaphor was also used by John Crisp in a piece for [Scripps Howard](#) news service. Since killer whales live in intergenerational matriarchal pods, Crisp wrote, Tilikum's capture removed him from family and confined him with strangers. Since he's an instinctual swimmer, hunter, and breeder, designed for traveling great distances at sea, even his 3.2-million gallon tank must take on the approximate proportions of a solitary confinement cell.

Some commentators took it a step further, suggesting that Tilikum's environment, rather than his nature, led to the recent tragedy. In Britain's [Daily Mail](#), marine biologist and filmmaker Martha Holmes, who has filmed orcas in the wild, wrote that they are extraordinarily social creatures; like human beings they need company. You normally find them swimming in close-knit family groups. Take away that vital social network and you're taking away one of the absolute cornerstones of a killer whale's life. It's like placing a human being in solitary confinement for life. It probably has the same consequences, too. One [Canadian blogger](#) concurred: If a human being was put in solitary confinement for nearly 20 years, Charlie Smith wrote, he or she might feel a little homicidal toward the guards.

The [Orlando Sun-Sentinel](#) pointed out that researchers have yet to find evidence that an orca in the wild has ever killed a person. But they aren't surprised that the world's biggest, most powerful and possibly smartest predator, captured and kept for years in a tank, cut off from the influences of an extended family, could have a fatal encounter with a human. The article quoted Lori Marino, a neuroscientist who has studied orcas: Living in a tank and having to splash people with your tail every day for 27 years would make anyone go nuts, she said.

Certainly, solitary confinement constitutes abject cruelty for [killer whales](#) (or [chimps](#), or [elephants](#), or any wild animals), and might well drive them to erratic or destructive behavior. But it's rare to hear such expressions of sympathy or absolution for the tens of thousands of human beings who live in solitary confinement in the United States. Like Tilikum, many of these human prisoners did not kill until they were incarcerated; many more have not killed at all, and are held in isolation for disciplinary infractions, because they are mentally ill, or because they need protective custody. They can remain there for years or even [decades](#). And the devastating [psychological effects](#) of long-term lockdown which is [deemed to be torture](#) by [virtually everyone who has experienced it](#) are [well documented](#).

Among all the pieces we read about Tilikum, only Kieko Matteson's *Counterpunch* pointed to the plight of other violent offenders in the state of Florida, which has a large and punitive prison system even by U.S. standards. In the cleverly titled [Habeas Porpoise](#), Matteson, an environmental historian at the University of Hawaii, writes that many observers have highlighted the cruelty of spending one's lifetime in a cramped pen and suggested that in light of its incarceration, the cetacean's actions were only natural.' She continues:

Strikingly absent in the outpouring of public compassion for Tilikum is acknowledgement of the comparable effects of lifelong incarceration for Florida's unfree human denizens. According to a 2009 report by the Sentencing Project, more than 140,000 people in the U.S. are serving life sentences without parole. Over 6,000 of them are in Florida. And, perhaps most striking of all for the state that serves as home to some of the nation's most widely revered family-friendly attractions—the land of Disney World, Epcot Center and, yes, SeaWorld—the Sunshine State leads the country in the number of juveniles serving life without parole (LWOP) for crimes in which no one was killed. Like Tilikum, these young offenders—77 in all, out of the 100 LWOP juveniles serving time nationwide—live in cramped, stressful conditions, are regularly subject to pressure for unsensual sex, and face the likelihood of permanently severed ties from their families.

To be sure, their actions, including rape and armed robbery, were reprehensible. But neither were they murderous. In contrast to the benefit of the doubt shown Tilikum—who was given second and third chances to interact with humans long after even his corporate managers recognized him as dangerous, the state's nonlethal juvenile offenders are imprisoned without hope of release on the basis of their potential threat to society.

The U.S. Supreme Court is [expected to rule this spring](#) on whether [LWOP for juveniles](#) violates the Constitution's ban on cruel and unusual punishment. But whether they are serving life or not, children in adult prisons—[some of them as young as 12 or 13](#)—very often end up living in [ineffectively permanent solitary confinement](#).

Like Tilikum, many of these child offenders suffered terrible abuse and trauma in their earlier lives. Unlike Tilikum, they are more likely to respond to their miserable situations by killing themselves than by killing others. And in contrast to the widespread sympathy expressed for the captive orca, the public doesn't seem to care much about them at all.



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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Read the final report on Dozer Boys School in Florida at:

[http://www.pdfdownload.org/pdf2html/view\\_online.php?url=http%3A%2F%2Fcdn.turner.com%2Fcdn%2F2010%2Fimages%2F03%2F11%2Fdozier.pdf](http://www.pdfdownload.org/pdf2html/view_online.php?url=http%3A%2F%2Fcdn.turner.com%2Fcdn%2F2010%2Fimages%2F03%2F11%2Fdozier.pdf)

oh and for the sunshine state all i see is a blood red sun with the wrath of storms ever damn hurricane they get they deserve and yes i have family down there to boot after all they done to there states kids and adults they should have had ketereena not new orleans i see no sunshine the only orange i see is not a fruit not the inmates they hold that shine on some how still if there all about disney make a dreams come true then make mine come true end your cruelty at least a tarest most of the time ends up killing you we dont kill we just torcher more then ones and never put it to a end how bout we start fixing the bop doj and states and maby god will not send you such a rath of hurt this year trying to wake you up to caring for each other this year lol

It is days like this when i see what we doing to the planet and our own that i feel sick to call my self a american thank god at least i was

not born here but still i live in this land but i do not feel proud to be part of it it like half the flag may be black on one side the side you dont see or dont look at it not a ragged old flag of war it is scars of are cruelty may god have mercy on the political world cos he the only one who has a ton left for them lol

There are some great points made in this article and it is not like sending these children to a juvenile facility is being easy on them.

Since the article mentions Florida check this article out on its handling of inmates confined in one of its juvenile facilities

March 09, 2010

FL: Lawmakers to consider: Is it time to close the Dozier School for Boys?

By Ben Montgomery, Waveney Ann Moore and John Frank, Times Staff Writers

Tuesday, March 9, 2010

TALLAHASSEE Floridas oldest reform school has survived a century of failure and scandal. Now lawmakers once again are confronted with an uncomfortable question: Is it time to shut the place down?

At the start of another legislative session, Arthur G. Dozier School for Boys in Marianna is again struggling to keep kids safe. The school notorious for decades-old abuse has failed its state evaluation two years in a row. In the past five years, the Times has learned, boys have been beaten by guards, denied medical care and prevented from reporting abuse. The school has employed a mentally challenged man, a man who came to work high on cocaine and a man who broke his wifes shoulder. The Department of Juvenile Justice last year forced out its sixth superintendent in eight years.

Now comes a new batch of calls to close the school. Lawmakers this week will consider the future of Dozier, which houses 103 boys at a cost of \$10 million, or about \$100,000 per boy. But the Legislature has failed for 100 years to offer more than temporary relief for Doziers problems.

Dozier exists because of history, Roy Miller, president of the Childrens Campaign, an advocacy and watchdog group, said of the politically protected facility. It doesnt exist because there is any compelling reason to keep it open.

Budget woes may provide incentive to shut the school.

In January, Sen. Victor Crist, R-Tampa, chairman of the Senate committee that recommends funding for corrections institutions, asked DJJ to come up with a plan to absorb the closure. We have to make some very serious decisions, and this looks like a no-brainer, he said.

Closing the school would mean lost jobs in Jackson County. The school is one of the top 18 employers there, with 192 full-time staff and salaries amounting to \$7 million, the report said.

Most of these employees would become unemployed in a very difficult job market, it said.

Crist acknowledged last week that Doziers troubled past figures into the equation.

It causes us to pause and look more closely at how are they operating, he said. Have they overcome the problems that have plagued it in the past? And is it functioning at the high levels and standards that we require today?

The school has been protected for decades by North Florida politicians citing job loss and economic impact.

There were calls for closure in 1915, when fire swept through a locked dorm and killed eight boys. There were calls in 1918, when boys were found starving and dying of influenza.

How long will the intelligent and God-fearing people of Florida stand for a thing of this kind? said an editorial that year in the Tampa Tribune.

Floridians were outraged in the 1950s and 60s, when word spread that guards were beating boys bloody with a leather strap.

It is time that we quit being shocked every time an outsider visits Marianna, wrote an Evening Independent editor in 1969. It is time we found out why such conditions continue to exist and who is responsible for them.

There were more calls for closure in the 80s, when boys were hogtied and held in isolation for weeks. In 1988, a consultant recommended the school be closed. His proposal was swiftly denied.

Its a hard thing to do politically for some people, said the chairman of the committee that controlled appropriations at the time.

Each shut-it-down surge was met with promises. After guards were fired for beating a boy in 2007, the agency boss said Dozier would get better.

There are systemic operational problems at our Dozier facility that span the chain of command, he said. We have to act decisively to change the culture of our Dozier facility.

Three years and two failed reviews later, the department is still talking about that change.

Rep. Darryl Rouson, D-St. Petersburg, says he has been assured by the Juvenile Justice department that Dozier is improving. Theyve said that safety of the kids is paramount and that we would be pleased with what they have done there, he said.

Rep. Marti Coley, R-Marianna, is lobbying the governor and other lawmakers to keep the facility open, sparing jobs in her district.

If there are issues at Dozier, then lets help them correct them and move forward, she said.

Miller, the childrens advocate, said he is sympathetic to people losing their jobs but believes the situation could be offset by turning the Dozier property over to the Department of Corrections for low security prisoners.

I dont believe that economic impact should be used for subjecting children to inferior care, he said.

Jobs are important, but not the only consideration, said Rep. Sandy Adams, R-Orlando and the House criminal justice budget chairwoman.

But at the end of the day, we have to consider seriously consider whats in the best interest of the children, she said.

Times staff writer Lee Logan contributed to this report.

P.O. Box 11374  
Washington, DC 20008

[info@solitarywatch.org](mailto:info@solitarywatch.org)

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