

An End to Solitary Confinement

By: Thu Le

Imagine yourself living in a 6 by 9-foot room the size of a bathroom with only a toilet, sink, bed, and a light source that always stays on for a minimum of twenty-three hours a day without knowing when you will get out. This is often the reality for some incarcerated people. They spend weeks, months, if not years in this type of environment and one can only imagine how dreadful it can be. This raises the question if solitary confinement (or what is now called restricted housing units) is necessary. Are these units intended to punish or rehabilitate carceral residents? Arguments have been made on both ends; however, this system of housing carceral people should be terminated. This method of “punishment” yields a great deal of mental and physical harm to incarcerated people. The mental harm as a result has the potential effect to have incarcerated people behave worse than their initial entry into the system. This is one issue experts take note of because solitary confinement may do more harm than good which renders it ineffective and unnecessary.

Ordinary citizens who are unfamiliar with the criminal justice system understand that incarcerated individuals live in jail or prison and that’s the end of it, but do they really know what’s going inside? Are they familiar with the conditions of the prison facility and what carceral residents have to endure on a daily basis?

Of the 2 million incarcerated people in the United States, 100,000 of them are held in solitary confinement and nearly a quarter of them serve lengthy sentences with no type of social

interaction (Medrano et al., 2017). Social interaction, especially meaningful interaction, is a key aspect in the prosperity and longevity of human lives (Haney, 2018). The elimination of this human necessity of life brings mental harm to incarcerated people. Prolonged time spent in solitary confinement can have severe psychological effects which include: heightened levels of anxiety and panic, aggression, rage, paranoia, violent intrusive thoughts, cognitive dysfunction, loss of emotional control, depression, suicidal thoughts, self-harm, and social withdrawal (Haney, 2018). These psychological symptoms can be detrimental if left untreated, which contradicts the whole point of solitary confinement. It's a strange paradox that we place prison residents who misbehave (for example) in even more isolated conditions to punish their wrongdoings, but what we get in return, is a more troubled individual who is likely to continue misbehaving in ways that endanger their own and others' lives.

If this system of "punishment" causes mental pain, then by definition, is considered torture. The Convention Against Torture, defines torture as an act where severe physical or mental pain is inflicted on a person (Clark & Duwe, 2019). This goes back to the point of how there is more to than just sending an incarcerated individual to their cell to serve their time. It is the effect of solitary confinement that plays on these individuals. While solitary confinement is mostly for convicted people who misbehave in prison/jail via uncontrolled and violent behavior, why torture them with mental pain which ultimately can make them worse? Additionally, there are numerous individuals held in restricted housing units who did not misbehave but require placement there for other reasons such as their own protection. They too suffer there. Sure, the system of solitary confinement may be effective- but only for a particular amount of time. It is said that over fifteen days spent in solitary confinement is considered torture, which is

detrimental to cognitive functioning, and could render problems while preparing for trial in that carceral individuals can be uncooperative with their attorneys to execute an effective defense (Clark & Duwe, 2019).

In addition, the use of solitary confinement may cause a snowball effect. With the idea of psychological problems as a result in mind, solitary confinement offers a limited amount of mental health or rehabilitation services such as education, vocational training, visitation, and recreational time that are normal the general population (Luigi et al., 2020). The lack of services to improve incarcerated individuals can have an effect on future recidivism. With no effective benefits to solitary confinement, carceral people tend to become more hostile and develop antisocial behavior which can cause them to re-offend and spend longer time in solitary confinement. However, it is important to note that the relationship between the effects of solitary confinement and recidivism is more common with technical violations. To further explain, incarcerated individuals that suffer severe mental illnesses have difficulties with complying or understanding the conditions of release which in then can lead to technical violations such as a parole violation, as opposed to committing a new crime (Clark & Duwe, 2019). Nonetheless, prohibiting incarcerated people from being able to learn or improve their skills compared to those in general population will cause disadvantages for the reentry process.

Despite an overwhelming number of reasons why solitary confinement is ineffective, some argue that it is necessary for some incarcerated individuals. Some might say those who commit the worst of worst crimes such as rape and murder deserve to be put away forever and that may be true, but how is that going to help them if the effects of solitary confinement will make them

worse? Do they need to be in a prison within a prison; or is one prison enough? As tragic as it is that the crime has already been committed is, the point is to rehabilitate the incarcerated individual to prevent them from doing it again. Putting them away in a locked box with no type of meaningful interaction and skill development programs will only agitate and frustrate them more which causes the harm to outweigh the good.

Solitary confinement was the form of imprisonment in the 19th century and it was believed that through solitary confinement, incarcerated people would benefit from the solitude, self-reflection, and penance; however, this theory was disproven as it is a severe form of punishment (Haney, 2018). Yet despite all the evidence, the U.S. Supreme Court does not view solitary confinement as a cruel punishment. If solitary confinement deprives humans of the basic social needs and causes detrimental effects to the brain, why is it still being practiced? The Supreme Court holds that as long as incarcerated individuals receive food, water, and a place to sleep, they will be fine and will live. The highest court in the US views “serious harm” as physical harm and disregards mental harm from the position (Coppola, 2019). This is a contradictory standpoint because the Supreme Court is intended to provide a check and balance of the criminal justice system and to treat people fairly from the actions of the police and the criminal justice system, yet they do not seem to be in accordance with the detrimental health effects of incarcerated individuals that are housed in solitary confinement for long periods of time.

Efforts have been made to restrict the use of solitary confinement that a set of guidelines had come into place to ensure the proper treatment of carceral residents. Adopted in 1955 known as the “Standard Minimum Rules for the Treatment of Prisoners,” the set of rules and guidelines

was then expanded in 2015 to be known as the “Nelson Mandela Rules” which provide how to properly treat carceral individuals, in this case, those that spend time in solitary confinement (United Nations). Some of the rules include prohibiting the reduction of food and water, the use of chains and restraints, and most importantly, prohibiting prolonged time in solitary confinement (United Nations). For any incarcerated individual who is a disturbance to the facility or is violent, we can offer them psychiatric help or provide them services that can help develop any skill they might need improvements on.

One option as an alternative to solitary confinement includes putting individuals back into general population, only after if they receive psychiatric services. They will need to be monitored closely as the risk for violent attacks can happen. General population will allow them to interact with others as opposed to be suffering alone and in silence.

The last resort would be to use solitary confinement; however, only for a maximum of fourteen days and to provide the incarcerated individuals with any means of entertainment, such as books, a television, a radio, and an adequate living space. At the same time, provide them with resources or services that can them ease back into the general population. Long term solitary confinement is unnecessary and cruel.

Abandoning the use of solitary confinement may take time, but we can start by simply signing petitions. Change.org for instance, offers great petitions that can help influence change. I myself have signed this [petition](#) and with the help of others, we can see the beginning steps taken to end unnecessary and prolonged use of solitary confinement.

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