

Solitary Watch

Criminal Justice Issues and Prisoners' Rights

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by [Victoria Law](#) | January 6, 2016

Jacob Spivey has [bipolar two](#) disorder. Before his incarceration, explained his mother Denise Harrelson, every six months he would become depressed and have suicidal thoughts. In 2014, he entered the North Carolina prison system, but spent most of that first year in the states Central Prison, which has a 216-bed mental health facility.

In 2015, he was transferred to the Johnston Correctional Institution in Smithfield, North Carolina. There, when he told guards he was deeply depressed, a precursor to becoming suicidal, they placed him in administrative segregation. When Harrelson arrived for her weekly visit the following day, she said that she was initially ushered into a room with prison officials, including the prisons superintendent, who told her that her son had been placed in segregation and that his mental health was so fragile that he wasnt sure a visit would be in his best interest. But she insisted that, if she were not allowed to visit, the administration provide the reason in writing. Prison officials relented and she was allowed to visit.

When I entered segregation the heat took my breath away, although it was 100 degrees outside, the visitation room had no windows and no air conditioning, it felt like 140 to 150 degrees, she described. I asked the guard to open the door so I could get some air from the hall, at first he refused, I had to insist several more times. I was being baked and my son could hardly hold his eyes open to look at me, he had already been beaten down by the heat and was barely functioning. She was able to stay in the room for less than 15 minutes before the heat drove her out.

Although she cut her visit short that day, Harrelson wasnt giving up on her son. Before walking out of the prison, she pleaded with the prisons superintendent to remove her son from segregation. I warned that these conditions would cause Jacob, who was already having problems, to spiral downward, she recalled. The next day, she followed up with a phone call to the superintendent; that evening, when her son still had not been moved she called again. Later that night, he was moved out of segregation to general population, but remained at the prison.

The following Wednesday, Harrelson visited again. I could see that he was mentally out of it, she recounted. He was agitated. He wasnt acting right. Id ask him something, [but] he didnt want to talk. When I asked him again, he started hitting the table over and over. He couldnt focus. That night, Jacob tried to hang himself. He was immediately taken to the hospital.

Thats when I started writing letters to everyone, Harrelson said. She wrote to the prison system, but received no response. She wrote to the governor, begging him to intervene. Again, no response. She contacted the [National Alliance on Mental Illness](#), who put her in touch with a disability rights attorney. The attorney gave her the fax number of the person to speak with at the prison. In the meantime, Jacob was taken to the hospital **four** times in four months. Twice, he was placed in the hospitals protective custody, where he was locked in his cell 23 hours per day, when others either attacked him or threatened to attack him for the money that Harrelson had sent him to buy snacks. Each time he was taken to the hospital, he was returned to the prison after a few days.

At this point Im scared to death because hes suicidal every month, Harrelson said. And hes got another year [in prison] to go. When her son told her that hospital staff had accused him of being manipulative, she wrote letters to the hospital explaining his condition. When my son is suicidal, he needs to go to the hospital, not to segregation, she told Solitary Watch.

She also asked Jacob to document his treatment, including the medications and dosages he was being given, how many hours of sleep he got each night, and, on a scale of one to ten, how he was feeling. With these records, she realized that his medication had been cut in half, causing him to feel suicidal every month. She pressed the prison and medical staff. In November 2015, his dosage was restored. She also made sure that her son understood the importance of staying on his medications. I believe Jacob was on course to commit suicide, Harrelson stated. Since his medication has been restored, she reports that his mental health is better and that, during visits, shes been able to have in-depth conversations. Now, shes hopeful that he will survive the next year in prison.

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Kevin Snodgrass has no history of mental illness or mental health concerns. Nonetheless, he has been in solitary confinement continually for over two years at Red Onion State Prison, where [one in 20 people](#) are held in some form of solitary confinement. There, he was

involved in a fight. It wasn't a gang fight, Kimberly Snodgrass, his mother and an army veteran, clarified. It was a one-on-one fight. Kevin should have had a disciplinary hearing about the charges against him. Instead, according to a [suit he filed](#), on December 6, 2013, he was charged with possession of a weapon or sharpened instrument and placed in long-term segregation. But, his mother pointed out, given that he had been taken from isolation, where he had spent three months, to the holding cell where the knife was found, it would have been impossible for Kevin to have obtained such a weapon. (The court dismissed his suit.)

Since then, Kevin has spent over 730 days in different forms of isolation. He goes back and forth from short term to long-term solitary confinement, Snodgrass told Solitary Watch. In long-term segregation, she explains, he is locked in a cell by himself 23 hours each day without access to a TV, radio or any electronics to help pass the time. In short-term segregation, he may be allowed to have a cellmate and access to electronics, but remains locked in his cell for 23 hours each day.

When she learned that her son had been placed in solitary, Snodgrass sprang into action, contacting the prison, the Virginia Department of Corrections and even state governor Terry McAuliffe. She also connected with Sister Beth Davies and [Interfaith Action for Human Rights](#) (IAHR), a mid-Atlantic organization that mobilizes faith communities against U.S. human rights violations, including solitary confinement. At a recent meeting with officials from the Virginia Department of Corrections, including three from Red Onion State Prison, IAHR advocates inquired specifically about Kevin Snodgrass's continued placement in segregation. They were able to let the prison know that there was someone other than me looking at my son's case, Snodgrass told Solitary Watch.

Snodgrass used to make the six-hour drive from her home in northern Virginia every other month for a two-hour visit where plexiglass separates her from her son. Now, she's increased her visits to every 15 to 22 days; whenever she does not hear from Kevin, she, her husband (a disabled army veteran), Kevin's 24-year-old brother, and his 89-year-old grandmother pile into her gray Lexus and drive west for an impromptu visit to ensure that he is safe.

Kevin remains in isolation, but Snodgrass and her family refuse to give up. Were both disappointed and dissatisfied with the no-response from Governor Terry McAuliffe's (D-VA) office, she said, noting that she and her husband voted for him twice. We've written him as constituents, veterans and concerned parents. His office passed our inquiries to Virginia Department of Corrections (VDOC) with no follow-up. VDOC will not police themselves. McAuliffe shook my hand for a vote but has not designated someone to take a closer look at my claim.

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Tama Bell has had to advocate for her son since he was seven years old and diagnosed with PTSD from childhood abuse, bipolar disorder, bipolar disorder with psychotic features and ADHD. I really had no difficulty advocating for him and getting him help, she told Solitary Watch. But that changed when he turned eighteen. Mental health basically wanted to reduce their roles. You know they basically had a lot of cutbacks and you know basically once a person turns 18 if they're not one hundred percent vested in getting help, mental health is very quick to encourage them to leave getting help, and so that's what ended up happening, she explained. We were told over and over again that if I would just allow him to commit a crime then he would get the mental health help that he needs. And that's exactly what happened. In 2014, Masai was convicted and sentenced to one to three years in a New York State prison after he punched and robbed a delivery person for food.

But imprisonment did not provide the mental health treatment that he so desperately needed. Bell began advocating on his behalf. She wrote letters to the superintendents and mental health staff of the prisons where her son had been sent. She contacted the director of the corrections-based operations at Central New York Psychiatric Center and requested that her son be evaluated. Masai was transferred to Midstate Correctional Facility for evaluation. During his second week there, Masai was beaten by several guards after he ignored a guard's order to wipe down a table he had already cleaned. He was then charged with disobeying a guard, trying to forcibly touch a guard and attacking other guards.

The [SHU Exclusion Law](#), enacted in 2008, requires that all people placed in segregation be assessed by a mental health clinician. Those diagnosed with serious mental illness must be placed in residential mental health treatment units (RMHU) rather than in the SHU. But, although it had been in effect for several years, Masai was nonetheless sent to Auburn Correctional Facility and placed in the SHU. He was facing 18 months in isolation.

I looked up SHU, Bell said. I looked up special housing and that led me to solitary and I was terrified. But, just as Bell had advocated for her son when he was a child, she fought for his well-being and release from the SHU. She was already a member of [Community Voices Heard](#), a New York City-based advocacy organization. Other members worked with her to both identify individuals and organizations that could assist her son and to articulate what needed to be done. She contacted [Prisoners Legal Services](#), which helped fight the new charges against him. She contacted Assembly Member Daniel O'Donnell, the chair of the Assembly's Correction Committee. His office, in turn, contacted the prison to demand why Masai had been placed in the SHU.

Bell joined the [Campaign for Alternatives to Isolated Confinement](#) (CAIC) which works to end solitary confinement in New York. She began lobbying for the Humane Alternatives to Long-term Solitary Confinement Bill (HALT) and took part in CAIC's demonstrations. (Bell is pictured, second from right, in the photo above.) Bell also began a public campaign, including a [petition](#) that garnered over 1300 signatures, demanding Masai's release from solitary. I kept very loudly saying, You people know this kid is mentally ill. You know that he shouldn't even be in prison really.

Masai was released after serving three months in the SHU for disobeying a direct order. The other charges were dropped.

In September 2015, Masai was paroled. He recently moved into his own apartment in supportive housing, which includes on-site mental health staff. But Bell recognizes that the problem is larger and more systematic than one group of prison guards or one prison. I believe there's too much mass incarceration, she said. People of color have borne the brunt of this. But if we are going to incarcerate our mentally ill loved ones, there has to be a mechanism to keep them out of the SHU. Although her son is now out of prison and receiving mental health treatment, Bell submitted testimony about the family's experiences to the New York State Assembly Committee on Correction for its December 2nd hearing on oversight for the state's prison system.

For others fighting for their children, she advises, Do exactly what I didgoogle the words solitary confinement and then contact every agency. Get involved. You can become immobilized with sadness and fear and sorrow or you can become empowered with other advocates and start going to Albany and fighting. Thats basically what Im doing and I plan to continue this because I know we have a lot of work to do. Get out there and connect. I connected with the [Correctional Association of New York](#). I connected with different media. I contacted the Times, I contacted the Village Voice[which] [ran an article about my son](#). I didnt just stay quiet. Probably when people got my e-mails they were like, *Oh God her again*, but you have to because you know nobody else is going to do that for your kid.

Kimberly Snodgrass agrees. Pick up the pen, make some calls and partner. There are many organizations out there. Show people that youre invested in the freedom of your loved one and someone will come and help you.

Victoria Law is a freelance journalist and author focused on incarceration. Her books include Resistance Behind Bars, Prison By Any Other Name, and "Prisons Make Us Safer" and 20 Other Myths About Mass Incarceration. She tweets @LVikkiml.

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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Interesting that in the article, while it crybabies a lot for the poor criminal, it never mentions the crime they committed, or their victims, that caused them to end up in the prison to begin with.

Crybabies? The article is about CRUEL AND UNUSUAL PUNISHMENT which is expressly forbidden by our Constitution. Kept in boiling hot rooms well over 100 degrees fahrenheit when having a mental illness episode, having a shank planted in their cell in isolation as punishment for appealing, and they specifically mentioned that Masai Bell stole food from a delivery person. that was his horrible crime that designated him being locked in a cage alone for 23 hours a day. Enough to drive anyone insane. And oftentimes, they will TURN THESE MEN BACK OUT INTO SOCIETY. Do we want rehabilitation, where all but the most violent sociopaths and predators remain in prison and those who CAN be taught a marketable skill and counseled to deal with the abuse, violence, and drug/alcohol family addictions that led them to prison in the first place are re-entered into society? OR a punishment system where ANY ONE OF US can end up in prison if we cross the wrong person and be mentally and physically tortured for decades?

SOLITARY CONFINEMENT IS A MAN MADE WEAPON TO MAKE PEOPLE INSANE AND DELUSIONAL SHAME ON THIS TYPE OF ABUSE

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