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Criminal Justice Issues and Prisoners' Rights

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close

Search

close

close

Our Weekly Roundup of News and Views on Solitary Confinement

by [Valerie Kiebala](#) | March 4, 2019

[According](#) to the *Associated Press*, the ACLU of New Mexico released a report last week based on prison records obtained under public records law and a survey of incarcerated people. The report disputed the states account that they use solitary at a rate of 4 percent, finding that in reality, the state uses solitary at a rate of 9 percent, which brings New Mexico into the top five states with the highest percentage of isolated people held in their custody. The ACLU supports a bill that would ban the use of solitary for children and pregnant women, as well as reduce solitary for people with psychiatric disabilities. Governor Michelle Lujan Grisham said that solitary should be used in only the most extreme and narrow circumstances and called for further examination of the departments suicide rates and use of solitary confinement.

6WBRC [investigated](#) the death of Matthew Blake Holmes, who committed suicide on February 14. Holmes death was the fourteenth suicide of someone held in the Alabama Department of Corrections (ADOC) in fourteen months. Holmes mother said her son had previously been held in solitary for thirteen months and had been moved to solitary confinement from suicide watch, right before his death. Holmes did not know if her son ever received mental health treatment, but she said, I know this much, if somebody sits in isolation for thirteen months, theyre going to need some type of counseling. A Southern Poverty Law Center attorney says that the ADOC has not taken the necessary steps to halt the recent surge of suicides in their prisons and continues to place seriously mentally ill people in isolation.

The *Childrens Legal Rights Journal* published an [article](#) tracing grassroots advocacy work in California since the 1990s culminating in the passage of Senate Bill 1143 in 2016. The bill passed on the fifth attempt, after the formerly opposing Chief Probation Officers of California signed on as a co-sponsor. The landmark law, which took effect in its final form on January 1, 2019, places strict regulations on room confinement for youth, banning their isolation for more than four hours at a time. While the implementation process will require continued pressure and rigorous oversight, changes have begun to take shape, including Sacramento Countys implementation of the Cove, a multi-sensory de-escalation room where youth receive support to communicate and express themselves. Between October 2010 and April 2017, the average time youth spent in solitary in the county dropped from 28.3 hours per month to 1.6 hours.

[According](#) to *Shadowproof*, negotiations between hundreds of incarcerated men at California State Prison, Corcoran and the warden have broken down. The talks were initiated as a result of the hunger strikes in response to the men being locked down for months. Gladiator fights, allegedly set up by guards between different racial groups, spurred the lockdown originally, but when the men non-violently protested the breakdown of negotiations, prison officials extended their time in isolation without visitation, programming, adequate food, phone calls, or recreational time. While the California Department of Corrections and Rehabilitation has denied several of these allegations, Rosa, who has been protesting weekly outside the facility against the conditions facing her husband, said, To know the feeling of your husband being hungry and to read his letters that he hasnt eaten in three days, its heartbreaking.

Following a class action lawsuit filed on behalf of about 200 deaf or hearing-impaired people held in the Michigan Department of Corrections (MDOC), a federal judge recently ruled that states lack of accommodations violated the Americans with Disabilities Act (ADA). One man, 64-year-old Ralph Williams, spent 40 days in solitary confinement after prison officials failed to provide him a hearing aid at his misconduct hearing, causing him to be completely unable to hear or communicate, according to the lawsuit. The *Detroit Free Press* [reported](#) that several lawsuits and complaints in addition to the class action suit have been filed against the MDOC claiming that incarcerated people with varying physical and psychiatric disabilities have suffered from discrimination and denial of accommodations.

The Cleveland publication *Scene* [published](#) a note from a man held at the Cuyahoga County Jail in Ohio, where there were 69 suicide attempts and four suicides last year. The man described the jails practice of red zoning, which is when a facility locks down its population in solitary confinement for up to 23 hours a day because of short staffing. The man wrote, Some days it feels like youre going insane in your cell. You can only read and do pushups and write so much before there is nothing to do except stare and think and think and think about how terrible your life is at this moment. There have been four suicides in the last year. Coincidence?

Legal Reader [reported](#) that California Attorney General Xavier Becerra has released a report documenting the findings from the California Department of Justice inspections of the federal Immigration and Customs Enforcement (ICE) facilities in the state. The report

noted several issues plaguing the immigration facilities, many of them resulting from poor oversight, according to Becerra. Among other violations, the inspectors found that facilities overuse solitary confinement, though most detained immigrants have yet to see a trial for their immigration proceedings. While he says some ICE facilities have begun to improve conditions, the attorney general says he is ready to take legal action against jails that fail to fulfill the necessary standards.

The Guardian [reported](#) that New Hampshire Governor Chris Sununu has proposed the construction of a 60-bed secure psychiatric facility at states only psychiatric hospital. The proposal comes after a push from families and mental health advocates for an end to the states practice of involuntarily transferring non-criminal but safety risk patients to the secure psychiatric unit (SPU) at the maximum security New Hampshire state prison. The case of Andrew Butler brought attention to the conditions at the SPU, where his lawyer said Butler was denied contact visits with his father, denied contact visits with his attorney, forced to wear prison clothing. He is locked down 23 hours a day. He has been tasered. Last summer, after nearly six months in conditions of solitary at SPU, Butler was released home.

Women in and Beyond [reported](#) that school systems in several states, including Virginia, New Hampshire, and Iowa, have been holding students with disabilities in restraints and seclusion, against the will of the students and parents and often in violation of state laws. A recently released U.S. Department of Education report found that nationwide, students with disabilities make up 66 percent of those secluded and 71 percent of those restrained, while only twelve percent of students enrolled have disabilities. In Iowa, between 2013 and 2015, the report found that the rate of student seclusion rose from 2,514 reported instances to 4,904. Iowa's U.S. Senators have called for a federal investigation into the states use of seclusion and the states U.S. Representative has called for a ban on seclusion rooms.

Spectrum News [reported](#) that hundreds of mental health and criminal justice reform advocates rallied last week at the New York state capitol in support of the Humane Alternatives to Long-Term (HALT) Solitary Confinement Act, which would prevent people with mental illness from being placed in solitary. Doug Van Zandt, whose son committed suicide four years ago after being placed in solitary, attended the demonstration and said, When we got the phone call he was dead, it was just so absolutely devastating. I hope that never happens to another parent again I believe [the HALT bill] would've saved our sons life and Ben would still be around.

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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