

# Solitary Watch

## Criminal Justice Issues and Prisoners' Rights

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Budget Proposal Shows Lowered Costs Based on Recent Prisons Settlement

by [Sal Rodriguez](#) | January 8, 2016

Reduced reliance on solitary confinement is set to save California taxpayers millions of dollars, according to Governor Jerry Browns proposed [2016-17 budget](#).

The state is moving to convert segregated housing units to non-segregated units pursuant to the [Ashker v. Brown](#) lawsuit settled in September 2015. The lawsuit, filed by numerous individuals held in long-term solitary confinement at the Pelican Bay State Prison Security Housing Unit (shown above), argued that such prolonged isolation was a violation of prisoners Constitutional protections from cruel and unusual punishment.

Among other things, the settlement ends the practice of indeterminate SHU sentences, which often exceeded 10 years, and establishes a streamlined process by which people can get out of the SHU.

The final agreement moves the Department away from a system of indeterminate terms for segregated housing to a system that focuses on determinate terms for behavior-based violations, explains the budget report. In addition, the Department has made changes to its stepdown program to allow inmates to transition from segregated housing into the general population more quickly than under previous policies. These changes are projected to reduce the need for several thousand segregated housing beds, which will be converted to the appropriate housing security level as the changes occur.

The Budget includes a reduction of \$28 million to account for these housing conversions, the report continues.

The cost reductions are unsurprising given the long-reported high cost of isolating individuals in Californias prisons. In 2010-11, the California Department of Corrections and Rehabilitation [reported](#) it cost \$70,641 annually to hold prisoners in the SHU, and \$77,740 annually in the Administrative Segregation Unit, which, while not designed as a long-term housing unit, routinely held people for long periods of time. In contrast, CDCR reported spending an average of \$58,324 on general population prisoners.

As our fact sheet on the issue of cost points out, solitary confinement routinely costs more. One [estimate](#) put the average difference at as much as \$50,000 a year, per-individual. This, despite significant evidence that prolonged segregation may in fact be counterproductive, as indicated by the experience of states like Mississippi which have significantly curbed their use of solitary confinement.

With respect to Californias implementation of the *Ashker v Brown* settlement, CDCR still segregates thousands of individuals in its prisons. As of December 15, 2015, there were still 2,454 men and 51 women in the SHU statewide, plus 2,924 men and 148 women in ASUs. Meanwhile, CDCR is still processing prisoners for placement either the general population or the soon-to-be-created Restricted Custody General Population Unit, the latter of which is a creation of the *Ashker* lawsuit and involves restrictive, but much freer, housing for individuals who otherwise would have been sent to solitary confinement. Other reforms have especially helped reduce ASU populations.

As there are still concerns about prison gangs in California prisons, the Governors budget includes \$5.8 million for additional investigative staff to monitor gang activity in prisons as the new segregated housing policy changes are implemented.

Sal Rodriguez was Solitary Watchs first and most prolific intern. Based in Los Angeles, he served as an editorial writer and columnist for the Orange County Register and the Press-Enterprise, and is now the opinion editor for the Southern California News Group.

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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I am so glad that California is taking steps toward ending social isolation of people in prisons. It is wrong to hurt people this way, no matter what they have done. Even when people are very dangerous at any particular point, they can still receive caring and constructive social contact from others through a window or some other means. The harms of social deprivation have been well-documented in research and have also been described by people who have experienced it.

Safety is very important. People who are not a serious risk of harm to others should be in communal living situations. People who are too dangerous at any given point to be with others may well need to be in their own room. However, they should receive ample, caring social contact and they should be reintegrated with others as soon as this is reasonably possible.

These kinds of changes may require some flexibility and creativity in designing methods for people to receive social contact if they need to be in their own room for safety reasons. However, this is also not exactly rocket science. We really should be able to figure this out. We are bright, hardworking, creative nation. Surely someone can come up with some kinds of windows, doors, etc, that protect staff and correctional officers from people to a reasonable degree and also allow people in a very dangerous state to receive caring, social contact.

Given that our country is actually really quite good at real rocket science, this is something we should be able to take on. We can do this! If we already have this technology available, then we should use it. This shouldn't really be that difficult. We are a country based on core values. Torturing people is not one of our core values. Correctional officers do not want to be torturing people. As we all learn more about this horrible practice, it's hard to imagine that anyone is going to want to use it. So we should work on finding some good solutions that provide safety and also provide humane treatment.

Correctional officers and staff work hard, courageously and compassionately every day. They deserve the best technology in every prison to help them interact with people well. This is not an impossible problem.

Every single person deserves to be treated well, no matter what they have done or in what kind of way that they are behaving currently. We should work to treat people with respect and dignity while still preserving safety for everyone to the greatest extent possible, while recognizing that some risks are a part of life. We should err on the side of giving people more freedom, while still working to preserve safety. It is wonderful that California is working on this.

Just received a letter from my friend who was just recently transferred out of the SHU at Pelican Bay to a different prison. He thanks everyone who fought for him and others serving indeterminate SHU sentences. I thank everyone too. His happiness is very touching.

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