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Criminal Justice Issues and Prisoners' Rights

<https://solitarywatch.org/2012/03/06/lawsuit-charges-solitary-confinement-in-arizonas-prisons-is-cruel-and-unusual-punishment/>

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by [Jean Casella and James Ridgeway](#) | March 6, 2012

A federal class-action lawsuit filed today by a legal team led by the American Civil Liberties Union and the Prison Law Office is noteworthy on several fronts. It documents the torturous conditions in Arizona's supermax prisons and other lockdown units. And it combines a challenge to solitary confinement with claims of grossly inadequate medical and mental health care, arguing that both violate the Eighth Amendment to the Constitution by subjecting Arizona's state prisoners to cruel and unusual punishment.

According to a press release from the ACLU:

The lawsuit charges that thousands of prisoners are routinely subjected to solitary confinement in windowless cells behind solid steel doors, in conditions of extreme social isolation and sensory deprivation, leading to serious physical and psychological harm. Some prisoners in solitary receive no outdoor exercise for months or years on end, and some receive only two meals a day.

The prison conditions in Arizona are among the worst I've ever seen, said Donald Specter, executive director of the Berkeley, Calif.-based Prison Law Office. Prisoners have a constitutional right to receive adequate health care, and it is unconscionable for them to be left to suffer and die in the face of neglect and deliberate indifference.

Specter was the lead counsel in *Brown v. Plata*, a similar case from California in which the Supreme Court last year reaffirmed that prisoners have a constitutional right to adequate health care.

Courts have consistently ruled that solitary confinement of people with mental illness is unconstitutional because it aggravates their illness and prevents them from getting proper treatment, said David Fathi, director of the ACLU National Prison Project. Even for those with no prior history of mental illness, solitary confinement can inflict extraordinary suffering and lead to catastrophic psychiatric deterioration.

Critically ill prisoners have begged prison officials for medical treatment, according to the lawsuit, only to be told to be patient, that it's all in your head, or that they should pray to be cured. Arizona prison officials have repeatedly been warned by their own medical staff of the inadequacy of the care, echoing complaints from prisoner advocates and families that prisoners face a substantial risk of serious harm and death. Yet, they have failed to ensure that minimally adequate health care is provided as required by the Constitution.

Jackie Thomas, one of the lawsuits named plaintiffs who is housed in solitary confinement at the state prison complex in Eyman, has suffered significant deterioration in his physical and mental health as a result of being held in isolation, where he has become suicidal and repeatedly harmed himself in other ways. Prison staff have failed to treat his mental illness, improperly starting and stopping psychotropic medications and repeatedly using ineffective medications that carry severe side effects. Last November, Thomas overdosed on medication but did not receive any medical care.

Faced with such gross indifference on the part of prison officials to the needs of prisoners with mental illness in their care, it was essential we get involved, said Jennifer Alewelt, staff attorney with the Arizona Center for Disability Law, one of the plaintiffs in the lawsuit. Prisoners with mental illness can be particularly vulnerable, and we must do everything we can to ensure their mental health needs are met while incarcerated.

Filed in the U.S. District Court for the District of Arizona against Charles Ryan, director of the Arizona Department of Corrections, and Richard Pratt, the department's interim director of the division of health services, the lawsuit asks, among other things, that constitutionally adequate health care be made available to prisoners, that medications be distributed to patients in a timely manner, and that prisoners not be held in isolation in conditions of social isolation and sensory deprivation that put them at risk of harm. The lawsuit does not seek monetary damages.

Arizona has used the absence of transparency to callously ignore the basic needs of persons entrusted to its care, at times with deadly results, said Daniel Pochoda, legal director of the ACLU of Arizona. Absent court intervention the health and well-being of thousands of prisoners will continue to be sacrificed to economic expediency.

A copy of the lawsuit is available [here](#) and [here](#).

For a comprehensive look at solitary confinement in Arizona, see the American Friends Service Committees 2007 report [Buried Alive](#).

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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Why must everyone focus on punishing these prisoners. What happened to rehabilitation? How could anyone be normal after spending so much time isolated. It breaks my heart to know anyone would treat another human being this way.

oh AZ state that's sick the heat must be going to your heads cos no one who is of sound mind would do this to someone you have yet to rise from the ashes anew your state has so much that needs to be stopped that insane sheriff for one and the use of solitary let alone the way your treating your prisoners if the old say is true that if you want to know how well a place treats there own you need only look at there prisons then i glad i not of your state for those who suffer days and years in the shadow of justice you have built and anyone in solitary may there be light in the darkness of justice

<http://www.azcentral.com/video/#/News/ACLU%20files%20class%20action%20lawsuit%20against%20Arizona%20department%20of%20corrections/40280768001/35150280001/149265309001>

They have been working on this for a long time and glad to see it is coming to the courtroom.. see my video as a prerequisite to this lawsuit today but held on Sunday

<http://www.youtube.com/watch?v=WQwBYzWX0-I&feature=plcp&context=C33b49f6UDOEgsToPDskIJMbzdVfgFbLvDnpoEkZ5W>

Arizona is working on a failed formula 1. Mass incarceration laws 2. Overcrowded prison beds 3. Outsourcing prison beds 4. Eliminated programs for education and life skill to prepare for release and reintegration to community creating high recidivism rates (good for private prisons) 5. Failed to keep up medical dental and mental health treatment 6. Exploded the max custody population into critical mass and 7. Nobody outside prisons gives a crap how that \$ 1 billion dollars is spent thus anyway they feel like it is appropriate and sanctioned by the Governor and legislature who walk with blinders on and ear covers to avoid being a part of lawsuits such as this.

This lawsuit is directed to the man who did their bidding and will fall because he followed orders but is likely to be picked up by CCA or MTC as a top administrator somewhere and continue the mission.

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