

NEW YORK CONFERENCE JULY 15-16, 2014

Ending Solitary Confinement

Tuesday, July 15, 2014
3:30-5:00pm

Session Organizer:

- Lesley Carson, Director of International Human Rights, Wellspring Advisors
- Heidi Dorow, Senior Program Officer, Wellspring Advisors

Facilitator:

- Heidi Dorow, Senior Program Officer, Wellspring Advisor

Panelists:

- David Fathi, Director, National Prison Project, American Civil Liberties Union (ACLU)
- Anthony Graves, Director, Anthony Graves Foundation
- Susan Rosenberg, Board Member, International Development Exchange

Sponsors:

- Wellspring Advisors
 - Ms. Foundation
 - Four Freedoms Fund
-



The purpose of the panel was to think more deeply about the issue as funders and understand all the intersecting issues around criminal justice.

David Fathi, Director of the National Prison Project at the ACLU, first painted a picture of solitary confinement as a concrete cell with no windows, without access to public spaces or services. Solitary confinement exists in many countries, although it is most prevalent in the United States. He further explained the negative mental health effects that it has on human beings. For those who already suffer from psychosocial disabilities, it can have catastrophic effects. As human identities are grounded in social interactions, solitary confinement is very destabilizing. Moreover, solitary confinement is very

expensive and yet does nothing to rehabilitate prisoners or prepare them to return to society. It also violates the constitution's ban on cruel and unusual punishment and is inconsistent with international standards on torture. The UN Special Rapporteur on Torture, Juan Mendez, is proactive against solitary confinement. The ACLU currently has a campaign to stop solitary confinement, which includes disseminating reports and films, working with prison officials to keep people from being subjected to solitary confinement, and pursuing litigation.

Anthony Graves, Director of the Anthony Graves Foundation, is a survivor of solitary confinement. He was convicted of a crime he didn't commit and was put in solitary confinement on death row for 12 and a half years. The room was no bigger than a parking space and it was covered in feces, which he had to clean up himself before entering. There were no showers, so he bathed out of the toilet. He witnessed men who killed themselves while in solitary confinement. He was saved from the same fate because he was naïve and thought that because he was innocent, he would get out of prison one day; this gave him hope and prevented him from checking out. Solitary confinement has a ripple effect, because all of a person's loved ones are also affected by their individual suffering.

Anthony explains the overuse of solitary confinement as a result of poor relationships between officer and inmate. Many of the officers are not properly trained as there are no minimum age or experience requirements for the job; they are young and most have just finished high school. When these young men are given authority for the first time in their lives, it often leads to an abuse of power. According to Anthony, they believe they are doing society a favor by putting people in solitary confinement.

When your human rights are denied, you are still expected to act like a human being, and when you can't, they punish you even further. The prison system has made society unsafe—people are not rehabilitated, and they eventually return to their communities without the tools to be productive members of society. Consequently, they soon return to prison. The Anthony Graves Foundation is geared toward intervention and prevention, so that no one has to go through the system unjustly.

Susan Rosenberg, Board Member at IDEX, spent 17 years in the Lexington Control Unit, a women's federal prison unit, for her activist work coming out of the student movement of the 60s and 70s. It was the first experimental unit for women, and was structured much like Guantanamo Bay. Susan spent 11 years in a combination of solitary confinement, small group isolation, or maximum security. The ACLU National Prison Project was the organization which helped litigate against the Lexington Control Unit and was influential in shutting it down.

Solitary confinement is currently being used as an alternative to the death penalty, as a punishment for infractions, and as a way to control large populations inside of prisons, due to mass incarceration as a result of the prison industrial complex. The justification that solitary confinement is a useful means to curtail violence is a lie, as it actually breeds further violence. It's important to put the US prison industrial complex into an international human rights framework to be able to properly reform the system.

Heidi noted that these issues don't often make it onto our dockets. What does this mean? How do these issues intersect with the current issues which we fund?

Question and Answer

One participant asked: what are the biggest obstacles to ending solitary confinement? Another participant asked about how to generate more interest in funding. The biggest obstacle has been in bringing the issue into human rights spaces. However, this is the first time that Susan feels hopeful

about the social movement that has been building around prison reform. In order to build more interest in funding, it's important to confronting structural and intersecting issues, such as those issues faced by marginalized populations, such as LGBTQ people or people of color.

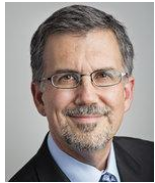
There are many funding options, including advocacy, organizing, research, prevention and intervention.

Conclusion: We've got a system that is broken from top to bottom and we have to be creative. The criminal justice system amplifies every other injustice in US society. It takes a village.

Biographies of Panelists:

Heidi Dorow, Senior Program Officer, Wellspring Advisors

Heidi Dorow is a senior program officer at Wellspring Advisors in the Sexual Orientation and Gender Identity (SOGI) Program. Before joining Wellspring, she was a consultant specializing on human rights issues in the United States working with groups such as the Ford Foundation, the United States Human Rights Network, the Sex Worker Project of the Urban Justice Center, the Center for Economic and Social Rights, the Women's Institute for Leadership Development, and the International Network for Economic, Social and Cultural Rights. She was Director of the Human Rights Project of the Urban Justice Center for four years and has also worked for the Coalition for the Homeless and the AFL-CIO. While at the Urban Justice Center, Heidi coordinated several human rights campaigns and reports, all of which sought to combat New York City's efforts to restrict access to welfare and food stamp benefits for the poor. She is a graduate of Hampshire College and was a Revson Fellow at Columbia University.



David Fathi, Director, ACLU National Prison Project

David C. Fathi is Director of the American Civil Liberties Union National Prison Project, which brings challenges to conditions of confinement in prisons, jails, and other detention facilities, and works to end the policies that have given the United States the highest incarceration rate in the world. He worked as a staff lawyer at the Project for more than ten years before becoming director in 2010, and has special expertise in challenging "supermax" prisons, where prisoners are held for months or years at a time in conditions of near-total isolation. David was Director of the United States Program at Human Rights Watch, which works to defend the rights of particularly vulnerable groups in the United States, and which has published groundbreaking reports on the death penalty, prison conditions, racial discrimination, the rights of immigrants, and many other human rights issues. David has lectured nationally and internationally on criminal justice issues. His op-eds have appeared in the Los Angeles Times, Chicago Tribune, Houston Chronicle, and other major media outlets. He is a graduate of the University of Washington and the Boalt Hall School of Law at the University of California, Berkeley.



Anthony Graves, Director, Anthony Graves Foundation

Anthony Graves is known by many as death row exoneree 138. But he is known by those close to him as a loving son, brother, father and friend taken away from them at a young age. Anthony lost 18 and a half years of his life when he was wrongly convicted of a brutal crime and incarcerated in Texas prisons, 16 of those years in solitary confinement, 12 on death row, with 2 execution dates. Ultimately, perseverance, faith and the tireless work of The Innocence Network and others on Anthony's team, put enough pressure on the system and Anthony was proven innocent. Today Anthony is an accomplished motivational speaker; community advocate; consultant and investigator in both the legal and criminal justice systems; a presenter at Continuing Legal Education workshops on ethics; a prominent activist with the ACLU; and

serves on the Board of The Texas Coalition to Abolish the Death Penalty. He has launched the Anthony Graves Foundation to inspire at-risk youth whose parents have been incarcerated and to provide fair pre-trial investigation in capital cases. Anthony's story has been featured on two cover stories of Texas Monthly and in the CBS 48 Hour Mystery special "Grave Injustice" - which won the prestigious Emmy Award.