

Equal Justice Initiative

Criminal Justice Issues and Prisoners' Rights

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In a landmark legal settlement filed in federal court last week, California agreed to strict limits on its use of solitary confinement.

With 2858 people currently in solitary housing units in the states prisons, California has more people in solitary confinement than any other state. More than 1100 are confined in Pelican Bay State Prison, where researchers found these men are so severely isolated that experts describe their experience as a [social death](#).

United States Supreme Court Justice Anthony Kennedy recently [condemned solitary confinement](#), writing that [y]ears on end of near-total isolation exacts a terrible price, including madness and suicide, anxiety, panic, withdrawal, hallucinations, and self-mutilation. Last month, President Obama denounced the use of solitary confinement, saying it makes us neither safer nor stronger.

Congress and more than a dozen states are considering restrictions on the use of solitary confinement. And last Wednesday, the nations leading organization for prison and jail administrators called for reform. Prolonged isolation of individuals in jails and prisons is a grave problem in the United States, the Association of State Correctional Administrators said in a statement, adding that it is committed to ongoing efforts to limit or end extended isolation.

The agreement reached in California settles a lawsuit brought by people held in isolation for at least 10 years at Pelican Bay. The suit alleged that long-term isolation was cruel and unusual punishment that violates the Eighth Amendment. Under the settlement, as many as 1800 people will be moved out of solitary confinement.

California agreed to stop sending people to solitary for indefinite periods, and not to isolate people based solely on gang affiliation. Only those found guilty of serious violations like violence, weapons, narcotics possession, or escape will be isolated, and they will also have a clear, time-limited path to work their way out of solitary.

The state will create a new unit for people it wants to separate from the general population, where they will have more time out of their cells, small group leisure activities, some job opportunities, and phone calls. People classified as gang members will enter a two-year program to transition out of solitary and into the general prison population.

Reformers are hopeful that other states will adopt the blueprint set out by the California settlement, just as they earlier followed the state when it became the nations leading user of solitary confinement. The need for reform across the country remains critical: on any given day in America, at least 80,000 people are held in solitary.

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