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Criminal Justice Issues and Prisoners' Rights

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Our Weekly Roundup of News and Views on Solitary Confinement

by [Valerie Kiebala](#) | February 25, 2019

[According](#) to WHYY public radio, neurological researchers Michael Zigmond and Richard Smeyne have recently aimed their studies at understanding the physical impairment of the brain caused by solitary confinement. While the damaging psychological effects of isolation have been widely examined, Smeyne says that physical damage might prove more powerful than psychological damage in legal proceedings. The researchers' findings thus far include that one month of isolation may shrink neurons by twenty percent. They have begun to establish scientific evidence of the physical damage caused by solitary. Smeyne said, "If we put someone into prison and we took off 20 percent of their arm, and said, 'That's just a natural consequence of you having to be there,' people would be outraged and say, 'You can't do that! That's torture!'"

WHNT [reported](#) that the Southern Poverty Law Center (SPLC), Alabama Disabilities Advocacy Program, and the Alabama Department of Corrections (ADOC) will offer a proposal by March 5 in response to the U.S. District Judge Myron Thompson's ruling on the two advocacy groups' 2017 lawsuit, condemning the ADOC's dangerously inadequate mental health care. SPLC attorney Mariah Morris says that the ADOC will need to hire over 2,000 additional officers before 2022, but in the meantime, "We've got a very serious crisis on our hands. Morris asked, 'How many people are going to die because no one is watching the segregation units between now and then?' The suicide rate in Alabama prisons, which is highest for those held in isolation, is nearly four times the national average, at 60 suicides per 100,000 incarcerated people."

Seven Days [reported](#) on a lawsuit filed by the family of David L. Bissonnette, who was sent to prison because he could not afford bail and died at 38 years old after developing a heart infection in the custody of Vermont's Northwest State Correctional Facility (NWSCF) in November 2016. The suit claims that prison staff failed to provide adequate care for Bissonnette, who informed NWSCF staff that he was taking buprenorphine, a drug used to ease opioid withdrawal symptoms. Prison staff refused to administer the drug, provided no alternative, and instead placed him in solitary confinement, so they would not be forced to actively supervise someone going through the torment of sudden opioid withdrawal, according to the lawsuit.

The *Tennessean* published an [op-ed](#) calling for Tennessee state legislators to pass a bill that would prohibit the shackling of incarcerated pregnant women, provide prenatal and postpartum medical care, allow breastfeeding during visits, allow access to breast pumps, and ban solitary confinement for women in the eight weeks after they give birth. The article claims shackling pregnant women poses a health risk to both the mother and the baby, as well as violates the mother's 8th Amendment rights by inflicting cruel and unusual punishment. Twenty other states, including Florida, Louisiana, Texas, and Oklahoma, as well as Congress, have already banned shackling pregnant women.

The *New Yorker* published an [article](#) looking into the culture of brutality and high rate of jail-attributable deaths at Rikers Island in New York, as described by physician and former chief medical officer for New York City's Correctional Health Services, Homer Venters. Especially in the context of Rikers' history of guard retaliation against staff for speaking out against abuse, the dilemma of medical staff's dual loyalty between the prison employing them and their incarcerated patients is most dramatic and tortured when it comes to sending patients to solitary confinement, says Venters. Health clearance for solitary is not based on any reliable science and violates basic medical ethics because, of course, that patient is supposed to suffer, he said. Its punishment, after all.

An [opinion piece](#) written by Solitary Watch's Jean Casella and Katie Rose Quandt appeared in *Gothamist*, calling for change in response to the high number of unnecessary and unnatural deaths in the New York State prison system. The state's prison suicide rate is 56 percent higher than the national average, which is linked at least in part to the use of solitary confinement: New York currently isolates 7.5 percent of its incarcerated population, about 3,600 people, and 30 percent of the state's prison suicides occur in segregated housing. Medical negligence, physical brutality, and subhuman conditions also contribute to death and suffering in New York's prisons.

In an *AM New York* [interview](#), 59-year-old Tyrrell Muhammad says he was sent to solitary in a New York state prison initially for 60 days because he missed the count, meaning he was not in his designated place during the prison-wide checks that take place several times a day but that 60 days wound up to 6.5 years. Muhammad said, "I equate [solitary] to the whipping post in slavery. Because everybody in the facility knows you're being punished. So now you're ridiculed. Everybody sees you going to solitary. And once you get there, you

don't see nobody, you don't hear from nobody. Muhammad now works for the Correctional Association of New York, supporting passage of the Humane Alternatives to Long-Term (HALT) Solitary Confinement Act. Advocates are hopeful with the new Democratic Assembly and Senate, he says, but everything remains to be seen.

MassLive [reported](#) that the Massachusetts Department of Corrections (DOC) has adopted a set of new policies in response to a law passed last year aimed at reducing the state's use of solitary confinement and preventing the placement of people with psychiatric disabilities in solitary. However, advocates claim that the DOC's amended policies, which create additional categories of segregated housing under different names, may not live up to the standard of the law. One Massachusetts attorney said, Unfortunately, these regulations make clear that the DOC intends to bring itself into technical compliance with the letter of the law while subverting the intention of the law and continuing to rely on solitary confinement as a linchpin of its management practices.

The *Scottsbluff Star Herald* [reported](#) that the ACLU of Nebraska has called for their 2017 lawsuit to be designated as a class action for the 5,500 incarcerated people across the state, claiming that Nebraska prisons inflict cruel and unusual punishment on the people in its custody by denying adequate health and mental healthcare, using solitary confinement, and failing to provide disability accommodations. The ACLU highlighted the severe overcrowding plaguing Nebraska's prisons, as the state's prison system ranks the second-most-overcrowded in the country.

Interfaith Action for Human Rights, an advocacy group based in the DC/Maryland/Virginia area, released a 2-minute [video](#) last week, visually breaking down the use of solitary confinement and both its human and financial impact. In addition to the long, documented list of negative psychological effects, the video highlights that segregated housing costs two to four times that of housing in a facility's general population and reminds us that releasing people back into their communities after they have experienced solitary confinement creates a heightened public safety risk. The video calls for a more efficient, humane, and safe system of justice by eliminating the use of solitary confinement.

Valerie Kiebal was a contributing writer and editorial and project manager for Solitary Watch, and is now the media director of Straight Ahead, which is building a decarceration movement throughout Pennsylvania. Her work has also appeared in *The Root*, *Truthout*, the *Chicago Reporter*, and *Shadowproof*.

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 [Mirilla Zhu](#)

October 26, 2022

by [Caitlin Konya](#)

October 19, 2022

by [Mirilla Zhu](#)

October 12, 2022

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