

Human Rights Day 2013

Solitary Confinement in an Age of Mass Incarceration

Sermon Notes

KEY FACTS

- With 5% of the world's population, the U.S. accounts for **25% of the world's incarcerated**.
- The United States holds **more prisoners in long-term solitary confinement** than any other nation.
- On any given day, more than **80,000 incarcerated people**, including women, men and youth, are held in solitary confinement in U.S. prisons, jails and detention centers. Of these, **25,000 are held in supermax prisons**- facilities made up solely, or mostly, of solitary cells.¹
- Over the last 30 years, the size of the federal prison system has **increased nearly 800 percent**, largely due to the overrepresentation of those convicted of drug offenses, many of whom are low-level and non violent. The combination of "harsh sentences for drug possession, three-strikes laws that greatly increase the imposition of life terms, and the 'supermax' system of long-term, solitary confinement" have coalesced to produce the bloated prison system we face today.²
- **Forty-five percent** of those held in supermax prisons have "serious mental illness, marked by symptoms or psychological breakdowns."³
- People of color are disproportionately impacted by incarceration and solitary confinement. African Americans constitute nearly 1 million of the total 2.3 million incarcerated in U.S. prisons, and are incarcerated at **nearly six times** the rate of whites.⁴

In Solitary
Left all alone with your thoughts
Every day is night.

~ Marie Lehlitner



- According to *Unlocking America*, if African American and Latinos were incarcerated at the same rates as white individuals, today's prison and jail populations would decline by approximately 50%. If current trends continue, **one in three** black males born today can expect to spend time in prison during his lifetime.
- Though there are outright bans on the punitive solitary confinement of juveniles in Alaska, Connecticut, Maine, Oklahoma and West Virginia, **youth in most states are not protected** from placement in solitary confinement.
- The U.S. Supreme Court first attempted to declare solitary confinement unconstitutional **in 1890**.

HISTORY OF HUMAN RIGHTS DAY

In 1945 when the United Nations was created, its charter affirmed the “dignity and worth of the human person.” On December 10, 1948, the UN General Assembly adopted the Universal Declaration of Human Rights (UDHR), which affirmed this basic tenet of the UN charter. The nations of the world now celebrate December 10 as Human Rights Day. There are 30 short articles in the UDHR. The first article states, “All human beings are born free and equal in dignity and human rights.” The third article adds, “Everyone has the right to life, liberty and security of person.”

Article 5 states clearly, “No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.” So the prohibition against torture derives from the agreement by the nations in the UN that the principle of honoring the dignity of human beings – a principle shared by all major religions – is an underlying principle for both nations and individuals. Thirty-six years later, on December 10, 1984, the UN General Assembly adopted the text of the [Convention Against Torture](#), an international treaty ratified by the U.S. in 1994.

December 10, 2013 will be the 65th anniversary of the adoption of the Universal Declaration of Human Rights.

TESTIMONIALS

“Phillip J.”, who spent approximately 113 days in solitary confinement (including a single period of 60 days) **before his eighteenth birthday**, said, “I was stressed. At first I would sleep all day. I would feel myself getting angry or aggressive. I would try to work out or do something, but I was literally going insane in that little spot. The claustrophobia set in and I would feel I was having anxiety attacks and would go over and get water and try and calm down. I would hear the slightest noise and be on guard.”

Source: Human Rights Watch interview with Phillip J. (pseudonym), Florida, April 2012. *Growing Up Locked Down*, Pg. 26.

The following is excerpted from a letter dated July 15, 2001, to Bonnie Kerness, Director of the American Friends Service Committee’s Prison Watch. The author is a **45- year-old mother of three** who was housed in the segregation unit of a New Jersey prison: “I never seen the sky, or felt the warmth of the sun, or a breeze pass by me, the trees and grass or a rain drop. **I never knew how painful it could be to be denied nature itself.** I had a small narrow window which does not open, but all I could see was brick walls and nothing more. I remember from those brick walls was a small plant growing from within the cracks of the brick that was my only part of nature that gave me hope. As the wind would blow against the leaves of this plant, I would actually close my eyes and pretend this very wind was blowing against my face. I know it sounds crazy, but it was the only part of nature that I had.

Then one day I could not stand it and I so desperately need to feel real air, so I started to scrape the seal from the window with my finger tips, I was determined to make an opening. For three months of every day I scraped and scraped where my fingers bled, but I managed to make a very small opening and I only had room to place one side of my nose against this opening at a time and I would take such a deep breath where I was finally able to inhale a very small amount of air but it was all I needed in order to survive...”

Source: *Confronting Confinement*, from the Commission on Safety and Abuse in America's Prisons, 2006. Page 57.

“Adrian,” a 26-year-old, is spending **more than 1,600 consecutive days** (over 4 years) in solitary confinement, or a “Special Housing Unit” (SHU) at Southport Correctional Facility in Pine City, NY. Since his arrival there in February 2011, Adrian has spent 23 to 24 hours a day alone. Although Adrian dreams of life outside of solitary, with a photo of an executive’s corner office on his wall, he does not have access to educational programs or vocational training. Like nearly 2,000 other New York prisoners each year, Adrian will be released from solitary confinement directly to the street.

Source: “Boxed In: The True Cost of Extreme Isolation in New York’s Prisons” Page 5.

“The light in cell is blinding. It reminds me of old war torture tactics. It hurts your eyes and gives you migraines. I’ve seen medical for migraines and am due to receive glasses for damage to retina. Only noises we hear are the **screams of mental patients** of which there are many...The CO’s are liable to do any level of undignifying acts to you at any given time. It’s constant worry and unease. It makes one feel so helpless and vulnerable and you never know what tragedy may affront you today. At first I slept too much, now I rarely sleep. The loud screams and banging and kicking on doors make it difficult. Plus I’m always attentive to CO keys and the possibility that they’re coming for me.”

Source: *Torture in U.S. Prisons: Evidence of Human Rights Violations 2nd Edition*, American Friends Service Committee Northeast Region Healing Justice Program, Ed. Bonnie Kerness and Beth Breslaw, Prison Watch. Quoting from: Human Rights Coalition-Fed Up Chapter Institutionalized Cruelty p.23, Lawyer L, SCI Dallas Restricted Housing Unit (confinement), Jackson Township PA (undated).

THEOLOGICAL CONNECTIONS TO SOLITARY CONFINEMENT

THE STORY OF JONAH: Although Jonah’s obedience to God took hold during his solitary time in the whale, the experience left him enraged and desperate—similar to the mental state of prisoners in solitary. His *teshuvah* did not take place **until his isolation was abolished** through a conversation with God. God engaged Jonah’s humanity to explain just like all of us—children, prisoners—he too depends on mercy. [For the full article, click here.](#)

DISTINGUISHING THE ACT FROM THE PERSON: Within the Jewish faith, there is a strong differentiation between the crime and the perpetrator, and a **strong belief in spiritual renewal**, even for those who have committed heinous crimes. If a person is tortured, this spiritual renewal cannot occur.

PRESBYTERIAN RESOLUTION: The General Assembly of the Presbyterian Church (U.S.A.) passed a resolution recognizing the use of solitary confinement can be a form of torture. This comes from the shared Christian belief in inherent human dignity from **creation in God’s image**, and from the church’s realization that solitary confinement can be torture. [For the full article, click here.](#)

CALIFORNIA CATHOLIC BISHOPS: The California Catholic Bishops oppose the use of solitary confinement as it serves “**no restorative or rehabilitative purpose.**” [For more information, click here.](#)

IMPORTANCE OF COMMUNITY: “Let there arise from you a **community inviting to all that is good**, advocating for what is right, and advocating against what is wrong, they are the ones who attain felicity” (Quran 3:104). Prisoners in solitary confinement are stripped of community.

JUMUA’AH: Within the Islamic faith, the noon congregational call to prayer on Fridays is **communal**. Individuals placed in solitary confinement are denied a communal prayer setting.

SHALOM, PEACE AND AL-SALAAM: Shalom, a greeting of peace, speaks to perfection and wholeness within Judaism. Peace manifests through Jesus' call for the unconditional love of all people. Al-Salaam is an attribute of God, meaning peace, security, and reconciliation. All Abrahamic faiths are united in **belief in peace and community**, concepts inherently at odds with the practice of solitary confinement, which disrupts peace, encourages violence and is devoid of community.

RELIGIOUS PERSECUTION: Many individuals are being held in solitary confinement, subjected to **inhumane and unconstitutional conditions** because of their religious identity. This is especially true regarding targeted individuals of the Muslim faith in the wake of 9/11.

Other **Worship and Study Resources**
including prayers
are available at www.nrcat.org/hrd2013-resources

¹ Human Rights Watch (2003). "Ill-Equipped: US Prisons and Offenders with Mental Illness." July 16, 2012.

² "The Resistible Rise and Predictable Fall of the U.S. Supermax" by Stephen F. Eisenman, *Monthly Review*, 2009, Volume 61, Issue 06 (November).

³ Correctional Association of New York, "States that Provide Mental Health Alternatives to Solitary Confinement."

⁴ NAACP Criminal Justice Fact Sheet: <http://www.naACP.org/pages/criminal-justice-fact-sheet>