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Criminal Justice Issues and Prisoners' Rights

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by [James Ridgeway and Jean Casella](#) | June 2, 2011

As Lance Tapley [reported last week](#), recent developments in Maine demonstrate the difference that reform-minded leadership can make to prison conditions, including the use and abuse of solitary confinement. Even as it has grown exponentially over recent decades, the use of solitary has generally been treated not as a human rights issue but as a matter of correctional policy. As a result, tens of thousands of prisoners have been placed in isolation largely at the behest of prison guards and wardens, with the approval of state departments of corrections. Now, Maine's corrections commissioner is instead using his power to reform state policies and procedures in relation to solitary confinement.

Less than three months into his job, Tapley writes in the *Portland Phoenix*, Maine's new corrections commissioner Joseph Ponte has begun to dramatically reform the Maine State Prisons long-troubled solitary-confinement supermax unit. Ponte has thus far cut the unit's population by more than half, from 132 inmates to 60, and has ordered that an inmate can't be placed in the supermax for longer than 72 hours without his personal approval. Ponte also issued new rules that have stopped brutal cell extractions by guards of uncooperative inmates (a practice that was widely exposed by [Tapley's reporting](#) and leaked prison videos several years ago). Extractions normally end with inmates strapped into a restraint chair. There were 54 extractions in 2010 and 74 in 2009, the Department of Corrections says, and before publicity about them in recent years the annual number was in the hundreds. The article continues:

Ponte has made supermax problems a top department priority. Besides guard violence in handling inmates, the Special Management Unit or SMU, has been beset by suspicious inmate deaths, suicide attempts, inmates cutting themselves, hunger strikes, and assaults on guards especially, deranged or incensed prisoners throwing their feces, urine, or blood at them.

Ponte's solutions include challenging a one-size-fits-all correctional-officer attitude quick to punish prisoners with solitary confinement for the slightest infraction and then to let them languish in isolation for weeks, months, or even years.

As alternatives to solitary when prisoners do things they shouldn't, he has asked guards to use what he calls informal sanctions, like taking away commissary or recreation by phone or online Mexico privileges. And he stopped the practice of keeping people in the supermax beyond the term of their punishment because there wasn't a bed available in a particular housing unit. The prison actually has plenty of unoccupied cells.

Sometimes inmates being investigated for in-prison crimes stayed in the supermax for months as investigations dragged on. Ponte has imposed a seven-day limit on such stays.

To continue with reforms, Ponte has created a department-wide committee to which he has added representation from activists, including the NAACP and the Maine Prisoner Advocacy Committee. MPAC has spearheaded recent efforts to pass legislation limiting solitary confinement, especially for inmates with mental illness. Those efforts failed to achieve their goals, but they did result in the commissioning of a report which made recommendations that are now guiding reform. Details about the report can be found in Tapley's article, which should be [read in full](#), not least for a sobering dose of reality to accompany these hopeful developments. As the article points out, the changes are, unsurprisingly, being met with resistance from some prison staff, and skepticism from some prisoners. Not all supermax problems are likely to be quickly solved, and not every recommendation of the report is universally supported such as the suggestion that a law be passed to make it legally easier to force mentally ill inmates to take psychiatric medication. Some problems in the supermax are tied to prison-wide conditions such as substandard medical and mental health care, and solving them would cost money that the state is unwilling to spend. And of course, while half of the prisoners have been moved out of the supermax unit, the other half still remain there.

[MPAC leader Judy] Garvey and other activists think the ultimate solution for supermax problems is to close down much of the rest of it. Then its former inmates would have, for example, room to exercise, she says (most supermax exercise is done in individual dog runs outdoors). They would be able to participate in educational programs. They wouldn't suffer the terrible mental and physical effects of isolation. In other words, they would be treated more like human beings.

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.

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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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Ok take all off these inmates out of solitary confinement. Let them run free inside the jail and prison system. Have any of the individuals who are not for solitary confinement ever seen a man take out a blade from out of his anal cavity and use it to cut another man from cheek to chin just for reputation. Give that guy 15, 30 day isolation and guess what? It doesnt take a rocket scientists to know that, that individual will commit that crime again. If you want to put hard working officers in harms way, be my guess, besides thats what they get paid for. After all its our society that failed the poor, oppressed, and tortured inmates, theyre not responsible for any of their actions, there mentally ill.

While it sounds as if Joe Ponte is making substantial improvements in the Maine prison system, I find it difficult to be that anyone who has spent their career working for CCA could be honest or ethical. In fact in his last job, Joe took in Dan Prado, the Assistant Warden from the notorious Gladiator School in Idaho, presumably to hide him out. That prison was being investigated by the FBI for horrendous abuse of prisoners, including guards who used neo-Nazis as enforcers. Prados supervision style was to get in the face of subordinates and scream at them.

We also need to examine what happened in similar circumstances when Directors, Secretaries or Commissioners of Correction were recruited from the for-profits such as John Rees, ex-CCA Vice President who was appointed by the corrupt Governor Ernie Fletcher in Kentucky, who essentially starved the state system while refusing to exercise oversight over the rape rooms at Otter Creek, where women from Kentucky and Hawaii were sexually abused by guards and even the chaplain. Rees fined CCA only \$10,000 when the state and local law enforcement ran away during a riot at Beattyville when it likely cost the state over \$500,000 to suppress with local and statewide law enforcement,

In New Mexico, an avaricious Governor Bill Richardson appointed Joe Williams directly from CCA competitor GEO Group. Williams was involved in a series of scandals but was never held responsible for failing to assess CCA and GEO a combined \$18 million in fines that should have accrued for deliberate short staffing.

The common denominator in these situations were substantial CCA campaign contributions to Gubernatorial candidates: Butch Otter in Idaho, Bill Richardson in New Mexico, and of course, Paul LePage in Maine.

I agree, That these Isolations need to be shut down completely ,I am also relieved that there is Ponte.who is now in charge? and that will fix this. i also feel that those correction officers that was out of order ,should be reprimended,no human being ,should have gone through this type of treatment, 72 hours, is well enough time to figure, this out, we need to put a stop to all states and fix the system , there are 85% non violent offenders , locked up in our system , something is not right, this system is not working we ,must work together on his ongoing problem

well done i vary proud to see the state step up to the use a solitary like this lets hope they keep it right on the path it is now and that the new head runs for years to come if he keeps his mind doing what is right as he is now grads more states should do this light the way for us all to see the light in the darknes of justice bring honor back to justice and her good name well done may more follow you in your grate kind and just work to fix solitary may thare be light in the darknes of justice

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