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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](#) | February 18, 2019

The *Atlanta Journal-Constitution* [reported](#) that three people in the custody of Georgia Department of Corrections died in just over a week. On February 4, 50-year-old Raymond Nelson was found dead in his cell from an apparent suicide at Calhoun State Prison. 27-year-old Daquan Young died on February 6 at Smith State Prison, allegedly as a result of a stabbing. On February 12, David Payne was found unresponsive after his apparent suicide at Baldwin State Prison. Advocates point to inadequate mental health care in Georgias prisons and the use of solitary confinement as leading causes of the increase in suicides.

The Intercept published an [article](#) relaying reports of several incidences of retaliation against incarcerated people who engaged in individual or collective acts of protest against the conditions at the Metropolitan Detention Center in Brooklyn, New York, during the six days the facility had no heat, electricity, phone access, or hot meals late last month. In a unit that had been forced to eat in their own cells in darkness, one manon the sixth daysat down in the common area, where he was able to see his food under the dim emergency lights. Others from the unit witnessed eight guards in riot gear come and remove the man, presumably to solitary confinement. Other men engaged in hunger strikes, some recorded a video of the conditions, and others covered their cell doors during count. While protests on the outside brought attention to the situation, protests on the inside were met with pepper spray, isolation, and denial of toilet access.

The *Sacramento Bee* [reported](#) that attorneys have called for Sacramento County to halt the use of solitary confinement in its jails, since This harm is too serious and too urgent to wait for the normal course of business, said one attorney with the Prison Law Office. In a lawsuit filed against the county seven months ago, incarcerated people described the solitary confinement unit that smelled like urine, was filthy, and was freezing with just a grate in the floor for a toilet. In 2016, experts released a report citing Sacramento Countys total separation practice, in which incarcerated people with psychiatric disabilities can go weeks, months, and even years with little or no opportunity for social contact. While the county does not dispute the facts of the lawsuit, they said budgetary restrictions have prevented them from achieving a resolution.

Courthouse News Service [reported](#) that Yassin Muhiddin Aref and Kifah Jayyousi, both Muslim men formerly held in the federal system, have filed a lawsuit against the prior Bureau of Prisons (BOP) policy that allegedly allowed unsubstantiated accusations to inform their placement in solitary confinementor the Communications Management Units (CMUs)as well as permanently taint their records. Aref and Jayyousi filed a separate suit in 2010 with five other incarcerated men, claiming that the BOP disproportionately placed Muslim men in solitary. Both men were accused of communicating with terrorist groups, though neither was provided evidence or a channel to dispute the allegations. The lawyer representing Aref and Jayyousi has called for expungement of the mens records and acknowledgement that the old BOP policy violated the constitution.

While the 2015 landmark *Ashker v. Brown* settlement largely eliminated the use of indefinite solitary confinement in California, U.S. District Judge Robert Illman recently extended the lawsuits two-year monitoring period on the basis that the California Department of Corrections and Rehabilitation (CDCR) continues to use confidential information to place people in solitary in violation of the purpose of the agreement. [According](#) to *Mother Jones*, the CDCR has resisted the order and appealed the decision to the Ninth Circuit court. Judge Claudia Wilken ruled last summer that the CDCR also violated the settlement by placing men supposedly released from solitary into similar conditions under a different name. California organizers are pushing for the adoption of the Mandela Rules, which would prohibit solitary for more than fifteen days.

Urban Milwaukee [reported](#) that at a neighborhood meeting, the Milwaukee County Department of Health and Human Services (DHHS) laid out its ideas for alternatives to the current Wisconsin Department of Corrections Lincoln Hills School for Boys and Copper Lake School for Girls. The two juvenile facilities are set to be closed by January 2021, since lawsuits exposed the mistreatment of children there, including the use of pepper spray, solitary confinement, and physical brutality. Our program will not be a prisonit will be a youth treatment facility, DHHS explained. Our goal is to have a school campus-like setting that offers security. What helps kids heal? Adultscaring adults, said DHHS director Jo Meyers.

[According](#) to the *Los Angeles Times*, Los Angeles County approved a plan last week todemolish the Mens Central Jail and build a mental health facility in its place. The Mens Central Jail has long been criticized for its culture of abuse, inhumane conditions, and use of

[solitary confinement](#), but the newly proposed Mental Health Treatment Center would be operated by the Department of Health Services, rather than the Sheriff's Department, reflecting the fact that now about 70 percent of people in the jails custody have a medical or mental illness. Community activists, however, remain opposed to the plan, which formerly aimed to build a rehabilitation center over the jail, claiming the new plan is similar and calling it a jail with a bow on it.

The Appeal [reported](#) on a hunger strike at California State Prison, Corcoran, in response to a lockdown that has lasted more than four months. Following a fight on the yard in September, 333 incarcerated men in one unit have been locked in their cells in conditions identical to solitary confinement or worse, since no visits or phone calls are allowed. The hunger strikers, who accuse the prison of instituting group punishment for the actions of a few, presented a list of six demands, which included lifting the lockdown and restoring visits, outdoor exercise, and rehabilitative programming. But when the strike ended on January 28, after nearly three weeks, none of the demands had been met. Because it is not prison-wide, the California Department of Corrections and Rehabilitation euphemistically refers to the lockdown as modified program, and says it will last no longer than necessary to restore safety and security without indicating what that restoration would entail.

WUWM public radio in Milwaukee provided an [update](#) on developments since the 2016 death of Thomas Terrill, man with mental illness who died of dehydration seven days after corrections officer turned off the water in his solitary confinement at the Milwaukee County Jail. Criminal charges have finally been brought against three members of the jail (rather than the seven recommended by an inquest last year). The county has also begun to discuss strategies to prevent deaths in the future, including wellness officers and a policy to offer water to incarcerated people every hour if their cells water has been turned off. But the ongoing challenge for anybody working in a jail, an attorney from Milwaukee's Legal Aid Society said, is to not get jaded and not turn off your listening and paying attention to people.

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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