

Solitary Watch

Criminal Justice Issues and Prisoners' Rights

<https://solitarywatch.org/2010/02/11/rastafarians-spend-a-decade-in-solitary-for-refusing-haircuts/>

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by [Jean Casella and James Ridgeway](#) | February 11, 2010

A reader recently alerted us to this story, published in the [Richmond Times-Dispatch](#) in December. It marks ten years spent in solitary confinement by a group of Rastafarian prisoners in Virginia, who have been kept in lockdown for refusing to cut the beards and dreadlocks they wear in service of their religious beliefs.

Beyond the violation of these inmates' right to freely practice their religion, what this case confirms is the inequitable, arbitrary, and often capricious way in which solitary confinement is used in America's prisons. So-called administrative segregation can be applied for killing a guard or for throwing a food tray; for being an unmedicated schizophrenic or for being a Rastafarian. According to the *Times-Dispatch* report:

Bill Clinton was president when a handful of Virginia prisoners entered segregation cells rather than cut their hair. The inmates, Rastafarians, complain the Department of Corrections grooming policy of Dec. 15, 1999, violates their religion. Followers of the Rastafari movement let their hair grow in dreadlocks and let their beards grow.

Among other things, the policy requires that male inmates' hair be cut above the shirt collar and around the ears for security and health reasons. Among other things, the policy is intended to help identify prisoners who could otherwise change their appearances from the mug shots taken when they first entered the system.

Next week marks a decade that at least eight of them have been confined alone in small cells for refusing to comply. Allowed out for three showers and five hour-long recreation periods a week.

Eric Balaban, a lawyer with the American Civil Liberties Union's National Prison Project, has never heard of anything like it in any other state. That really is remarkable based solely upon the continued violation of grooming policy to put somebody in the hole for 10 years, he said.

I can't speak for all the others' experience, but for me, being in seg. for as long as I have been . . . has created a deep-rooted bitterness, frustration, and depression, wrote inmate Allen McRae, also known as Ras-Solomon Tafari. McRae, 32, serving a 20-year sentence for cocaine possession, said, my normal day . . . is a repetitive cycle of stress and frustration.

Those in segregation say they are allowed one non-contact visit per week and two phone calls a month. The department says they cannot participate in recreational, educational or treatment programs and are not earning any so-called good-time parole credits. But they are able to speak with inmates in adjacent cells and with staff.

Elton L. Williams, 30, serving 14 years for robbery, says the Rastafarians are being punished more severely than serial killers or prisoners who attack officers or other inmates. Those inmates can re-enter the general population, not us, though, he said.

Solitary confinement has become our doom, he complained. The best way to describe it would be in comparison to a faucet drip . . . after 10 years I would think it's now time for a plumber, Williams wrote.

In 2003, the ACLU brought suit in federal court on behalf of Rastafarian and Muslim prisoners in Virginia, arguing that their hair was fundamental to their faith, and forcing them to cut it violated their religious freedoms. The district court and Fourth Circuit Court of Appeals both ruled against the inmates.

In a press release issued in December on the tenth anniversary of the Rastafarians' placement in solitary, ACLU of Virginia Executive Director Kent Willis said:

We brought the case not just because we thought the law was on our side, but because we wanted to protect the religious rights of incarcerated persons. We were deeply disappointed in the outcome, because we knew that the sincerest believers would be those who would be punished most severely. It certainly seems to have turned out that way.

Years later, it is still hard to believe that the federal courts allowed DOC to keep this policy, added Willis. In court, DOC could not produce any evidence that long hair and beards have ever posed a security risk, and an expert testified that most prison systems in the country operate without such restrictive and punitive rules.

Even when it comes to prisoners hair length and religious practice, policies vary widely from state to state, from religion to religion, and from one federal court circuit to another. In other cases, Sikhs and Orthodox Jews, for example, have both been permitted to wear their hair and beards as their religions demand. And in 2004 example, a federal appeals court in Los Angeles ruled in favor of a Native American prisoner who refused to cut his hair on religious grounds. According to a press release from the [ACLU of Southern California](#):

In a stinging rebuke to the California Department of Corrections, the Ninth Circuit Court of Appeals today ordered the release of Billy Soza Warsoldier, a Cahuilla Native American who had refused prison orders to cut his hair short because of his religious beliefs. Prison officials had delayed his May 21st release after Warsoldier fought the policy.

The American Civil Liberties Union of Southern California, together with the law firm of Bingham McCutchen, had filed a federal lawsuit on Warsoldiers behalf after learning that he was being penalized for practicing his religion, a central tenet of which is the prohibition against cutting ones hair except upon the death of a loved one.

An astonishing number of cases on the ACLUs docket for [Defense of Religious Practice and Expression](#) involve hair, in workplaces and schools as well as in prisons. In the [most absurd of these cases](#), a five-year-old boy in Texas was banned from his kindergarten class for wearing his hair in two long braids, in keeping with his familys Native American religious beliefs. The schools solution was to have the boy spend his days alone in in-school suspension in other words, it placed him in solitary confinement.

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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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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<http://voices.washingtonpost.com/crime-scene/virginia/new-prison-for-va-rastafarian.html>

New prison for Va. Rastafarian inmates
By the Associated Press

Several Rastafarian and other inmates who have been held in isolation for refusing to cut their hair are being moved to a prison where they can live together.

The Department of Corrections confirmed Wednesday that 31 inmates have been transferred to Keen Mountain State Prison in southwest Virginia.

Some Rastafarian inmates have been held in isolation since 1999 for refusing to cut their hair because of their religious beliefs.

The Associated Press reported in June that nearly 50 inmates were being isolated because of the policy.

Department spokesman Larry Traylor says the change was made to better manage bed space.

Traylor says that while the inmates will be housed two to a cell, they will not have all the privileges of inmates in general population.

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