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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 [Aviva Stahl](#) | April 16, 2017

Two recently published academic works explore important, under-researched aspects of the use of solitary confinement in Americas prisons and jails. Solitary Confinement Until Death by State-Sponsored Homicide, [a law review article](#) by American University professor Robert Johnson, examines the use of isolation on death row. Another piece, [published in the Journal of Urban Health](#), examines the relationship between solitary confinement and post-traumatic stress disorder in formerly incarcerated people.

An article published by [Wisconsin Watch](#) examines the use of administrative confinement at the states prisons, based on surveys returned by 65 people held in this involuntary, non-punitive form of isolation. Ten of those who responded said they had attempted suicide while in solitary; 26 claimed they had medication or medical devices withheld by staff; and more than a third of respondents said they had been treated violently by staff or other people on the inside.

The Vera Institute of Justices Safe Alternatives to Segregation Project [released a report](#) on its findings and recommendations in terms of reducing the use of segregation in North Carolina. As noted by [the Charlotte Observer](#), Vera outlined problems still at play in North Carolina when it comes to the use of isolation, including: people being placed in solitary for minor infractions; people remaining in isolation for years; racial disparities in terms of who is sent to the box; and severe staff shortages that make it harder for prison leaders to provide inmates alternatives to solitary.

According to [the New York Times](#), Trump is planning to strip back the protections afforded to people held in immigration detention, including restrictions on the use of solitary confinement. Whereas in the recent past, jails that held immigrant detainees had to notify immigration officials if a detainee spent longer than two weeks in solitary confinement, and had to check on suicidal detainees every 15 minutes, these particular requirements will no longer be written into future contracts. As the Trump administration seeks to quickly find jail space for its crackdown on illegal immigration, it is moving to curtail these rules as a way to entice more sheriffs and local officials to make their correctional facilities available, notes the Times.

[NPRs Joseph Shapiro profiled](#) the now-deceased Martin Sostre. He was a fearless prison activist at the dawn of the age of mass incarceration, Shapiro writes, an inmate willing to risk months in solitary confinement to fight for prisoners rights. In 1968, Sostre was sent to the box for drafting up a legal motion and sending it to his attorney; Sostre sued. In 1969, US District Judge Constance Baker Motley ruled in Sostres favor, demanding his immediate release from isolation and noting that Sostres conditions were physically harsh, destructive of morale, dehumanizing in the sense that it is needlessly degrading, and dangerous to the maintenance of sanity. Baker Motleys ruling is still relevant in the current debate over the use of solitary confinement, according to NPR.

The [Washington Post](#) published an editorial about the conditions at an especially violent prison in Alabama. Solitary confinement in a tiny, often sweltering, cell is something that most prison inmates try to avoid at all costs. Not so at Alabamas notorious St. Clair Correctional Facility. So dangerous are the conditions there that prisoners actually prefer the segregation units to the general population.

The Third Circuit Court of Appeals on Friday [ruled](#) that the family of a man who committed suicide while in solitary confinement can argue that he faced cruel and unusual punishment, even if they dont argue that the treatment led to his suicide, reported [Jurist](#). Brandon Palakovic committed suicide in July 2012; his family alleges that prison staff failed to treat Palakovics mental health issues.

[Maines NPR site](#) published a video and article about efforts in the state to reduce the use of solitary confinement. Around the country and the world theres a growing movement calling for the end to solitary confinement, also known as administrative segregation, restrictive housing or lockdown. Here in Maine, the Department of Corrections is leading the effort to curtail its use.

Aviva Stahl is a Brooklyn-based reporter who writes about science/health at the intersection of mass incarceration, national security, and trans rights. Shes written for the New York Times, Wired, BuzzFeed News, Solitary Watch, and other outlets. Find her [@stahlidarity](#) and at [stahlidarity.com](#).

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public awareness, mainstream media attention, and informed policymaking on what was once an invisible domestic human rights crisis.

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by [Mirilla Zhu](#)

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October 12, 2022

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