Solitary Confinement

Reforming the use of solitary confinement in Massachusetts prisons

Melanie Gomes '16
Leah Igdalsky '14

S.1133, An Act relative to appropriate use of solitary confinement, seeks to reform policy regarding the use of solitary confinement in Massachusetts prisons. Currently, Massachusetts is one of only two states in which a prisoner may be held in isolation for up to ten years. Inmates in solitary confinement are not always informed of the conditions or timeline of their stays in segregation. Research suggests that solitary confinement is costly, ineffective, and psychologically damaging to prisoners. Furthermore, segregated prisoners lack rehabilitative opportunities and struggle to readjust to life outside.

The Bill

S.1133: An Act relative to the appropriate use of solitary confinement

Storybook Excerpt

Robert [Bobby] Dellelo spent five years and one month in solitary in the Departmental Disciplinary Unit (DDU) at Walpole Prison. Recalling his time in segregation, Bobby explained his experience there: “I have never killed a person in my life, and here I was thinking about killing someone with my bare hands,” Bobby explains. “I didn’t recognize who I was.” He suffered extreme mental health repercussions from his time in segregation. Bobby explains that when he speaks publicly about his experience, “that rage is still inside of me and it seeps up. I really have to suppress it.” Bobby’s experience in DDU and readjusting to life outside shows the great need for reform. As Bobby says, “the culture in there has to be changed.”

Leslie Walker, Executive Director of Prisoner’s Legal Services, has discovered that even prisoners who “do very well [in segregation] start having psychiatric problems.” Stuart Grassian, an expert psychiatrist on the effects of isolation, explains that individuals “deprived of a sufficient level of environmental and social stimulation will…withdraw progressively into themselves and their own mental fog.” Walker and Grassian agree that the mental health consequences of prolonged confinement are so severe that reform needs to happen now.
Elevator Speech

Keeping our communities safe is important to all of us. Unfortunately, Massachusetts is endangering our towns and cities by failing to prepare prisoners to return to society. Massachusetts is one of only two states in the nation in which a prisoner can be held in solitary confinement for up to ten years. By keeping prisoners in prolonged segregation, we are exacerbating negative mental and behavioral health outcomes, which leads to increased problems upon return to the community. Other states, including Maine and Mississippi, have stopped using prolonged solitary because it is expensive, ineffective and inhumane.

Holding an inmate in prolonged solitary confinement costs the Commonwealth 2-3x the cost of an inmate in the general population. Despite the economic investment, solitary confinement actually yields more negative results. Inmates suffer severe mental health problems, even if they did not have symptoms of mental illness previously. S.1133, An Act relative to the appropriate use of solitary confinement, does not aim to eliminate the use of solitary confinement altogether, but rather to reform its use to increase its effectiveness.

S.1133 aims to reform the current system by providing a hearing outlining the conditions of the isolation as well as the conditions for release for inmates held in solitary confinement. The bill requires regular and appropriate medical and psychiatric evaluations and treatment for segregated inmates, and requires that prisoners return to the general prison population upon meeting their outlined conditions for release.

The goal of our corrections system is to rehabilitate prisoners and prepare them to return to the community. If we continue this inhumane practice, we will be failing in our mission and failing our communities. The power is in your hands to correct this long overdue injustice.

We ask you to support S.1133, which has been referred to the Joint Committee on Public Safety and Homeland Security. By voting favorably on this bill, you will be moving Massachusetts forward with a more effective, cost-efficient and humane corrections system.

Letter to the Legislator

We are Melanie Gomes and Leah Igdalsky, and we are students at Brandeis University. We are writing to ask for your support for bill S.1133, An Act relative to the appropriate use of solitary confinement. This legislation will ensure the safety of Massachusetts’ communities and help our state catch up to the rest of the nation as currently, our state is one of only two that allows inmates to be held in solitary confinement for a period of up to ten years.

Psychological research has shown that prolonged solitary exacerbates mental health problems and cause psychiatric issues in people whom have never experienced symptoms before segregation. Solitary is not only an inhumane method of our corrections system, but it is also very costly. It costs about 2-3 times as much to hold an inmate in isolation than the cost of a prisoner in the general population.

Massachusetts is wasting money on a practice that is ineffective and is endangering our communities. Since many prisoners experience extreme mental health problems while in solitary, they are not prepared to return to society, increasing recidivism rates. Once released, prisoners held in solitary often are more damaged than when they entered prison because they do not have the skills to thrive both socially and professionally.

Although opponents claim this bill will decrease the safety of guards and other prisoners by allowing “dangerous” inmates to remain in the general prison population, other states, including Maine and Mississippi, have enacted similar legislation and have experienced no increase in violence. In fact, Mississippi even saw a decrease in prison violence.

S.1133 provides the regulations our corrections system requires to help Massachusetts move forward. This bill mandates that prisoners be given a written notice of the reason for their placement in solitary and the conditions they must meet to return to the general prison population. Rather than attempt to stop the practice of solitary confinement altogether, the bill seeks to reduce the period of time an inmate can be held in solitary. S.1133 would reform and improve the way segregated inmates are treated by stating that they must receive regular and appropriate psychiatric and medical evaluations and treatment. This will provide prisoners with the resources they need to succeed once they are released.

S.1133 is currently in the Joint Committee on Public Safety and Homeland Security. We ask that you vote favorably on this bill and help Massachusetts catch up with the rest of the country and keep our communities safe.

House Ways and Means Script

Keeping our communities safe is important to all of us. Although our prison system is critical to ensuring public safety, the majority of prisoners will return to public life after serving their sentence. Therefore, it is imperative that we consider the mental health and stability of inmates upon their release. Unfortunately, Massachusetts is endangering our towns and cities by failing to prepare prisoners to return to society. Massachusetts is one of only
two states in the nation in which a prisoner can be held in solitary confinement for up to ten years. Research has shown that by keeping prisoners in prolonged segregation, we are exacerbating negative mental and behavioral health outcomes, leading to increased problems upon return to the community. Other states, including Maine and Mississippi, have stopped using prolonged solitary because it is expensive, ineffective, and inhumane.

S.1133, An Act relative to the appropriate use of solitary confinement, requires the Department of Correction to provide inmates in isolation with a hearing every 90 days to update them on the conditions of their segregation, as well as what they must do to be released. Through this hearing system, it would no longer be acceptable to put a prisoner in solitary and simply let him or her languish there, with no clear understanding of how to be released back into the general prison population. Furthermore, prisoners would return to the general prison population upon meeting the agreed-upon conditions for release, incentivizing positive behavior in solitary. The bill requires regular and appropriate medical and psychiatric evaluations and treatment for segregated inmates, which will improve the mental well-being of prisoners. More stable and mentally healthy prisoners will be better prepared to return to the general prison population, and ultimately to their communities upon release. Think of your community and your children, Chairman Dempsey. Do you realize that there are inmates being released directly from our solitary confinement cells back into society? The rage, paranoia, and frustration of inmates isolated for years are well documented and these negative mental health outcomes continue long after release. Don’t you want to actually rehabilitate these inmates to prepare them to come out as more productive citizens? Right now, we are failing to do this.

While there are no state prisons in Haverhill, Chairman Dempsey, you can understand both the human and financial cost of maintaining the status quo when it comes to solitary confinement policy. Solitary confinement is the most costly form of incarceration. According to a 2013 study, in our state, guarding a prisoner costs about $45,000 per year, but this number doubles or triples for someone in solitary confinement. Reforming our policy would save the Commonwealth money. States that have reduced their reliance on solitary confinement have reaped the financial rewards. Data from across the country supports the idea that solitary confinement is extremely costly to the taxpayer. Furthermore, it fails to reduce prison violence and increases rates of recidivism. The state of Mississippi closed its supermax state prison and has reduced its use of solitary confinement from 1,000 inmates to about 150. These reforms saved taxpayers in the state $8 million per year. California provides another example of the high cost of solitary. In California, inmates in solitary confinement cost $70,641 per year, while the general prison population costs $58,234. Multiplying this by the 1,100 inmates held in segregation, California is spending an extra $13,647,700 per year to keep these inmates in what is ultimately an inhumane and ineffective system of incarceration.

While limiting unnecessarily long stays in solitary confinement will save the Commonwealth money, we recognize that there are concerns about potential new costs introduced by the bill. Substantial money is to be saved by limiting the number of inmates left in solitary for years, requiring high staffing rates. However, providing hearings for inmates and evaluating and treating their health is not free. The Department of Mental Health will now be required to give prisoners in isolation periodic medical and psychiatric examinations, and the necessary treatment indicated by these examinations. While some critics may not be pleased in spending this money, it is shocking that regular psychiatric evaluations are not already provided to inmates in segregation. The stated mission of our Department of Correction is to rehabilitate prisoners and prepare them to return to their communities as productive members. If we ignore the mental health needs of prisoners in solitary confinement, we are missing a major step to accomplish this goal.

The issue of cost is particularly relevant to S.1133, because it reforms the policy of keeping inmates in solitary confinement for prolonged periods of time. We do not aim to abolish the policy of solitary confinement completely and recognize that it is something that the Department of Correction wants to maintain to ensure security within our prisons. However, we do object to its use for prolonged periods of time. In this time of budget cuts, it is simply not financially feasible to continue the inappropriate conditions of solitary confinement.

You have the power to make this bill move, Mr. Chairman. Financially, this is a good move for the Commonwealth. Maine and Mississippi saved substantial money by reforming their solitary system. We simply cannot afford to keep prisoners in solitary confinement for up to ten years. We are spending far too much on a practice that is clearly failing to rehabilitate inmates. We ask that you reach out to Chairmen Timilty and Naughton on the Committee of Public Safety and Homeland Security and urge them to act favorably on this bill.
Excerpts from Campaign Journals

Melanie

We were worried that we would not be able to personal connect with someone who had been affected by solitary confinement and was willing to talk about it, but we were wrong…. I was truly shown the power of networking and connections when Ms. [Leslie] Walker, [Executive Director of Prisoners Legal Services], gave us the contact information for Robert “Bobby” Dellelo I called Mr. Dellelo one afternoon and ended up speaking with him for an hour and a half… My phone call with Bobby is what made me truly passionate about our bill and what we were fighting for. Talking to someone who had experienced the traumas of prison and solitary confinement really opened up my eyes to an issue most people push aside or don’t even realize exists.

I know phone interviews tend to be less personal and informative, but that was not the case with Bobby. He truly took the time to tell me his story and answer all of my questions without judgment. I think he was so open because he wanted to spread awareness, and he appreciated my interest in this issue that is so important to him. Because of this, I think I was very lucky. Through this project, I realized that luck and timing are key factors in the success of policy and advocacy. Bobby’s personal story drove much of our work and always provided us with inspiration and the personal aspect we needed to make our work unique and “sympathetic.”

Also, speaking to Bobby taught me not to judge a person based upon their past actions. Bobby was very kind and helpful, and he taught me that people just need a push in the “right” direction and encouragement to succeed. I genuinely believe reforming the use of solitary confinement in Massachusetts could change the lives of hundreds of citizens and give them the opportunities they need to turn their lives around… At first, I thought it was a negative thing that I was becoming personally invested in this project and bill, but then I realized that that passion is necessary to push any bill forward. Without understanding the problem and how the bill would provide a solution, you don’t have the skills and passion needed to convince others that passing the bill is imperative.

Leah

The first thing that Melanie and I did to begin understanding the complex problem of solitary confinement reform in Massachusetts was a phone call with Leslie Walker, Executive Director of Prisoners’ Legal Services. This conversation served as my introduction to the concept of solitary confinement, excluding what I had seen in television shows like “Orange Is The New Black.” I had read our bill and a few op-eds and articles from The Boston Globe, but I still really could not visualize what it really meant to be held in segregation. Leslie explained what she has observed in her years about what life is like for inmates kept in solitary for prolonged periods, and the negative impact it has on their mental health and well-being.

I will admit that before this meeting, I held many pejorative attitudes towards prisoners in solitary. I assumed, like many others, that these prisoners were “the worst of the worst,” and that they deserved to be kept away from society. Leslie opened my eyes to the fact that many people are placed in solitary for non-violent offenses. She also directed us to studies by experts like Dr. Stuart Grassian on the psychological trauma of solitary and its lasting effects.

Update

As of September 12, 2014, S.1133 had been sent to study.

For more information

Prisoners’ Legal Services
http://www.plsma.org/