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Criminal Justice Issues and Prisoners' Rights

<https://solitarywatch.org/2012/05/08/federal-judge-criticizes-supermax-confinement-in-colorado/>

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by [James Ridgeway and Jean Casella](#) | May 8, 2012

Last week [we wrote about](#) a trial beginning in Federal District Court in Denver, in which Troy Anderson, a prisoner with mental illness, is challenging his twelve years of solitary confinement at the Colorado State Penitentiary. The lawsuit, filed by student lawyers at the University of Denver Law Schools Civil Right Clinic, could have broad significance because it argues that the long-term isolation of mentally ill prisoners as it is practiced at CSP violates the Americans with Disabilities Act, as well as the Constitution's guarantee of due process and its ban on cruel and unusual punishment.

The always excellent Alan Prendergast, who writes for Denver's *Westword* and has been following [Troy Anderson](#) and [his lawsuit](#) for years, is covering the trial, and yesterday [provided a detailed report](#) on what seems to be shaping up as a promising case for the plaintiffs and for all opponents of long-term solitary.

After nearly five days of testimony in a lawsuit brought by Troy Anderson, a prisoner who's been in solitary confinement for twelve years, a Denver federal judge was strongly urging Colorado Department of Corrections officials to fix the harshest conditions at the state's supermax prison before he has to do it for them. It shouldn't take a federal judge to write an opinion and embarrass the department in the public eye to get this accomplished, U.S. District Judge Brooke Jackson said.

Jackson's remarks, suggesting that there might have to be some drastic changes in the way the Colorado State Penitentiary operates, came midway through testimony in the case brought by Anderson, a state inmate serving what amounts to a life sentence for charges from two shootouts with police in the late 1990s. Anderson, who's been diagnosed with mental illnesses ranging from ADHD to intermittent explosive disorder, has been confined at CSP since 2000 deprived of direct sunlight or outdoor recreation, books (he's allowed two a year), and, he claims, the medications that might actually help him control his behavior, reduce his sentence and get him placed back into the general prison population.

Anderson's attorneys contend that the supermax fails to provide adequate treatment for mentally ill inmates who, deprived of medication, exercise and socialization, deteriorate in solitary confinement. Inmates can also receive negative write-ups, or chrons, from guards that help keep them in segregation, even though they have no opportunity to contest the information.

The article which needs to be [read in full](#) reports on testimony by other CSP prisoners delivered remotely by video and by former CSP warden Susan Jones, who insisted that Anderson was where he belonged.

Breaking into an unusual colloquy with Jones when she was on the stand, Jackson said he was troubled by the lack of meaningful administrative review and the absence of due process in the use of negative chrons to keep inmates in solitary for years. It doesn't seem fair to me, he declared. And some of the other conditions described by inmates, if true, were clearly inhumane in his view.

The trial is expected to end next week, but it may be several weeks before the judge hands down his ruling. You can follow Alan Prendergast's reporting [here](#).

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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@pamelako: Walnut Creek in the news. Juveniles in the news.

http://www.alternet.org/rights/155326/the_unbelievable_brutality_unleashed_on_kids_in_for-profit_prisons/?page=entire

i just have to say i like this judge he got my kind of thinking lol befor i do it for you lol i like that lol bout the only way solitary will stop lol sadly but i for his plan end solitary may there be light in the darknes of justice

<http://solitarywatch.com/2011/10/06/federal-judge-rules-28-years-in-solitary-confinement-not-extreme-dismisses-silverstein-case/>

Federal Judge Rules 28 Years in Solitary Confinement Not Extreme, Dismisses Silverstein Case

OCTOBER 6, 2011

Judge Philip Brimmer declared that Silversteins conditions of confinement at the U.S. Penitentiary Administrative Maximum, or ADX, arent atypically extreme.

While todays SW article sites US District Judge Brooke Jackson as saying, he was troubled by the lack of meaningful administrative review and the absence of due process in the use of negative chrons to keep inmates in solitary for years. It doesnt seem fair to me, he declared. And some of the other conditions described by inmates, if true, were clearly inhumane in his view.

Maybe if Jackson had heard Silversteins case instead of Brimmer all inmates in such long term isolation would be better off today.

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