

Solitary Watch

Criminal Justice Issues and Prisoners' Rights

<https://solitarywatch.org/2015/04/21/at-ohios-supermax-prison-a-hunger-strike-ends-but-extreme-isolation-remains/>

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by [Vaidya Gullapalli](#) | April 21, 2015

Last week, men incarcerated at Ohios supermax prison, the Ohio State Penitentiary in Youngstown, brought a month-long hunger strike to a close. Between 30 and 40 men had refused all meals since March 16 to protest new restrictions placed on already severely limited recreation and programming for those in solitary confinement. On Wednesday, April 15, all but one of the men agreed to suspend the hunger strike after a meeting with the warden at which the prison agreed to lifting some, but not all, of the new restrictions.

The Ohio State Penitentiary, or OSP, opened as Ohios first super maximum security facility in 1998. Conditions for the over 400 men held there are more restrictive than on Ohios death row. Even under policies that now exclude people with serious mental illness from placement there, the men incarcerated at OSP include those with mental health needs, including people with depression, dementia, cognitive and developmental disabilities.

Litigation by the ACLU and the Center for Constitutional Rights about OSPs conditions and the criteria for determining who was placed there went all the way to the Supreme Court in 2005. In that case, [Austin v Wilkinson](#), the Court recognized that solitary confinement at OSP was an atypical and substantial hardship. The Courts opinion, authored by Justice Antony Kennedy, included a description of the prison:

Incarceration at OSP is synonymous with extreme isolation. In contrast to any other Ohio prison, including any segregation unit, OSP cells have solid metal doors with metal strips along their sides and bottoms which prevent conversation or communication with other inmates. All meals are taken alone in the inmates cell instead of in a common eating area. Opportunities for visitation are rare and in all events are conducted through glass walls. It is fair to say OSP inmates are deprived of almost any environmental or sensory stimuli and of almost all human contact.

The Supreme Court held in *Austin v Wilkinson* that individuals placed in isolation at OSP were entitled to due process in the form of hearings and periodic reviews but it did not ban or limit the use of solitary confinement. Even before the recent additional restrictions were imposed, these men were guaranteed a total of only five hours outside their cells in a week.

These new restrictions affected men classified in the highest security levels at OSP (4B, 5A and 5B). Under the new policies their access to programming and recreation outside their cells was even more severely limited, and their isolation deepened even further.

Specifically, the restrictions eliminated range recreation for incarcerated persons in the highest security levels a practice that meant that one person was allowed out of his cell to have access to the area between cells. While only one person was allowed out of his cell at a time this allowed a person to at least walk the length of the common area and have conversations with people in other cells.

In addition, the restrictions eliminated what is considered group programming and group religious services, involving the use of programming cages or booths, for incarcerated persons in the highest security level, a group that includes over 50 men.

As Michael Brickner of the ACLU of Ohio put told Solitary Watch, People think when you go to programming you go to a classroom. Instead, at OSP each person is placed in an individual cage. The cages are in a crescent shape and they put the prisoners in there for group programming, or any interaction with a staff member. Say you had to meet with the prison psychiatrist, or had to have your blood pressure taken by the prison doctor, thats all done in those cages. When even this form of group activity was halted, the only available alternative was for a clergy member to go cell to cell, standing at a distance of a few feet from a cell door, offering religious counseling to the man inside the cell through the narrow food slot in each door.

In a press release on their website related to the hunger strike (that has since been taken down), the Ohio Department for Rehabilitation and Correction explained the additional restrictions as a response to numerous incidents, including an assault with a weapon on a corrections officer in December and gang-related activity.

Meanwhile, the ACLU of Ohio wrote [letters](#) to the Director of the Ohio Department of Rehabilitation and Correction, the Warden of OSP, and the State Senator who chairs a legislative body that oversees the prisons calling for a lifting of the restrictions and an investigation into the conditions at OSP. According to Michael Brickner, The prisoners at OSP were already in some of the harshest

conditions in our prison system. We already know that solitary confinement, in and itself, deteriorates a persons mental state. With these additional restrictions they [we]re being subjected to such a severe level of solitary confinement it will be even more dangerous for the prisoners and ironically for the staff members who are there.

By April 15, five men had been striking for a month. The decision to suspend the hunger strike that day came when the warden finally met with the hunger strikers and set out a timeline for restoring group religious services. It is unclear whether the educational programs will be restored. Range recreation will not be restored. One remaining hunger striker is protesting medical care that is unrelated to the restrictions.

One of the hunger strikers was Siddique Hasan, one of the Lucasville Five a group of men who were involved in the Lucasville prison uprising of 1993 and subsequently convicted in connection with the uprising. On the twentieth anniversary press sought in-person access to these men to interview them about the events at the prison. The Ohio Department of Rehabilitation and Correction denied in-person access to these men and has continued to do so. Solitary Watch is a plaintiff in the case being litigated by the ACLU and Staughton and Alice Lynd that challenges this ban on the Lucasville Fives media access as a violation of these mens right to free speech.

Though his own conditions of confinement had not been affected by the new restrictions Mr. Hasan was reportedly fasting out of solidarity with those affected. After the suspension of the strike he was able to give a statement over the phone and in that statement he explained that the suspension of the strike was in response to the wardens promise that he would reinstate religious services and a recognition that range recreation would not be restored no matter how long the strike went on. The warden also left open the possibility of restoring educational programming and investigating concerns regarding food quality and safety equipment in the shower areas. Finally, the men agreed to suspend their strike on the condition that the warden meet with the last hunger striker, whose concerns were about medical care.

In the wake of the suspension of the hunger strike, Michael Brickner said, Were still going to be very concerned that there are some prisoners who are going to be in severe isolation that is very detrimental to anyones mental state. He described out-of-cell programming as critical towards prisoner rehabilitation and said an investigation by CIIC would still be helpful.

Alice and Staughton Lynd, lawyers from Youngstown, were heavily involved in the litigation regarding OSP in the early 2000s. Speaking about the new restrictions they expressed their concerns over a trend towards isolating people as much as possible. They said it was a trend that reversed policies in Ohio that had recognized the necessity of socialization and group interactions for people in isolation. They emphasized the importance of people having more and more congregate experiences so they would become accustomed to dealing with groups as they will have to when they are released, or even returned to general population.

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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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Unfortunately, there are inmates who are so violent and dangerous, that they cannot have direct interaction with other inmates or staff.

Havnt joined discussions recently however, compelled to comment..if you would..take a little time to imagine being a catholic denied confession,a Jew denied synagogue,Muslim their mosque, and so on.

These are FUNDAMENTAL birthright, not privilege, and yet another nauseating breach of basic human needs.

Not writing as a belief system follower myself, but understanding of the passion of the Faithful.

No matter who they are or what theyve done.

Many desperate to repent, and prevented from doing so in the eyes of their God.

Desperate to make amends, or be guided to do so.

Also one more comment; in the email post, it seems lifeline have been withdrawn.

For goodness sake, practise a little forgiveness and compassion. Send a card, even at random, of support to a prisoner.

Thanks for reading me. Good wishes too EVERYONE.

I totally agree with you, jay troy. No one but the Creator of us all knows what change a human being will make for the better if shown compassion and kindness while they are undergoing punishment for infractions accrued. Penalties should always be for rehabilitation,

not just to administer punishment for punishment sake.

Thanks for your reply. Its set incredible many prisoners have actually managed to be forgiven by their victims, even of the most violent crimes, and dont even know. I think maybe if they were informed it would help enormously to make peace with their God.

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