

# FACT SHEET: Department of Justice Review of Solitary Confinement

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In July 2015, the President announced that he had asked the Attorney General to review “the overuse of solitary confinement across American prisons.” Since that time, the Department of Justice (DOJ) has undertaken a thorough review to determine how, when, and why correctional facilities isolate certain prisoners from the general inmate population, and has now developed concrete strategies for safely reducing the use of this practice, also known as “restrictive housing,” throughout our criminal justice system. That review led to a Report to the President setting out Guiding Principles that would responsibly limit the use of restrictive housing at the federal, state, and local level, as well as specific recommendations for policies that the Bureau of Prisons (BOP) can implement for federal prisons. The Report identifies ways to further humane and safe conditions for both inmates and the correctional officers charged with protecting them.

Today, the President announced that he is adopting the recommendations in the Report, which is now available [HERE](#) and will be directing all relevant federal agencies to review the report and report back on their plan to address their use of solitary confinement.

**“Guiding Principles” For All Correctional Systems**

The Report sets out more than 50 Guiding Principles, which cover a range of important reform areas including the use of the restrictive housing as a form of punishment, the appropriate conditions of confinement in restrictive housing, and the proper treatment of vulnerable inmate populations, such as juveniles, pregnant women, LGBTI inmates, and inmates with serious mental illness. These principles are informed by the best practices developed by the Association of State Correctional Administrators (ASCA) and the American Correctional Association (ACA) and include:

- Inmates should be housed in the **least restrictive setting necessary** to ensure their own safety, as well as the safety of staff, other inmates, and the public.
- Correctional systems should always be able to **clearly articulate the specific reason(s) for an inmate's placement** and retention in restrictive housing.
- For every inmate in restrictive housing, correctional staff should develop **a clear plan for returning the inmate to less restrictive conditions as promptly as possible**. The plan should be shared with the inmate, unless doing so would jeopardize the safety of the inmate, staff, other inmates, or the public.
- An inmate's initial and ongoing **placement in restrictive housing should be regularly reviewed** by a multi-disciplinary staff committee, which should include not only the leadership of the institution where the inmate is housed, but also medical and mental health professionals.
- All correctional staff should be **regularly trained on restrictive housing policies**. Correctional systems should ensure that compliance with these policies is reflected in employee-evaluation systems.

## **New Policies Addressing BOP's Use of Restrictive Housing**

In recent years, the Bureau of Prisons (BOP) has reduced its use of restrictive housing by 25 percent without compromising the safety of its correctional officers and its facilities. The Report makes concrete recommendations that will accelerate this trend and change the conditions for thousands of inmates through a multi-pronged strategy. The recommendations that DOJ has proposed and the President has adopted include:

- **Ending restrictive housing for juveniles.** BOP is ending the practice of placing juveniles in restrictive housing—in line with the standards outlined in the Sentencing Reform and Corrections Act, now pending in the U.S. Senate.
- **Diverting inmates with serious mental illness to alternative forms of housing.** BOP will be expanding “secure mental health units” for inmates with serious mental illness who cannot function in the general prison population, and hire additional staff psychologists to provide mental health services to inmates who require restrictive housing. The President’s Fiscal Year 2017 budget will include a request for \$24 million to support these efforts.
- **Diverting “protective custody” inmates to less restrictive conditions.** Currently, inmates who face legitimate threats inside the prison are placed in restrictive housing, often in conditions similar to those faced by inmates placed there for disciplinary reasons. BOP will build “Reintegration Housing Units” at multiple prisons, providing additional space to house “protective custody” inmates in less restrictive conditions.
- **Limiting the use of punitive segregation.** BOP will undertake across-the-board reductions of maximum penalties when restrictive housing is used as a disciplinary sanction in prison, including an outright ban on the use of the practice for inmates who commit low-level infractions.
- **Holding the most dangerous inmates accountable through**

**federal criminal prosecutions.** Working closely with BOP, U.S. Attorney's Offices will ensure that inmates who engage in serious criminal activity—especially those who assault or kill correctional staff—face criminal prosecution when appropriate.

- **Directing wardens to expand out-of-cell time.** Wardens at all BOP facilities will be directed to develop institution-specific plans for increasing the number of hours restrictive housing inmates spend outside of their cell, and allowing greater opportunities for rehabilitation and reentry services.
- **Limiting releases directly to the community.** BOP will be developing policies that specifically discourage the placement of inmates in restrictive housing during the final 180 days of their prison terms, making it easier for inmates to adjust when they return to the community.
- **Increasing transparency.** BOP will begin publishing monthly system-wide restrictive housing data on its public website, and will finalize upgrades in data-collection software to improve tracking of restrictive housing inmates.

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**Original URL:**

<https://www.whitehouse.gov/the-press-office/2016/01/25/fact-sheet-department-justice-review-solitary-confinement>