

Solitary Confinement: Torture in Your Backyard A NRCAT Video and Unitarian Universalist Discussion Guide

Introduction

Since January 2006, the National Religious Campaign Against Torture (NRCAT), a coalition of more than 300 religious organizations, has worked to ensure that U.S.-sponsored torture ends forever. Although NRCAT was founded in response to the use of torture on post-9/11 detainees, recognizing the severe harm caused by prolonged solitary confinement, the NRCAT Board voted in 2009 to expand NRCAT's work to include ending torture in U.S. prisons.

NRCAT created this 20-minute video, "Solitary Confinement: Torture in Your Backyard," to describe the harm caused by prolonged solitary confinement and to tell the story of how the religious community in Maine took action that helped secure a seventy percent reduction in the number of prisoners held in solitary confinement. You will hear from a variety of perspectives, including former prisoners who experienced solitary confinement, religious leaders, psychiatrist Stuart Grassian, M.D., a national expert on the psychological effects of solitary confinement, and Commissioner Joseph Ponte of the Maine Department of Corrections.

Suggestions for Using this Video

This video is designed to be shown and discussed in congregations and religious organizations. It best lends itself to a small group discussion or an adult education setting. If your congregation has an adult class that meets weekly to address a variety of issues, you might consider asking if the video could be shown in that setting.

Below is a discussion guide designed for a one hour session with UU congregations.

This resource could also be used in:

- A social issues forum before or between services
- An older youth or college group
- A women's or men's group
- A social justice committee
- An interfaith setting

Preparing for the Discussion

We suggest that facilitators preview the video and read through the discussion guide to decide how you would like to present the material. Think through your own feelings and responses, so you are not surprised during the discussion. Feel free to incorporate your own thoughts and questions into the discussion. There may be a variety of opinions expressed during the discussion, and openness and honesty should be encouraged. You may also want to view the National Geographic special on solitary confinement which you can find at <http://video.nationalgeographic.com/video/national-geographic-channel/full-episodes/explorer/ngc-solitary-confinement/>

Here is a quick preparation checklist:

- ✓ Publicize the upcoming discussion session early and often within the congregation. Announce it in worship. You'll find sample promotion materials at www.nrcat.org/backyard.
- ✓ Become familiar with the Frequently Asked Questions (FAQs) at the end of this Discussion Guide and consider printing the FAQs for distribution during your group discussion.
- ✓ Go to www.nrcat.org/prisons to see if NRCAT has a state campaign in your state. If there is a state campaign, read about the status of any legislation and other advocacy efforts underway so you can share these opportunities with your group.
- ✓ Consider inviting former prisoners who have experienced solitary confinement or prisoner family members to speak at the film viewing.
- ✓ Consider using masking tape to mark out a space on the floor that is 8'x10' in size to help participants visualize a typical solitary confinement cell.
- ✓ Determine who will participate in leadership and the reading of questions/meditations.
- ✓ Test the video with the equipment (DVD player and TV or Computer and Projector) you will be using for the session.
- ✓ Print the petition version of the NRCAT statement against prolonged solitary confinement (included at the end of this discussion guide and available at www.nrcat.org/end-solitary). For other resources and the latest information about NRCAT's state legislative campaigns to end prolonged solitary confinement, go to www.nrcat.org/prisons.
- ✓ Occasionally, participants will ask for the definition of torture that is being used. The definition from the Convention Against Torture is included in the Frequently Asked Questions about solitary confinement included in this discussion guide.

It would greatly help NRCAT if you would fill out a brief survey about the viewing and discussion held in your congregation. We will be reporting on the number of showings of the film and we would like to include your screening(s) in that count. **The survey link is available at www.nrcat.org/backyard.**

Session Outline

Welcome, introductions, and preliminary information about solitary confinement (10 minutes)

Open by lighting a chalice, introducing yourself, and asking participants to introduce themselves, if appropriate. When lighting the chalice you may want to remind the group of the first principle of Unitarian Universalism, "the inherent worth and dignity of every person." Then introduce the video "Solitary Confinement: Torture in Your Backyard." The following is introductory background information to share before starting the film:

"The purpose of this discussion is for us to explore the use of prolonged solitary confinement in U.S. prisons through the lens of our UU principles. The National Religious Campaign Against Torture (NRCAT) defines the term 'prolonged solitary confinement' as torture - the point when the use of solitary confinement results in severe mental or physical pain or suffering. Torture is defined by the United Nations Convention Against Torture (see page 7). The question, here, is not whether people who do wrong should be punished; that is a different discussion. The issue presented by this video is when punishment becomes so severe that it amounts to torture. Many studies have documented the severe detrimental effects of solitary confinement on prisoners' mental health, such as hallucinations, perceptual distortions, and paranoia.

The U.S. has 5% of the world's population and 25% of its prisoners. And of all prisoners worldwide who are held in solitary confinement, the vast majority are held in U.S. prisons. In the film, it is stated that the number of U.S. prisoners in solitary confinement is at least 36,000. However, there is a growing consensus among experts that at least 80,000 people in the U.S. criminal justice system are in fact held in solitary confinement.

Individuals held in solitary confinement in super max prisons are locked down 23 or 24 hours a day in a cell that is approximately 7 feet by 10 feet. There is often no natural light and no view outside of their cells. They have no contact with other prisoners and no meaningful contact with staff. Often, prisoners are only permitted to exercise for an hour per day alone in a concrete exercise pen. Access to books and writing materials is limited; radio and television are banned; calls to and visits with family are very infrequent, when permitted at all. And, prisoners in isolation have no work. They have nothing to do all day. They have nothing to look forward to except for their meals served through the slot in the door and the visit to the exercise pen.

Some argue that the use of solitary confinement is a necessary management tool used for only the "worst of the worst" prisoners. However, prisoners often end up in solitary confinement or are unable to move out of solitary confinement due to non-violent prison rule infractions. This is especially the case for mentally-ill prisoners, who often have great difficulty following prison rules. In many prisons, half of the prisoners in solitary confinement are mentally ill.

This video tells the story of people of faith in Maine who advocated for limits to the use of prolonged solitary confinement. Their efforts helped secure a 70% reduction in 2011 in the number of prisoners held in prolonged solitary confinement in Maine."

Video Screening (20 minutes)

Insert DVD and select “Play” from the main menu. The video will begin screening immediately.

Discussion (25 minutes total)

Now you can facilitate a discussion about some of the issues raised in this video. We recommend asking the first four questions below and if there is time, ask any of the other questions that you wish.

1. In the video, we heard stories from former prisoners describing their experience in solitary confinement. What reactions did you have while listening to these stories?
2. Though solitary confinement was thought at one point to lead to penitence -- you saw the discussion in the file about the Quaker belief in solitary confinement at one point in Pennsylvania -- UU's believe in the importance of community. How do you think the lack of community in solitary confinement units effects prisoners?
3. Here's what Charles Dickens, a Universalist, said after visiting the prison in Pennsylvania, which was referred to in the film, in 1842:

"In the outskirts, stands a great prison, called the Eastern Penitentiary, conducted on a plan peculiar to the state of Pennsylvania. The system here is rigid, strict, and hopeless solitary confinement. I believe it, in its effects, to be cruel and wrong.

In its intention, I am well convinced that it is kind, humane, and meant for reformation; but I am persuaded that those who devised this system of Prison discipline, and those benevolent gentlemen who carry it into execution, do not know what it is that they are doing. I believe that very few men are capable of estimating the immense amount of torture and agony which this dreadful punishment, prolonged for years, inflicts upon the sufferers; and in guessing at it myself, and in reasoning from what I have seen written upon their faces, and what, to my certain knowledge, they feel within, I am only the more convinced that there is a depth of terrible endurance in it which none but the sufferers themselves can fathom, and which no man has a right to inflict upon his fellow-creature.

I hold this slow and daily tampering with the mysteries of the brain, to be immeasurably worse than any torture of the body: and because its ghastly signs and tokens are not so palpable to the eye and sense of touch as scars upon the flesh; because its wounds are not upon the surface, and it extorts few cries that human ears can hear; therefore I the more denounce it, as a secret punishment which slumbering humanity is not roused up to stay. I hesitated once, debating with myself, whether, if I had the power of saying 'Yes' or 'No,' I would allow it to be tried in certain cases, where the terms of imprisonment were short; but now I solemnly declare, that with no rewards or honors could I walk a happy man, beneath the open sky by day, or lie me

down upon my bed at night, with the consciousness that one human creature, for any length of time, no matter what, lay suffering this unknown punishment in his silent cell, and I the cause, or I consenting to it in the least degree." - *Annual report of the Board of Managers of the Prison Discipline Society, Vol. 16* – Prison Discipline Society (Boston, Mass.), page 315.

Do we as UU's need to speak out against the use of prolonged solitary confinement so we don't "cause" or "consent[ing] to it in the least degree"?

4. The film describes the success of people of faith and others in Maine in advocating for a reduction of the number of prisoners in solitary confinement. Is educating people of faith about this issue or working for legislation that will end prolonged solitary confinement a task that UU's in your state should consider? If so, what specific steps can you take to initiate such an effort?

Additional Questions

5. In the film, Rabbi Charles Feinberg states that there is always an opportunity for spiritual renewal for every person and that belief allows him to see a distinction between the crime and the perpetrator of the crime. Do you agree? Why or why not?
6. Maine Department of Corrections Commissioner Joseph Ponte discusses the major hurdle of convincing his staff that the use of solitary confinement was not the only way to safely manage prisoners. Are you surprised to hear Commissioner Ponte say that the Department's data shows there are fewer incidents of violence in Maine prisons now that they have successfully transitioned 70 percent of the prisoners in solitary confinement back to the general prison population?
7. Prisoners are sometimes released from solitary confinement units directly to their communities when they complete their prison sentence. Knowing the impact of solitary confinement on prisoners' mental health, what implications do you think this could have for community safety?
8. Do you agree that prolonged solitary confinement can amount to torture? Why or why not? *See the definition of torture on page 7 of this Discussion Guide. If you are going to use this question, please print out the definition and give a copy to each participant.*

Isolation Cell Demonstration or "thought experiment" (5-10 minutes)

As an optional activity, consider marking off an 8'x10' space on the floor of the room with masking tape. You could invite participants to step into the space one at a time or simply observe the size of the space from where they are seated. Ask them to take a few moments to imagine themselves confined to that space for 23 hours per day for weeks or months on end.

Distribution of the NRCAT Statement Against Prolonged Solitary Confinement and Closing Prayer (5 minutes)

Distribute copies of the petition format of NRCAT's statement against the use of solitary confinement and ask those who wish to sign it to do so. Inform the participants that once 500 endorsements are collected in a particular state, the petitions will be sent to the governor, all state legislators, and top corrections officials. Ask for ideas on how to collect signatures from other members of the congregation. Please send the petitions with the collected names to:

National Religious Campaign Against Torture
110 Maryland Ave. NE, Suite 502
Washington, DC 20002

End with the closing words of your choice as you extinguish the chalice.

Frequently Asked Questions about Prolonged Solitary Confinement

What is the history of solitary confinement in the United States?

Dr. Benjamin Rush, Benjamin Franklin and several Quaker leaders first instituted solitary confinement at Walnut Street Jail in Philadelphia in the late 18th century, believing that total isolation and silence would lead to penitence (hence, the term ‘penitentiary’ was coined). That led to the building of the Southeastern Pennsylvania Penitentiary in 1829, which only had solitary confinement cells.

However, instead of becoming penitent, the prisoners developed serious mental health problems and many went insane. In 1842, Charles Dickens, the novelist, visited the Southeastern Pennsylvania Penitentiary and said, “The system here is rigid, strict, and hopeless solitary confinement. I believe it...to be cruel and wrong. ... I hold this slow and daily tampering with the mysteries of the brain, to be immeasurably worse than any torture of the body.”

The Quakers also recognized that solitary confinement caused severe psychological harm and apologized for their use of prolonged solitary confinement.

Unfortunately, the U.S. has let history repeat itself. In the 20th century, some U.S. prisons had a limited number of solitary confinement control units within their facilities; however, in 1983 a prison in Illinois instituted a permanent ‘lock down’ of their entire facility, in which all inmates were confined alone in their cells for 23 hours per day. The use of solitary confinement has increased dramatically since then. In 1989, California built Pelican Bay Prison to house prisoners exclusively in isolation (the first “supermax” prison). Today, there are 44 state-run supermax prisons and one federal supermax prison. The United States has become a world leader in holding prisoners in prolonged solitary confinement.

What does ‘prolonged’ solitary confinement mean?

It depends who says it. For the National Religious Campaign Against Torture (NRCAT), the term ‘prolonged solitary confinement’ is equated to torture — the point when the use of solitary confinement results in severe mental or physical pain or suffering. Torture is defined by the United Nations Convention Against Torture, which has the weight of U.S. law (see below).

In a 2011 report, the United Nations Special Rapporteur on Torture, Juan Mendez, cited 15 days as ‘prolonged solitary confinement,’ noting that some of the psychological effects caused by isolation become irreversible at that point.

The American Bar Association Standards for Criminal Justice defines ‘long-term isolation’ as 30 days or more, for the purpose of setting a deadline by which prisoners in solitary confinement are given increased due process protections.

What about prisoners who voluntarily request to be placed in solitary confinement for their own protection, for example?

NRCAT recognizes prolonged solitary confinement as torture, which by definition “is *intentionally inflicted* . . . at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.” Therefore, prisoners who voluntarily request to be placed in

solitary confinement are not included in this definition or NRCAT's targeted work on this issue.

What are the psychological effects of prolonged solitary confinement on prisoners?

Many studies have documented the severe detrimental effects of solitary confinement on prisoners' mental health. Symptoms include: hyperresponsivity to external stimuli, hallucinations, panic attacks, difficulty with thinking and memory, paranoia, etc. One study showed that prisoners held in solitary developed psychopathologies at a rate nearly twice as great as those held in general prison population. Dr. Stuart Grassian, a psychiatrist, notes that many prisoners held in long-term solitary confinement experience perceptual disturbances (e.g. objects appearing to 'melt' or get smaller or bigger). These symptoms are commonly associated with neurological illnesses, such as brain tumors and seizure disorders, rather than mental illnesses.

How much does housing prisoners in solitary confinement cost compared to other forms of confinement?

Experts have found housing a prisoner in solitary confinement can cost as much as \$50,000 more annually compared to general prison population housing. The Commission on Safety and Abuse in America's Prisons 2006 report states that solitary confinement can double the cost of housing prisoners.

Does solitary confinement 'work'?

No, solitary confinement is an ineffective tool to rehabilitate prisoners, and its consequences affect us all. One study found that prisoners who were released *directly* from segregation into their community had a much higher recidivism rate than individuals who spent some time in a general population prison setting before returning to the community: 64% compared to 41%.

What is the definition for torture?

NRCAT uses the definition of torture included in Article I of the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The Convention came into force on June 26, 1987, following ratification by the 20th nation. The Convention was signed by the U.S. in 1988 and ratified by the U.S. Congress in 1994.

Here is the definition of torture from Article I of the United Nations Convention Against Torture, which has the weight of U.S. law:

"For the purposes of this Convention, the term 'torture' means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions."

Additional Resources

Visit www.nrcat.org for more information about:

Torture in U.S. prisons:
www.nrcat.org/prisons

Statements by denominations and faith groups:
www.nrcat.org/religious_statements

Information about NRCAT:
www.nrcat.org/about

Mail Petition to:

National Religious Campaign Against Torture

110 Maryland Ave., NE, Suite 502; Washington, DC 20002

End Prolonged Solitary Confinement Now

Recognizing that prolonged solitary confinement can cause serious harm to prisoners, it has long been considered a form of torture. As a person of faith, I oppose the use of prolonged solitary confinement.

Experts estimate that tens of thousands of prisoners in the U.S. criminal justice system are currently being held in solitary confinement. The vast majority of these inmates are detained in state prison facilities. Prisoners held in solitary confinement are often detained in a cell by themselves for 23 hours a day. Some prisoners are kept in these conditions for months, years, or even decades. Medical experts have stated that prisoners held in isolation for extended periods experience symptoms akin to delirium, and the impact on mentally ill prisoners is especially damaging. Alarming, these prisoners are sometimes released from solitary confinement units directly to their communities when they complete their prison sentence.

We need to invest in humane alternatives that address the mental health needs of prisoners in a way that effectively contributes both to their rehabilitation and to their successful transition back into society. Because holding prisoners in solitary confinement units is significantly more expensive than keeping them in the general prison population, instituting humane alternatives makes sense, both financially and morally.

We must end the use of prolonged solitary confinement in all 50 states and the federal prison system. It is costly, inhumane and ineffective; it harms prisoners and our communities. I call upon state legislators and departments of corrections to begin now to take steps to end prolonged solitary confinement.

Name — PLEASE PRINT	E-mail – We must have an email address for your name to be registered	Phone #	City & State	ZIP Code

