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Criminal Justice Issues and Prisoners' Rights

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Campaign and Advocacy

close

Search

close

close

by [Jean Casella and James Ridgeway](#) | March 18, 2015

More than two years ago, the UN Special Rapporteur on Torture, Juan Mendez, asked the U.S. State Department for permission to visit individuals in solitary confinement in supermax prisons and isolation units. He is [still waiting](#) for a response. Recently, our colleague Sarah Shourd interviewed Mendez for an article in the [Daily Beast](#) that describes his futile quest for permission to [witness Americas domestic black sites](#), as well as his recent visit (no thanks to the State Department) to California's Pelican Bay.

In 2010, Juan Mendez was appointed Special Rapporteur on Torture and other Cruel, Degrading and Inhumane Treatment by the United Nations. His mandate is wide in size and scope to expose and document torture wherever it exists on the planet today.

Since the beginning of his mandate Mendez has made criticizing the overuse of solitary confinement a priority. In 2011, he issued a report stating that 22 or 23 hours a day alone in a prison cell for more than 15 days at a time can cause permanent, lasting psychological damage and can constitute torture.

This problem, he emphasized, is particularly severe in the U.S., where prisoners are routinely held under such conditions for months, years and even decades at a time. Many have never committed a violent crime.

Fast-forward five years. The U.S. government has yet to grant Mendez access to a single isolation pod in any U.S. prison. The clock is ticking. Mendez has a mere 20 months left of his term, and he has yet been able to substantiate his reports with a firsthand investigation.

The U.S. was voted into the Human Rights Council a position that carries with it an obligation to cooperate, he says. When he speaks, Mendez wears a look of weary determination befitting of his post.

I'm disappointed to still be waiting for the State Department to respond to my request. I've been waiting over two years.

That fact that he hasn't received a response is contemptible, says Laura Rovner, legal expert on prison conditions from University of Denver. It puts the U.S. in the company of countries like Syria, Pakistan, and Russia that also have been unresponsive to requests for country visits.

Given the length of the delay, Rovner continues. You have to wonder about the reason, whether it's motivated by concerns about what the Special Rapporteur will find inside these prisons.

Then suddenly, last December, Mendez was allowed access to California's Pelican Bay State Prison facility known for keeping inmates in isolation indefinitely in its Security Housing Unit (SHU).

This visit did not come about through the official channels Mendez had long been appealing to, however. Instead, he found a way in to one of the most notorious prisons in the country through a kind of backdoor.

Read the full article on the [Daily Beast site](#).

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.

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