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Criminal Justice Issues and Prisoners' Rights

<https://solitarywatch.org/2011/09/02/illinois-inmate-claims-years-of-solitary-confinement-have-led-to-mental-illness-and-self-mutilation/>

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by [Jean Casella and James Ridgeway](#) | September 2, 2011



Dear America wrote Anthony Gay, who is being held in solitary confinement in Tamms supermax prison in Illinois. It is like this place is designed to psychologically kill you. How could America be so cruel to its own people? Is there a need to psychologically kill prisoners? In Gays case, his lawyers claim, a seven-year term in isolation has damaged their clients psyche to the point that he routinely mutilates himself, and at one point cut off one of his testicles and hung it from a string on his cell door. Originally sentenced to seven years for assault, Gay is now serving 99 years for throwing urine and feces at guards from his isolation cell.

The story of Anthony Gay, which appeared earlier this week in southwest Illinois *Belleville News-Democrat*, reads like a primer on what is wrong with solitary confinement, including how it drives prisoners mad, and how it can turn a relatively brief prison stint into an effective life sentence. It also documents a novel attempt by Gays lawyers to apply a recent Supreme Court ruling to the case of a prisoners suffering mental breakdown as a result of prolonged isolation. The story was written by George Pawlaczyk and Beth Hundsdorfer, whose award-winning 2010 investigative series [Trapped in Tamms](#) exposed the suffering of prisoners especially prisoners with mental illness in the Illinois state supermax. Read the [full story on BNDs site](#), or here:

Tamms Correctional Center inmate Anthony Gay won't be eligible for parole until he is 120, unless his lawyers interpretation of a recent U.S. Supreme Court ruling leads to an earlier chance at release.

Gay, 36, was sent to prison in 1994 on a seven-year sentence for assault, but he's now serving 99 years at Tamms, Illinois only state-operated supermax prison. His prison term was increased because of mandatory consecutive sentences for throwing urine and feces at guards.

Gay has appealed to an Illinois appellate court in what may be the first attempt to apply a 2010 U.S. Supreme Court ruling prohibiting life sentences without parole for people 18 and younger.

In a Florida case, the Supreme Court justices ruled that youths were not mature enough to fully understand the penalty of their crimes, and deserved some chance at someday getting out. The ruling does not apply to homicide convictions.

Gays mental state is deteriorating because of his seven-year stint in isolation at the solitary-only Tamms lockup, according to experts on the effects of isolation. Last year, he cut off a part of his genitalia, which a physician identified as possibly a testicle and hung it from a string tied to his cell door. He was treated and then sent to a strip cell as punishment.

Assistant Appellate Defender Scott Main has argued that years of isolation at Tamms have diminished his clients mental state to the point he shouldn't be held criminally responsible for throwing body wastes, acts he claims were induced by mental illness. To eliminate hope of release by making Gay serve a 99-year sentence is like the Florida ruling because it violates the cruel and unusual punishment prohibitions of the Eighth Amendment, Main has argued.

Gay, of Rockford, was included in the Belleville News-Democrats Trapped in Tamms series published in 2009, which focused on mentally ill inmates held in continuous solitary confinement. While the prisons population was made up of more than 50 percent convicted murderers, many of the approximately 240 inmates were sent to Tamms for rules violations, despite entering the prison system for relatively minor crimes. Many inmates currently at Tamms have been held in solitary confinement for more than a decade and some for as long as 13 years.

Gay initially received probation for punching a youth and stealing his hat and a dollar. But at 20, he wound up in state prison for violating probation. If he hadn't violated prison rules, he would have been released in 1998 after 3 1/2 years.

After spending two years in solitary during his first stint at Tamms shortly after it opened in 1998, Gay became a cutter, or an inmate who responds to the stress of isolation by mutilating himself. This has happened hundreds of times with Gay, who has occasionally required hospitalization.

His self-mutilation, usually with bits of metal or glass, reached a new level on Aug. 28, 2010, during an episode that spawned still another lawsuit. In this case, filed in federal court where he represented himself, Gay won a partial victory earlier this year.

After his lawsuit was denied at the district level he appealed to the U.S. 7th Circuit Court of Appeals in Chicago. He claimed damages caused by alleged deliberate indifference by prison physician Dr. Marvin Powers, who waited two days to treat Gay after he cut himself. Nearly a year later, the court ordered Powers to evaluate Gay to make sure his life was not in imminent danger from the results of the self-mutilation.

What Powers saw at 8 a.m. on that day in August when he arrived to treat Gay, he later described in cool, clinical terms.

Gay stood next to a piece of his own genitalia he had cut off and fastened to a thin string or thread.

He was standing at the cell door with some scrotal part of him, possibly a testicle, tied to the sliding door, Powers wrote in his report.

After Gay refused to be treated, he was subdued and Powers closed a wound in his scrotum with stitches. It is unclear from medical reports filed in federal court in East St. Louis whether the body part was a testicle and whether it was returned to his body. In his federal lawsuit, Gay stated it was his left testicle.

Inmates who cut off body parts should not be held in solitary, said psychiatrist Dr. Terry Kupers, an expert on the effects of long term solitary confinement.

Kupers, of the Wright Institute, a psychology graduate school in Berkeley, Calif., said that under conditions imposed by federal court decrees in California, Mr. Gay would be permanently excluded from supermax confinement someone who is so disturbed that he continually cuts himself, and so bizarre and extreme in his emotional disturbance that he cuts his testicles, is clearly extremely self-harming and functionally impaired, a grave and imminent danger to himself, and should never be consigned to supermax isolation.

But medical and mental health staff members at Tamms have long labeled Gay a manipulator who cuts himself to get what he wants, according to federal court documents.

In the state appeal case, Main stated that the added years on his client's original seven-year sentence accrued during 10 months in 2000 and 2001 when he was held at the Pontiac Correctional Center. He was charged by the Livingston County state's attorney with 21 counts of aggravated battery for throwing feces and urine at guards.

One of the judges, who handled some of the cases, wrote a letter to another county judge stating that a \$2 piece of plastic could have stopped a number of these prosecutions from being filed. He referred to the prosecutions as a waste of taxpayers' money.

In an opposing argument in the appellate court case filed on behalf of the county prosecutor by the office of the State's Attorney Appellate Prosecutor, Gay's attacks on guards at Pontiac were described as a scheme to force a transfer back to Tamms because he was infatuated with a female psychologist.

That written argument stated that Gay threw body wastes at officers in order to force a transfer back to the prison (Tamms) to be with the female psychologist with whom he was in love.

The initial outcome of the state appeal process, if Gay wins, would call for the appellate justices to order an evidentiary hearing where witnesses and evidence could be heard concerning whether he is mentally ill because of solitary confinement. A ruling of whether he could be held responsible for the in-prison crimes would follow.

Laurie Jo Reynolds of Chicago, founder of the Tamms Year Ten Campaign that opposes solitary confinement, said Gay's situation is emblematic of a failure by the Illinois Department of Corrections to connect mental illness to long term isolation, even though a federal court ruling by a judge in East St. Louis last year made that connection.

This example is emblematic, she said, A man cuts off his testicle and instead of admitting he needs help, they punish him for malingering. I'm so appalled. If we built a dungeon, it would be a reform.

Dr. Janis Petzel, a Maine psychiatrist who helped lead an unsuccessful effort last year to convince that state's legislature to prohibit prisoners from being held in isolation longer than 45 days, said, It gets to be a vicious circle the longer a prisoner is held in solitary, the more abnormal their behavior becomes, and the longer they are forced to stay in solitary.

Petzel, the former president of the Maine Association of Psychiatric Physicians, said that while she could not offer a clinical diagnosis of Gay without first examining him, inmates in his situation often find it difficult to obey the rules.

Prisons are full of people with a history of child abuse, head injuries or mental illnesses, all of which impact their body's stress response system and impulse control and make it very difficult for them to toe the line with the very particular rules inside prisons, and also make them targets for violence from guards and other inmates, she said.

Gay spends much of his time in solitary writing, including writing complaints for lawsuits and composing essays.

Court documents state that Gay is mentally ill although his diagnosis is not considered serious by prison medical staff. However, despite

his proclivity for self-mutilation and hours where he is strapped by his arms and legs to a metal bed-frame for violating supermax rules, Gays letters to friends and supporters are often articulate and introspective.

In a recent installment in a series of letters that begin with, Dear America, Gay wrote: It is like this place (Tamms) is designed to psychologically kill you. How could America be so cruel to its own people? Is there a need to psychologically kill prisoners? Are we terrorists? Am I a terrorist?



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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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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Free Anthony!!!!

I don't believe the death penalty is the solution, he has not murdered anyone nor attempted to. He has been through A LOT throughout his life as Kevin has stated. He of course can be rebellious, but the guards are SURELY not innocent and treated him as if he were an animal instead of a human being! I am so glad that A LOT of the hideous charges he incurred while in Tamms have now been thrown out, and hopefully soon he can be released and get the actual help he has needed to begin with.

Anthony is a person, Mike. I know firsthand that he has suffered abuse his whole life, coming first from a step father who beat up on him, as a child. Mike, Anthony never recovered, meaning he never found a group of people that could reach him emotionally. The truth of the matter is there are many people like Anthony who are driven crazy by the hatred of other, like you. There are many people who are driven crazy by the fact that in America a teenager could be raped by guards and locked in a box for seven years. That's right a prison guard raped Anthony with a broom handle so yea maybe the death penalty would be a better solution- after all of what he's had to deal with.

Any person that buys into this guy's story is sadly naive. There is a solution for people like Gay if you can call him a person and that is the death penalty, plain and simple. Now I know you bleeding heart libs are going to rake me over the coals, go ahead I work in corrections and at least know it first hand and am not buying some bullshit story that a sociopath and his rag tag team of liars, oh I mean lawyers have fed me.

you are the liar go and sit in there and then tell me different

The four people above are idiots who have no clue about inmate Gay. He routinely assaulted nurses, counselors, visitors, and correctional officers and cut on himself BEFORE he was sent to Tamms. He is a smart man who has manipulated the system time and time again. Don't believe his lies!

I am so ashamed of this society that is torturing people perhaps worse than the victims of the holocaust. They weren't alone.

This is torture of the most inhumane kind. How can we forget that we are human, as well? The ugliest of beasts come out when given too much power, and sadly, that appears to be the fate at hand. Justice has become a twisted word, and only indulged upon for those of which is suiting. We need prison reform that does away with flat sentencing and once again, revisit the importance of individualized rehabilitation and treatment of inmates. Otherwise, these institutions become breeders of sickness and hate. Why can they not see???

I think the people in the USA have to change their attitude about not caring about prisoners. If they would take an interest in what is

going on behind walls, how people are tortured by this solitary confinement and if they were not insane before, most of them surely will become insane under such conditions. Humans are not made to live in isolation. They need other humans to be with. This will drive anyone crazy. So why are the courts and the people not acting? By the rate of incarceration and considering this guys actually short sentence, this sort of thing can happen to anyone. If that is not reason enough to stop this cruelties like death penalty, life without parole and solitary confinement, which has no room in our modern times, then I dont know where the USA are going. Are they only happy after half of their people are incarcerated? How many more prisons does that country need? There are too many already. Change from tough on crime to rehabilitation and trying to help those in prison to change their life style and not to turn them into some kind of people who will have lost their abilities to cope outside of prison walls, if they ever get a chance to get out of there again. So very sad!

ok like if this dose not tell you why we should stop solitary what will a man cuts off his lef ball and we say so what all i going say is usa WTF your owen peppeal your owen members you brout them to this low mind set that they did this sort of thing it is times like this that i get sick to call my self a part of the usa but others i am honored to be but this this needs to stop may thare be light in the darknes of justice

P.O. Box 11374
Washington, DC 20008

info@solitarywatch.org

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