

**Policy Paper: Solitary Confinement in American Prisons**

Meg Smith

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## Abstract

While research demonstrates prisoners experience harm when placed in solitary confinement, (Chadick et al. 2018; Haney, 2018; Nolasco & Vaughn, 2018; Reiter et al., 2020; Rubin & Reiter, 2018; Winters, 2019), the belief that prisoners deserve punishment influences this process (Cochran et al., 2018; Nolasco & Vaughn, 2018; Rubin & Reiter, 2018; Winters 2019).

Proponents of the use of solitary confinement also emphasize the necessity of this segregation to ensure safety of prisoners (Cochran et al., 2018; Haney, 2018; Nolasco & Vaughn, 2018; Winters, 2019) or to promote security or other administrative desires (Cochran et al., 2018; Nolasco & Vaughn, 2018; Rubin & Reiter, 2018; Winters, 2019). Opponents argue this treatment is a violation of human rights (Chadick et al., 2018; Rubin & Reiter, 2018). Power is used by prison officials to maintain current practices (Haney, 2018), and the population sentenced to this practice for extended periods of time is on the rise (Rubin & Reiter, 2018). Marginalized groups, including individuals with mental illness, are particularly vulnerable to the effects of solitary confinement (Ahalt et al., 2017). Research remains lacking regarding the implementation of this practice and the long-term effects on the prison population (Chadick et al., 2018).

Recommendations emphasize the importance of social services that emphasize rehabilitation (Seigafo, 2017) and mental health services to meet the needs of this vulnerable group (Ahalt et al., 2017; Medrano et al., 2017).

*Keywords:* solitary confinement, American prisons, mental health, social welfare, research

## **Policy Paper: Solitary Confinement in American Prisons**

### **Introduction**

Solitary confinement in prisons is a very controversial practice (Chadick et al., 2018; Haney, 2018). There is a lack of consistency nationally and internationally regarding the definition of solitary confinement and the practices associated with it (Rubin & Reiter, 2018). Solitary confinement is referenced by many different names, including administrative segregation (Ahalt et al., 2017; Chadick et al., 2018) and refers to an inmate living in small quarters in isolation from other people (Ahalt et al., 2017; Chadick et al., 2018; Nolasco & Vaughn, 2018). Prisoners lose the ability to socialize with fellow inmates or to communicate with family when experiencing this practice (Medrano et al., 2017). It is imperative that more research examines the lives of prisoners to determine the long-term effects of solitary confinement due to the impact on prisoners' mental health (Chadick et al. 2018; Haney, 2018; Nolasco & Vaughn, 2018; Reiter et al., 2020; Rubin & Reiter, 2018; Winters, 2019) and the financial cost associated with this practice (Medrano et al., 2017); psychological treatment (Ahalt et al., 2017; Medrano et al., 2017) and rehabilitation services (Seigafo, 2017) should be implemented as humane alternatives whenever possible (Seigafo, 2017).

### **Causes**

While conditions vary depending on the specific prison, an inmate housed in solitary confinement is often forced to live in an enclosed cell that is roughly the size of a vehicle, for 23 hours a day, according to the American Civil Liberties Union (ACLU) (Ahalt et al., 2017). Prisoners housed in solitary confinement must often resort to speaking to prison officials through the cracks in their cell door (Chadick et al., 2018), though many prisoners in solitary

confinement experience no human contact, even from prison staff (Rubin & Reiter, 2018). Educational, religious, and physical outlets are severely limited for inmates experiencing solitary confinement (Ahalt et al., 2017; Chadick et al., 2018). Many prisoners are not even allowed to shower every day when housed in these conditions (Chadick et al., 2018).

There are many causes for solitary confinement to be administered in American prisons. Individuals may be separated from other inmates as a punishment (Cochran et al., 2018; Nolasco & Vaughn, 2018; Rubin & Reiter, 2018; Winters, 2019), for the safety of prisoners (Cochran et al., 2018; Nolasco & Vaughn, 2018; Winters, 2019), or due to administrative decisions and overall security of the facility (Cochran et al., 2018; Nolasco & Vaughn, 2018; Rubin & Reiter, 2018; Winters, 2019). The most severe disciplinary consequence a prisoner can receive is to be sentenced to solitary confinement (Cochran et al., 2018). It is determined that solitary confinement causes a harmful impact to the psychological health of prisoners (Chadick et al., 2018; Haney, 2018; Nolasco & Vaughn, 2018; Reiter et al., 2020; Rubin & Reiter, 2018). It is documented these psychological issues are evidenced through an increase of physical symptoms, anxiety, and increased risk of suicide (Chadick et al., 2018; Haney, 2018; Medrano et al., 2017; Nolasco & Vaughn, 2018). Additionally, research has found that solitary confinement requires prisoners to adapt to the loss of social connection and to develop asocial tendencies to survive these conditions (Haney, 2018).

The stressful environment of prison may cause an increase in violent behaviors of prisoners (Medrano et al., 2017). Some prisoners identified as gay or lesbian are placed in solitary confinement, allegedly for their protection (Meyer et al., 2017). Prisoners are often placed in these conditions because of gang affiliation instead of violent behavior (Medrano et al., 2017). Environments vary dramatically in facilities across the country (Chadick et al., 2018;

Reiter et al., 2020). Though research has varied as to the effects of solitary confinement, many opponents of solitary confinement cite the length of stay in isolation as a critical factor in determining the psychological harm experienced by a prisoner (Chadick et al., 2018). There is no maximum time limit for solitary confinement that can be imposed on a prisoner (Medrano et al., 2017). Some inmates have experienced solitary confinement for years at one time (Medrano et al., 2017), while other prisoners have suffered in isolation for decades (Winters, 2019). Marginalized groups, including individuals with mental illness, are considered at high risk for the detrimental impact of psychological distress associated with solitary confinement (Ahalt et al., 2017).

### **Values and Beliefs**

Both proponents in favor of this practice and individuals opposed to solitary confinement demonstrate values and beliefs associated with their perspective (Medrano et al., 2017; Haney, 2018). Religious values emphasized that penitence was required of prisoners in the nineteenth century (Medrano et al., 2017). Solitary confinement has been used on prisoners as a punitive consequence for behavior (Haney, 2018; Medrano et al., 2017). Proponents argue the use of solitary confinement encourages order within the prison and minimizes threats to safety (Cochran et al., 2018). Politicians who are in favor of this practice demonstrate a belief that it is necessary to minimize the rights of prisoners in order to promote law and order (Medrano et al., 2017). Individuals who believe in deterrence theory advocate for the use of solitary confinement because they argue it prevents other inmates from engaging in criminal activity (Medrano et al., 2017). The implementation of solitary confinement as punishment occurs fairly soon after criminal behavior has occurred within prison (Medrano et al., 2017). According to deterrence theory, prisoners are aware when a fellow inmate has been given solitary confinement, and this

knowledge is likely to minimize the likelihood of others participating in future criminal activity (Medrano et al., 2017).

Some opponents of the use of solitary confinement have considered this act to be torture, but proponents of this practice dispute this fact (Chadick et al., 2018). Opponents of solitary confinement demonstrate the impact of this social problem by arguing the psychological damage inflicted on individuals minimizes possibilities of rehabilitation (Medrano et al., 2017). These advocates emphasize the treatment of prisoners demonstrates a lack of appreciation of the inherent dignity of people (Tonry, 2016; Winters, 2019). Critics consider the process of solitary confinement to be a violation of human rights (Chadick et al., 2018; Rubin & Reiter, 2018). This disregard for the welfare of people results in the harsh conditions found in American correctional facilities (Tonry, 2016). Other experts consider the process to be unconstitutional (Medrano et al., 2017). There is also a lack of equality evidenced by the disproportionate manner in which solitary confinement is enforced within institutions (Cochran et al., 2018). While there may be public outcry against the use of solitary confinement (Rubin & Reiter, 2018), punitive methods and harsh conditions remain within prison facilities across the country (Tonry, 2016).

### **Current Historical Relevance**

While there are numerous beliefs that shape people's understanding of solitary confinement, the controversy surrounding this practice makes this issue currently relevant in the present age. There is significant controversy regarding the level of harm experienced by adults sentenced to solitary confinement (Chadick et al., 2018). Concerns publicize the disproportionate manner in which solitary confinement is administered (Cochran et al., 2018). Research has found that young men are more likely to receive sentences of solitary confinement than women or prisoners in middle or older age (Cochran et al., 2018). The use of solitary confinement against

vulnerable populations is of particular relevance (Chadick et al., 2018) as Americans grapple with societal issues impacting marginalized groups. There is greater agreement that solitary confinement should not be a frequent occurrence with juvenile offenders or people with intellectual disabilities (Chadick et al., 2018).

The use of solitary confinement is particularly relevant today because of the number of people involved and the cost associated with this practice. The use of solitary confinement is frequently used as punishment for prisoners' behavior (Cochran et al., 2018). As the number of prisoners has increased (D'Amico, 2017), the number of individuals in solitary confinement has increased as well; recent estimates from the Bureau of Justice report over 80,000 people in solitary confinement (Medrano et al., 2017). This practice is associated with significant expenses (Ahalt et al., 2017; Medrano et al., 2017). The construction of isolation cells and employees' salaries are reasons for this extreme price (Medrano et al., 2017). Research has found it costs 45% more money to hold a prisoner in solitary confinement in the state of Texas than to keep the inmate housed with other inmates (Medrano et al., 2017). This practice is a noteworthy issue at the state level; the ACLU has filed a lawsuit in North Carolina due to plaintiffs' experience in solitary confinement (C. Mora, personal communication, October 16, 2019).

### **Age of Problem**

Historically, solitary confinement has been used to control the actions of inmates (Medrano et al., 2017). This practice was introduced in the United States during the 1790s when prisons were established (Rubin & Reiter, 2018). Evidence exists that solitary confinement was regularly administered by the nineteenth century (Haney, 2018; Medrano et al., 2017), though early prisons did not dedicate much space to cells for solitary confinement (Rubin & Reiter, 2018). State legislators began addressing this practice in the early 1800s (Rubin & Reiter, 2018).

This practice became radically implemented in the 1820s (Rubin & Reiter, 2018). Solitary confinement proved so horrific because the prisoners' bodies deteriorated to the point of atrophy due to harsh conditions (Rubin & Reiter, 2018). During this time period, solitary confinement was used to promote order within the prisons and also as a threat to improve prisoners' behavior (Rubin & Reiter, 2018). Solitary confinement was considered an extreme option reserved for the most serious criminal activity (Rubin & Reiter, 2018). The process of implementing solitary confinement was viewed as a suitable method to separate the most dangerous criminals from the rest of the inmate population (Rubin & Reiter, 2018). Prison officials argued they were able to better observe the conditions of prisoners if they were housed in solitary cells (Rubin & Reiter, 2018). Opponents against solitary confinement began advocating against the practice due to physical and mental health effects experienced by prisoners and for the concern this practice violated basic human rights (Rubin & Reiter, 2018). While some prisoners were able to meet weekly with religious and medical professionals, other prisoners were subjected to cells that lacked any sunlight and were left in complete darkness (Rubin & Reiter, 2018). The use of these dark cells was considered severe punishment for the atrocities associated with prisoners' crimes (Rubin & Reiter, 2018). Prisoners were forced to apologize before they could return to a cell with light (Rubin & Reiter, 2018).

During the 1830s, prison authorities argued that solitary confinement could be a practice used to rehabilitate inmates (Rubin & Reiter, 2018). It was also observed during this time that prison officials began pushing against the label of solitary confinement due to the negative connotations associated with the term and began to publicize this practice as a form of segregation instead (Rubin & Reiter, 2018). There was a significant outcry against the treatment of prisoners during this period, including by author Charles Dickens, who argued against this



method (Rubin & Reiter, 2018). The connection between solitary confinement and mental health was also determined as relevant during this time period, as it was recorded some prisoners became mentally insane after suffering in these conditions (Rubin & Reiter, 2018). By the 1870s, solitary confinement began to focus more on individualization within the prison system (Rubin & Reiter, 2018). By this period in history, prison officials stopped promoting this practice as a method to observe inmates' behavior due to overcrowding (Rubin & Reiter, 2018). Solitary confinement was considered a practice for short-term conditions and was not considered an acceptable practice for long-term situations during the late 1800s and the 1900s (Rubin & Reiter, 2018). Though the United States Supreme Court may have considered the practice inhumane by the 1890s and argued this practice was not regularly implemented within this country (Rubin & Reiter, 2018), it was not abolished or considered illegal, remaining an option to be used by prison officials (Rubin & Reiter, 2018).

The practice of solitary confinement continued throughout the twentieth century (Rubin & Reiter, 2018). There was outrage by the media regarding the use of solitary confinement in the 1930s (Rubin & Reiter, 2018). By the 1960s, litigation involving prisoners opposing their treatment while serving in correctional facilities became more commonplace (Rubin & Reiter, 2018). These lawsuits went concurrently with public response arguing against the use of this practice (Rubin & Reiter, 2018). Some opponents argued solitary confinement resembled the practice of slavery and was a form of torture (Rubin & Reiter, 2018). Prison administrators advocated against changes to the treatment of prisoners, including any restrictions regarding the length of time inmates could be sentenced to isolation (Rubin & Reiter, 2018). Prison administrators no longer argued that the effects of solitary confinement could rehabilitate prisoners (Rubin & Reiter, 2018).

Litigation continued against solitary confinement in the 1970s and 1980s (Rubin & Reiter, 2018). However, during this time period, prison officials began extending the length of time prisoners experienced solitary confinement (Rubin & Reiter, 2018). Prison officials attempted to change prisoners' mindsets by subjecting them to extended periods of isolation (Rubin & Reiter, 2018). When rioting occurred within prisons, the use of solitary confinement increased (Rubin & Reiter, 2018). During this period, authorities argued the use of gang presence within facilities required the extended use of solitary confinement (Rubin & Reiter, 2018). The increase in the use of solitary confinement became so commonplace that an entire prison within a complex would be housed of cells to place prisoners in isolation (Rubin & Reiter, 2018). Though the use of these maximum facilities has been criticized, the prevalence of solitary confinement remains high to this present day (Rubin & Reiter, 2018).

### **Applicable Social Welfare System Ideologies**

While history demonstrates this practice has occurred for centuries, a review of social welfare system ideologies indicates the emphasis on solitary confinement encourages a reactionary perspective instead of a preventive approach. When funds are spent to implement solitary confinement, monies are not available for other resources that would improve social welfare (Medrano et al., 2017). Research demonstrates that inmates who have higher amounts of education are less likely to engage in documented misconduct when in prison (Medrano et al., 2017). Indeed, the level of prisons within the country continues to climb at an alarming rate as the United States has the most significant increase of imprisonment of its citizens across the globe (D'Amico, 2017; Seigafo, 2017). This punitive approach to illegal activity does not attempt to rehabilitate prisoners (Seigafo, 2017). The nation faces a high recidivism rate, thus perpetuating the cycle of additional time in correctional facilities (Seigafo, 2017). The courts

have found that convicts do not have a legal right to participate in rehabilitation programs while in prison (Seigafo, 2017). The social welfare system in the United States is in stark contrast to the social welfare practices of Nordic countries where criminal activity has decreased due to rehabilitation programs (Seigafo, 2017).

Additionally, ideologies that would promote health and welfare emphasize the importance of services that protect vulnerable populations. Studies have found that solitary confinement disproportionately harms individuals from marginalized backgrounds (Ahalt et al., 2017). Internal bias significantly impacts Black and Hispanic individuals during the criminal justice process, though some research has not confirmed significant racial disparities regarding solitary confinement within prison (Cochran et al., 2018). Other research, however, indicates punishments in prison are more likely to be given to Black inmates than inmates of other races (Medrano et al., 2017). Individuals identifying as gay, lesbian, or bisexual are at greater risk to receive solitary confinement (Meyer et al., 2017). Perceptions regarding gender influence the implementation of solitary confinement as there is less space devoted to facilities for solitary confinement in female prisons than in prisons for men (Cochran et al., 2018). Women are viewed as less dangerous and threatening than males (Cochran et al., 2018). There is little research that demonstrates whether the use of solitary confinement deters inmates from committing crimes in prison (Medrano et al., 2017). Opponents argue this practice violates humans' right to dignity (Medrano et al., 2017; Winters, 2019). Many professionals consider this practice a violation of the 8<sup>th</sup> Amendment (Medrano et al., 2017).

### **Societal Conditions in the Past and Present**

Since the early 1800s, there has existed backlash from the public against the use of solitary confinement within prisons (Rubin & Reiter, 2018). Though the history of the

psychological damage related to solitary confinement has been documented since this period (Haney, 2018; Medrano et al., 2017), societal conditions beginning in the late twentieth century into the twenty-first century have significantly increased the use of this practice (Haney, 2018; Reiter et al., 2020). This is due to Americans' fascination with criminal policies that are considered harsh on crime to inspire law and order (Medrano et al., 2017). While proponents of the use of solitary confinement have advocated for studies that would endorse this method of punishment, studies sanctioned by prison administrators have proven to be flawed by researchers (Haney, 2018). The Department of Justice funded a study that demonstrated the effectiveness of solitary confinement, though this finding has been denounced as lacking in validity (Haney, 2018). There are many professionals who have voiced opposition to the rampant use of solitary confinement within prisons (Medrano et al., 2017). Mental health professionals, legal advocates, and the general public have all voiced criticism on the use of solitary confinement within correctional facilities (Medrano et al., 2017). The ACLU organized a national campaign to combat this practice in prisons as a violation of human rights (Chadick et al., 2018). Solitary confinement has involved individuals at the highest level of government; Supreme Court Justice Anthony Kennedy has spoken against this practice (Nolasco & Vaughn, 2018; Rubin & Reiter, 2018).

While prison officials remain a group in favor of the use of solitary confinement (Haney, 2018), many national and international organizations have recently opposed this method (Ahalt et al., 2017; Rubin & Reiter, 2018; Winters, 2019). The United Nations has imposed restrictions as to the conditions required when implementing the use of solitary confinement (Ahalt et al., 2017; Rubin & Reiter, 2018; Winters, 2019) though the subjective nature of these rules leads to variations in interpretation (Rubin & Reiter, 2018). Organizations of national prominence have

reviewed this practice in recent years. The Bureau of Justice provided a report that addressed the use of solitary confinement in penal facilities across the country in 2015 (Rubin & Reiter, 2018). Prison administrators themselves have held tremendous authority in how prisoners are treated within correctional facilities, and they have argued to legislative bodies to maintain this control (Rubin & Reiter, 2018). Additionally, the court system has varied in terms of its stance on cases that reviewed the use of solitary confinement (Nolasco & Vaughn, 2018). The United States Supreme Court has refrained from ruling in favor of the abolition of the use of solitary confinement (Nolasco & Vaughn, 2018).

### **Issues of Power**

Power remains at the heart of the battle over the use of solitary confinement within American penitentiaries (Haney, 2018). Solitary confinement is the most severe form of consequence that prison officials can wield over inmates (Cochran et al., 2018). Prison warden Larry Reid has been found to be instrumental in advocating for the implementation of a study that promoted the value of solitary confinement (Haney, 2018). Research that has been used to argue a lack of psychological issues for prisoners experiencing solitary confinement has been proven to lack validity (Haney, 2018; Medrano et al., 2017). Though other researchers promote studies that have alleged that significant harm does not occur when solitary confinement is used, such as a famous study in the state of Colorado, (Chadick et al., 2018), these findings were rebuked for improper research methods (Haney, 2018). In fact, it is very difficult for researchers to examine the impact of solitary confinement due to reactions from prison officials that minimize opportunities for outsiders to communicate with prisoners during studies in the field (Haney, 2018; Reiter et al., 2020). There is little research that exists regarding solitary confinement (Cochran et al., 2018). Issues of power may also be evident within the prison

hierarchy. Inmates with sexual offenses are more likely to receive solitary confinement than inmates that have not been convicted of sexual crimes (Medrano et al., 2017). As prisoners often attack inmates with convictions of sexual crimes, the use of solitary confinement may be due to those prisoners' participating in self-defense when they are attacked which caused the consequence of solitary confinement as a result (Medrano et al., 2017).

Though there have been other changes to the American penal system, the use of solitary confinement has remained, even though many opponents have called for the abolition of this practice (Rubin & Reiter, 2018). Solitary confinement has been used as a tool of power by prison administrators who have advocated for its practice due to the need to control prisoners' behavior (Rubin & Reiter, 2018). Researchers argue it is likely solitary confinement will continue as policy as long as prison officials consider it a beneficial practice in influencing inmates' behavior and to ensure control within correctional facilities (Rubin & Reiter, 2018). Scholars argue solitary confinement persists even when there are significant policy changes at the macro level due to the control prison officials hold over convicts (Rubin & Reiter, 2018). When cases involving the solitary confinement of prisoners bring national media attention, prison administrators work to avoid negative press associated with this practice but have continued to use solitary confinement without altering its implementation (Rubin & Reiter, 2018).

### **Applicable Social Welfare Policies and Programs**

Public initiatives that emphasize drug treatment are particularly relevant when considering the issue of solitary confinement within prisons. The United States' policy on the War on Drugs has created a dramatic increase as to the number of prisoners within correctional institutions within the last several decades (Yang, 2017). Public assistance programs and policies are also extremely relevant. While prisoners originally received a lifetime ban from collecting

public assistance or food stamps, more than half of the states within the country have rescinded this policy (Yang, 2017). This decision is extremely important because of the connection between financial security and criminal conduct. Research demonstrates employment opportunities are connected to the recidivism rate (Seigafo, 2017; Yang, 2017). The use of private ownership of prisons instead of government-funded facilities negatively impacts the treatment and services inmates receive (D'Amico, 2017). Community health programs also influence prisoners' lives as research finds the majority of convicts fail to receive mental health treatment for their illness when they are released from prison (Domino et al., 2019). In fact, individuals who receive mental health treatment are more likely to return to prison, likely because of technicalities observed by officials instead of serious infractions (Domino et al., 2019).

The fact that social welfare programs and policies that are supposed to support citizens often fail has significant implications for the role of social work. It is expected that more individuals with mental illness will return to the community and need the treatment of social services (Domino et al., 2019). Social workers connected to addiction treatment programs are involved with the penal system as many felons with drug convictions are released into local communities (Yang, 2017). While social workers support convicts when they reintegrate into society, they also play a valuable role to prisoners experiencing solitary confinement within correctional facilities (Winters, 2019). Social workers have an ethical responsibility to serve clients in prisons and provide services to inmates (Winters, 2019). Social workers are also committed to advocacy as they are concerned with the importance of human dignity (Winters, 2019). Social workers should provide services where confidentiality may be preserved whenever possible (Winters, 2019).

### **Inadequacies in Social Welfare Policies and Programs**

While social welfare and social work impact the American prison system, the reality is there are various inadequacies associated with existing policies and programs for inmates in correctional facilities. Prisons are considered dangerous institutions (Medrano et al., 2017). There is a lack of consistency in the labeling of practices and the absence of national standards regarding solitary confinement (Rubin & Reiter, 2018). It has proven difficult to address issues related to the use of extreme isolation among prisoners (Rubin & Reiter, 2018). Social welfare programs that would support the educational, physical, or spiritual needs of prisoners are lacking for individuals experiencing solitary confinement (Ahalt et al., 2017; Chadick et al., 2018). It is difficult to conduct research on this issue because prisoners often refrain from self-disclosing feelings related to their mental state because of the loss of privacy that will occur if they are deemed to be at risk for suicide (Haney, 2018).

Social welfare programs that would deter the use of solitary confinement emphasize social services and psychological treatment for prisoners with mental illness. Prisoners' mental health worsens due to the lack of mental health treatment in correctional facilities (Seigafo, 2017). It is estimated there are over one million prisoners with untreated mental disorders within this country (Seigafo, 2017). Proponents of social welfare programs support prisoners' healthy reintegration into communities (Seigafo, 2017). Social welfare ideology that supports the reunification of healthy families through engagement programs have proven successful in supporting inmates with recovery from addiction, but rehabilitation services are lacking in correctional institutions (Seigafo, 2017). The importance of employment is also emphasized as a protective factor in minimizing future criminal behavior (Seigafo, 2017). While most prisoners receive no significant educational or vocational opportunities while in prison, it has been found



the ability to secure reliable work after incarceration leads to a decrease in criminal activity (Seigafo, 2017). The absence of social welfare services available to felons creates significant hardships for convicts, their families, and their communities (Seigafo, 2017).

### **Recommended Changes**

The call for more research is a recommended change that would provide support to prisoners experiencing solitary confinement (Haney, 2018). Research has been limited regarding this practice due to variations to which it is administered in prison systems (Medrano et al., 2017). More research is needed to consider which factors lead to the decision to implement solitary confinement, such as considering the ratio between officers and inmates, and the amount of solitary confinement cells available (Cochran et al., 2018). The impact of solitary confinement on recidivism rates should also be reviewed (Medrano et al., 2017). There should be standardized testing in place for inmates to document their mental health associated with their living conditions (Reiter et al., 2020). Current tools to assess mental health may not provide a valid baseline of analysis as prisoners' mental state may be significantly disturbed compared to the average American population (Reiter et al., 2020). Social connection can help protect individuals' psychological health outside of prison (Haney, 2018). An increase of oversight regarding the implementation of disciplinary actions within prisons is recommended (Cochran et al., 2018). There also needs to be more streamlining regarding the use of solitary confinement to ensure it is consistently administered (Cochran et al., 2018).

Prisoners experiencing solitary confinement should receive regular evaluation (Ahalt et al., 2017; Medrano et al., 2017) by an interdependent team that can address both physical and psychological issues (Ahalt et al., 2017). It deserves emphasis that prisoners should be released from solitary confinement when they are considered to no longer be a risk to prison staff or other

inmates (Medrano et al., 2017). Mental health treatment needs to be an option for inmates instead of the use of solitary confinement for dealing with psychological concerns (Medrano et al., 2017). Mental health treatment should also be offered after prisoners experience solitary confinement before they are returned to the general prison population or are released into the community (Ahalt et al., 2017; Winters, 2019). Researchers recommend the use of solitary confinement for the shortest amount of time possible and for the most serious situations (Ahalt et al., 2017; Medrano et al., 2017). Populations with prisoners most at-risk, for example people with mental illness, should be exempt from solitary confinement practices (Ahalt et al., 2017). There is the need to restructure prisons to decrease the number of solitary confinement cells available (Ahalt et al., 2017) and to emphasize programming, exercise, and workforce opportunities to engage prisoners instead of a heavy reliance on the use of solitary confinement (Ahalt et al., 2017). The United States Supreme Court should mandate the use of rehabilitation programs within American prisons to decrease the recidivism rate and to protect the health of the inmate population (Seigafo, 2017).

### **Interview**

The North Carolina chapter of the ACLU is an organization opposed to the use of solitary confinement within prisons. Attorneys from the ACLU have partnered with North Carolina Prisoner Legal Services, Inc. and have filed a lawsuit against the prison system in the state for its practice of solitary confinement against prisoners (C. Mora, personal communication, October 16, 2019). In an interview with an ACLU representative, it is apparent the ACLU believes extreme isolation is a constitutional violation (C. Mora, personal communication, October 16, 2019). During an interview with Citlay Mora, a representative from the ACLU, Ms. Mora emphasized the mental distress of the plaintiffs due to their experience in solitary confinement

(C. Mora, personal communication, October 16, 2019). The isolation and restricting conditions have worsened the mental health of the plaintiffs (C. Mora, personal communication, October 16, 2019).

In addition to emphasizing the inhumane treatment of these prisoners, Ms. Mora recognized the complicated and lengthy process of legal proceedings (C. Mora, personal communication, October 16, 2019). Ms. Mora explained how numerous attorneys have worked on this issue (C. Mora, personal communication, October 16, 2019). The ACLU is only able to be involved with a fraction of the cases lawyers would like to pursue due to the high demand from potential clients interested in the ACLU representing them (C. Mora, personal communication, October 16, 2019). Though this lawsuit was filed in October 2019, there has been no movement on the case within one year (C. Mora, personal communication, October 16, 2019). Additionally, there have been no dates scheduled by the court to address this issue in the future (C. Mora, personal communication, October 16, 2019). The COVID-19 pandemic has added another layer of complications to the legal process (C. Mora, personal communication, October 16, 2019). Ms. Mora argued that legal action is only one form of change (C. Mora, personal communication, October 16, 2019). Due to the lengthy nature of these proceedings, Ms. Mora emphasized that reform may occur through other means, such as advocacy efforts from the public to promote social justice (C. Mora, personal communication, October 16, 2019).

### **Conclusion**

Solitary confinement has been practiced for centuries with horrifying results (Rubin & Reiter, 2018). Though it is clear prisoners' mental health suffers when experiencing solitary confinement, (Chadick et al. 2018; Haney, 2018; Nolasco & Vaughn, 2018; Reiter et al., 2020; Rubin & Reiter, 2018; Winters, 2019), the use of this practice has increased in recent decades

(Rubin & Reiter, 2018). With dramatic control over the lives of inmates, prison officials demonstrate significant discretion in how they choose to implement solitary confinement with little oversight (Haney, 2018). The use of solitary confinement disproportionately harms the most vulnerable populations within prisons (Ahalt et al., 2017; Winters, 2019). This trend toward increasing the length of solitary confinement emphasizes a reactive stance instead of a preventive framework when addressing this issue from a social welfare perspective. Instead of the costly measures associated with solitary confinement (Medrano et al., 2017), mental health treatment (Ahalt et al., 2017; Medrano et al., 2017) and rehabilitation services (Seigafo, 2017) will provide the social welfare programs needed to make significant changes to the correctional system within the United States.

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