

Solitary Watch

Criminal Justice Issues and Prisoners' Rights

<https://solitarywatch.org/2011/02/25/aclu-takes-a-strong-stand-against-solitary-confinement/>

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by [James Ridgeway and Jean Casella](#) | February 25, 2011

Over the last two weeks, the ACLU has adopted a much more vigorous stance against solitary confinement in U.S. prisons and jails. It has launched a listserv to bring together lawyers, activists, scholars, journalists, and others interested in the subject, and asked the UN Human Rights Council to look into solitary's torturous effects on prisoners in the United States. On Thursday David Fathi, who heads the organization's National Prison Project wrote [a post on the ACLU's Blog of Rights](#), which we reproduce in full below, setting out the group's broad new approach to this issue.

Fathi, who also is an advisor to Solitary Watch, agreed the ACLU had launched a new policy. Yes, we have absolutely established fighting solitary confinement as a priority issue, he said in a phone interview on Friday. We are preparing to fight on all fronts. Historically our work against solitary was primarily litigation. Now we support legislation such as the bill in Colorado, which would curtail the use of solitary for prisoners with mental illness and developmental disabilities. We hope for similar bills in other states, he continued. In New Mexico, there is legislation that would require a study of solitary. Fathi said the ACLU also looked towards the sort of administrative settlement that took place in Mississippi, where after lengthy litigation, the state basically closed down its solitary cells (as we [described here last year](#)). He believes the United States has turned a corner on this subject with a breakthrough in public awareness.

Fathi in his blog post puts the number of people in solitary at 20,000, which reflects studies of supermax prisons. However, he said that when you take into account all the different types of segregation, that figure seems conservative and should likely be much higher.

This week, Colorado state Sen. Morgan Carroll and Rep. Claire Levy [introduced a bill](#) that would substantially limit the use of solitary confinement in the state's prisons. S.B. 176 would restrict solitary confinement of prisoners with mental illness or developmental disabilities, who currently make up more than one-third of the state's solitary confinement population. It would require regular mental health evaluations for prisoners in solitary, and prompt removal of those who develop mental illness. And it would significantly restrict the practice of releasing prisoners directly from solitary confinement into the community, where they are more likely to re-offend than prisoners who transition from solitary to the general prison population before release.

The [shattering psychological effects of solitary confinement](#), even for relatively short periods, are well known. It's an awful thing, solitary, John McCain wrote of his time in isolation as a prisoner of war in Vietnam. It crushes your spirit and weakens your resistance more effectively than any other form of mistreatment. The American journalist Roxana Saberi, imprisoned by the Iranian government, said that she was going crazy after two weeks in solitary. Imagine, then, that [54 prisoners in Illinois have been in continuous solitary confinement for more than 10 years](#).

These reforms are long overdue for Colorado and for the nation as a whole. Solitary confinement is an expensive boondoggle in Colorado, it costs an additional \$21,485 per year for each prisoner. And all we get for that investment is an undermining of our public safety. The vast majority of prisoners who are forced to endure long-term isolation are eventually released back into the community, where the devastating impact of solitary confinement leaves them more damaged and less capable of living a law-abiding life.

The United States uses long-term solitary confinement to a degree unparalleled in other democracies, with an estimated 20,000 prisoners in solitary at any one time, and its attracting increasing criticism from international human rights bodies. The U.N. [Human Rights Committee](#) and [Committee Against Torture](#) have both expressed concern about the use of prolonged isolation in U.S. prisons and recommended scrutinizing this practice with a view to bringing prison conditions and treatment of prisoners in line with international human rights norms. And the European Court of Human Rights has temporarily blocked the extradition of four terrorism suspects to the United States on the ground that their possible incarceration in a Supermax prison, where solitary confinement is the norm, could violate the European Convention on Human Rights.

Last week the [ACLU urged the U.N. Human Rights Council](#) to address the widespread violations of the human rights of prisoners in the United States associated with solitary confinement. Many of the measures we call for, such as prohibiting solitary confinement of the mentally ill and careful monitoring of prisoners in solitary for mental illness, are also part of Colorado's S.B. 176. Colorado may be only one state, but the bill's introduction is a hopeful sign that the United States may, at last, be turning the corner on solitary confinement.

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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I read the 8th amendment to the constitution states that solitary confinement is banned if deemed to have mental health issues, and this would be cruel and unusual punishment which is against the constitution.

How do I fight to get him out of solitary?

My fiance is in a prison in Wisconsin. He has severe depression which they know and give meds for, yet they put him in THE HOLE for 120 days and banned my visits for a year.

He seemed ok the first couple weeks, now he is angry, hostile, argumentative, and lately is not calling the two times a week he is allowed.

They put handcuffs on him in the shower, he never gets out of his cell except to shower every four days. Gets no exercise time, never out of his cell during the days he doesn't get shower and his call to me. How do I help him??

He is in because he was coerced by an inmate to get me to bring in a beading needle to work on jewelry he sell in there. I got banned for it, he got 120 days, which is usually for the most severe cases. Usually they get put in a two man cell after a few days, he will not. Please help me.

These policies are the beginning right? Cause they have policies now about mental health reviews and reviews every 90 days, but the DOC doesn't follow it and keeps people inside arbitrarily. As long as the DOC is above the law, the legislation can be whatever right? As long as the police are above the law, people can get killed on camera and the police won't be tried for it. So this legislation is just the beginning right?

I am so happy to see the ACLU fighting to end torture in Americas prisons. The abuse of US prisoners through the use of long term solitary confinement should be outlawed.

TO CLARIFY:

I AM REFERRING TO THE ACLU OF NORTHERN CALIFORNIA WHOSE OFFICE IS IN SAN FRANCISCO.

MY SON NEEDS HELP.

HIS RIGHTS ARE BEING VIOLATED, ALONG WITH THE RIGHTS OF HUNDREDS OF OTHER MENTALLY ILL MEN AND WOMEN BEING HELD IN PRISONS, WHEN THEY SHOULD BE IN HOSPITALS.

If the ACLU is so against ad seg for inmates and for the mentally ill, why have they not agreed to help me get my mentally ill son out of a prison, solitary confinement, when I have sent them letter after letter with proof not only of his being in solitary, but of the staff not taking proper care of his mental health needs and that he has never been convicted of a crime?

ACLU, is it just publicity you want? All you all talk? When I first contacted you, you said you would help. Never got a reply after that first conversation.

JUST SO YOU KNOW, I CONTINUE TO FIGHT FOR HIM AND WILL CONTINUE TO FIGHT FOR ALL THOSE WHO ARE BEING HELD CAPTIVE IN SOLITARY AND WHO ARE MENTALLY ILL. WITH OR WITHOUT YOUR HELP, I WILL GET MY SON OUT OF THERE. THANKS FOR NADA.

P.O. Box 11374
Washington, DC 20008

info@solitarywatch.org

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