

# Solitary Watch

## Criminal Justice Issues and Prisoners' Rights

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## Campaign and Advocacy

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by [Carol Schaeffer](#) | March 23, 2016

When Candie Hailey was released from Rikers Islands womens correctional facility May 2015, after nearly three years on the island prison, she faced the challenge of putting her life back together. What made her reentry to society even more difficult was the mental and physical torture she endured while accused of a crime of which she was ultimately deemed innocent.

Hailey was accused of attempted murder last year but had all charges dropped after spending 29 months in a jail meant to house prisoners for brief pre-trial periods, or for people convicted of low-level crimes carrying sentences of one year or less. Of those 29 months, 27 were spent in solitary confinement, where she spent 23 hours a day locked in her cell.

Hailey has maintained that her treatment on Rikers was degrading and brutal. I would say Ive been through hell and back, she told the Associated Press. My soul died but my body is alive. Since her release, she has spoken widely about the suffering she endured on Rikers, and become a dedicated advocate for ending solitary confinement.

But although she may have been done with Rikers, Rikers wasnt done with her. Prosecutors continued to press felony charges against Hailey for alleged infractions while she was incarcerated, threatening to send her back to prison.

The 32-year-old Hailey stood trial Monday on felony charges of several counts of criminal mischief for allegedly breaking a B.O.S.S. chairan acronym for Body Orifice Security Scanner, used to scan prisoner body cavities for contraband. The incident occurred as Hailey was let out of her cell for a medical clinic visit.

Hailey exhibited signs of mental health disorders early on in her time at Rikers, and was ultimately diagnosed with borderline character disorder, mood disorder, and anti-social disorder. She would regularly hurt herself by banging her head against a wall and cutting herself. Such behavior would bring a moment of reprieve from solitary when she would be taken to the mental clinic, only to be further reprimanded with more time in solitary for her defiant behavior. After each one of her multiple suicide attempts, officers wrote her a disciplinary ticket, and with each ticket came 30 more days of solitary confinement.

According to experts the psychological effects are prolonged solitary confinement, Hailey behavioral issues in jail are common results of solitary, especially for those with underlying mental health problems.

At Mondays trial, The prosecution fell apart after cross examination of Captain Maloney, who was unable to identify the moment when Haileys protective mitts were removed. These mitts are secured onto prisoners hands with handcuffs to prevent them from being able to punch, hit, or handle objects, and are designed to be only removable by the corrections officer.

You'd have to be Houdini to get out of those mitts, said Haileys attorney, Patrick Higgins.

The charges came from the office of the newly elected Bronx District Attorney Darcel Clark. Although the charges predate Clarks ascension to the position, Clark continued with the prosecution. When questioned by Solitary Watch as to why DA Clark felt it was necessary to continue to press charges, a spokesperson for Clark stated only: The defendant is on trial because she allegedly committed a crime while at Rikers Island. The Bronx DA prosecutes all the Rikers crimes because it is within her jurisdiction.

The prosecutors explain the reasoning behind pursuing the charges, and the jury will decide justice Clarks spokesperson also stated, despite the fact that there were no opening statements and it was not a jury, but rather a bench trial in which the judge decided the verdict.

Clark had previously been involved in matters of extended pre-trials, notably the case of Kalief Browder, who at 16 years old was arrested for allegedly stealing a backpack and had all charges dropped after three years on Rikers, more than two of them in solitary. Browder killed himself in June 2015 at the age of 22. Activists have also noted the eerie comparison between the Hailey and Browder cases.

Clark was the presiding judge over Browders court dates, while Browders trial continued to be delayed as he suffered in solitary confinement. Family and friends believe this treatment ultimately contributed to his suicide.

Honestly, I cannot say that I remember it. I mean, I was there for 13 years. I sat on a lot of cases, Clark said in a NY1 interview. But look, the Kalief Browder case is a tragedy. And no one should have to sit in jail for three years on a robbery case, or any type of case. And if Im elected DA, again, with those internal controls that I expect to institute and the vertical prosecutions, nothing like that will happen.

Hailey was offered a plea deal that took her charges from a felony to a disorderly conduct violation, which will not register on a criminal record.

Its over, said the presiding Judge Mogulescu. You can go on with your life now.

I just want to go home, not come in for each case, said Hailey. If I wasnt [on Rikers] in the first place, I wouldnt have charges at all.

There is still a long road ahead for Hailey, who is still struggling to find housing and regain custody of her two children. But now Rikers, and a life spent wasting away in a solitary cage, may be finally behind her.

Carol Schaeffer is a freelance reporter and former Solitary Watch intern. She tweets @thencarolsaid.

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.

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September 29, 2022

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Pure, unabashed barbarism. Should make the blood boil of anyone with even a tattered shred of decency.

Appalling treatment. Not satisfied with locking her up for something she didnt do, they try to punish her for behaving in a manner that is understandable for this very reason. The authorities cause the problem then blame the victim. To call them scum would be an understatement. They should be mightily ashamed of themselves.

P.O. Box 11374  
Washington, DC 20008

[info@solitarywatch.org](mailto:info@solitarywatch.org)

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