

# Solitary Watch

## Criminal Justice Issues and Prisoners' Rights

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Our Weekly Roundup of News and Views on Solitary Confinement

by [Valerie Kiebala](#) | May 20, 2019

As [reported](#) by the Baton Rouge *Advocate*, the Vera Institute of Justice's Safe Alternatives to Segregation Initiative last week released its [report](#) on Louisiana's use of solitary confinement last week. The report, based on two years of research by Vera in cooperation with the Louisiana Department of Public Safety and Corrections (LADOC), found more than 17 percent of incarcerated people were held in solitary in prisons across the state in 2016, a rate of solitary that is nearly four times the national average. While the report applauded recent LADOC reform efforts, including the closing of the notorious Camp J isolation unit at the Louisiana State Penitentiary at Angola, it also found serious problems. For example, the report documented extreme incidents of segregation within segregation, where people remained isolated for over 23 hours a day and were forced to remain sitting up during working hours, among other punitive practices. The report recommends the state work toward sharp reductions in the use of solitary as well as changes in conditions within isolation units. The Vera Institute subsequently [announced](#) that it would be embarking on a second round of solitary reforms with the LADOC.

*Westword* [reported](#) that Thomas Silverstein, who spent over 30 years isolated in federal prisons, died of heart complications on May 11 at age 67. Silverstein spent fourteen of those years at the ADX supermax prison in Colorado in the most extreme form of isolation, under a no human contact order. According to journalist Alan Prendergast, who has [written extensively](#) about Silverstein, he later expressed remorse for the prison murders and his association with the Aryan Brotherhood, which together had landed him in permanent solitary, and believed that he had changed. I just have more self-control now, Silverstein said in an earlier interview, after 25 years of yoga, meditation, studying Buddhism and taking some anger-management courses. Solitary Watch [published](#) an excerpt from Silverstein's declaration in a 2011 lawsuit, describing the severely disorienting and painful effects of the time he spent in solitary. In that suit, challenging the conditions that led Silverstein to be called the most isolated man in America, the court ruled that the extreme isolation he faced did not amount to cruel and unusual punishment. More of Solitary Watch's coverage of the Silverstein case [can be found here](#), along with samples of his artwork.

A post on *JD Supra* [reported](#) that the U.S. District Court for the Middle District of Georgia had approved the settlement terms for a class action lawsuit challenging the severely restrictive conditions in the Special Management Unit (SMU) at the Georgia Diagnostic & Classification Prison. The suit, brought by the Southern Center for Human Rights with co-counsel from Kilpatrick, Townsend & Stockton (which authored the post), argued that conditions at the prison violated the 8th and 14th Amendments rights of the people incarcerated there, many of whom have mental illness. In October 2017, as [previously reported](#) by Solitary Watch, expert witness and clinical psychologist Dr. Craig Haney visited the prison and declared the SMU to be one of the harshest and most draconian isolation units he had seen, with the most psychology traumatized persons [he] ha[d] ever assessed in this context. Haney found people with psychiatric disabilities routinely subjected to isolation, one man left naked and psychotic in a blood-covered cell, and another man isolated in a pitch-black cell for months. Under the settlement, the use of solitary must be limited to twenty hours a day and people in the SMU must be provided a tablet, library access, programming, and mental health evaluations.

Last week, the coroner released the autopsy report for Reginald Wilson, who died in December of last year at the Cobb County Adult Detention Center in Georgia, [according](#) to *Rolling Out*. Fifty-four-year-old Wilson had been arrested nine days earlier outside of the hospital, where he was found agitated and talking about seeing spirits. Wilson was not provided any mental health evaluation or services, but was instead taken to the jail and kept in solitary confinement, where he was soon found unresponsive, naked, and covered in feces. The coroner found that Wilson, whose psychiatric disabilities were apparent and documented, died of dehydration due to bipolar disorder. Wilson is one of 500 people who have died in Georgia correctional facilities in the past ten years.

The *Daily Business Review* [reported](#) that the Southern Poverty Law Center (SPLC) filed a lawsuit against the Florida Department of Corrections, claiming that the state discriminate[s] against people with disabilities in its use of isolation and has shown deliberate indifference to the damaging effects people face from solitary confinement. SPLC has found that Florida subjects ten percent of incarcerated people or 10,000 people to solitary confinement. Currently, the state has no restrictions on the use of solitary on children, people with psychiatric disabilities, or pregnant women. Florida Senator Bill Montford introduced legislation to prohibit the placement of youth in solitary confinement, but the bill failed to pass. One woman told reporters that her daughter has spent three years in solitary in Florida and really is just going crazy in there.

In a related story, Phyllis Johnson-Mabery, whose son Michael Cuebas committed suicide last July while isolated in a Florida prison, spoke out against the use of prolonged solitary confinement. Johnson-Mabery [told](#) the *Orlando Sentinel* that 34-year-old Cuebas had eighteen months left to serve at Santa Rosa Correctional Institution in Florida when he died. I don't believe he was ever going to get out of solitary and I think when he made that realization he decided he had enough, she said. Cuebas had been in close management, a highly restrictive solitary unit, for four years, following an altercation with another incarcerated man.

[According](#) to the *Oregonian*, Oregon State Hospital has been violating a federal court order mandating that it admit within 7 days any detained people judged not to have the mental competency to face trial. The hospital says it is full, and the number of people with mental conditions unable to stand trial has skyrocketed. The result has been an increase in lengthy jail stays for people with psychiatric disabilities, who are frequently subjected to solitary confinement, which can exacerbate their mental illness. An *Oregonian* investigation found that 63 of the 200 people enduring unconstitutional jail stays in Oregon faced minor charges that would have brought little to no jail time. Last week, Disability Rights Oregon filed a motion to hold the state in contempt of court for its treatment of people with psychiatric disabilities.

The *Colorado Springs Gazette* released a [video](#) exemplifying the mental health crisis in Colorado through the story of Mikolaj Warszawski, a man diagnosed with schizophrenia and bipolar disorder. When the judge ruled him mentally unfit for trial, Warszawski was sent to solitary confinement in the El Paso County Jail because no beds were available in the hospital. He remained isolated for six months, where his grandmother says he did not receive any medication, except a Tylenol or something like that. Mikolaj said when he was not on his medication, I wanted to end my life. Tell them, Hey I'm suicidal, just get me out of here. Across the state, one-third of incarcerated men and four-fifths of incarcerated women currently report a mental health issue.

The *Omaha World-Herald* [reported](#) that a lawsuit filed by the ACLU of Nebraska in 2017, claiming the state inflicts cruel and unusual punishment on incarcerated people, now awaits the judge's decision on its class action certification. According to the lawsuit, Nebraska prisons face extreme overcrowding, inflict solitary confinement and five-point restraints on people for prolonged periods, provide inadequate medical and mental health care, and discriminate against disabled people. But the Nebraska Department of Corrections filed a brief last week claiming they provide excellent access to health care, and called on the judge to deny the lawsuit class action status. Despite recent reforms, the ACLU says Nebraska prisons remain the second-most overcrowded in the country and remain mired in crisis.

The *Central Maine* Editorial Board [called](#) on Maine schools to end the use of solitary confinement on children and restrict the use of restraints to only dire emergencies, according to the recommendations of a recently released Disability Rights Maine report. The report found that the documented use of restraints and seclusion rooms on students increased by 60 percent in four years, with 13,000 instances of seclusion or restraint in 2016. In 2018, the report found that 80 percent of the 20,000 emergency interventions were carried out on students with disabilities. In one case, a mother found her psychiatrically disabled 9-year-old child screaming from a seclusion room, Let me out of here, it's too hot. I can't breathe.

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

Solitary Watch encourages comments and welcomes a range of ideas, opinions, debates, and respectful disagreement. We do not allow name-calling, bullying, cursing, or personal attacks of any kind. Any embedded links should be to information relevant to the conversation. Comments that violate these guidelines will be removed, and repeat offenders will be blocked. Thank you for your cooperation.

Author Pete Early who wrote *The Hot House: Life Inside Leavenworth Prison* in which Silverstein's case was covered was working with Silverstein on a follow up when Silverstein fell ill.

Early this year, around his 67th birthday on February 4th, Silverstein contracted pneumonia which developed into sepsis which resulted in a heart attack and partial kidney failure. (Ironically the reported AB leader Barry Mills also died a day after his 70th birthday on July 8 2018 in ADX)

Pete Early also wrote a memorial to Silverstein on his blog in which he reported that:

Even when he was incapacitated and incubated, I was told that his BOP guards initially

KEPT IN FOUR POINT RESTRAINTS TIED TO A HOSPITAL BED WITH AS MANY AS THREE OFFICERS STANDING

WATCH.

You can find the rest of Pete Earlys article if you goggle

Thomas Silverstein: Held In Isolation Cells For 36 Years, Major Character in The Hot House, Has Died

Can you imagine being in four point restraints while in intensive care?

People always say things like Hes in a better place now. when referring to those that have passed.

In Silversteins case no matter what your beliefs are you probably agree.

Silversteins web site reported that he was still in good spirits right up until he became one.

RIP

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