

# The Impacts of Solitary Confinement

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Kayla James & Elena Vanko

## Introduction

Achieving transformative change in U.S. prisons and jails starts with focusing correctional practices on the human dignity of incarcerated people and staff. The use of solitary confinement—also known as segregation or restrictive housing—presents a major barrier to this change. Across the United States, advocacy and human rights groups, policymakers, health care professionals, faith-based organizations, and leaders in the field of corrections have condemned the widespread use of solitary confinement in U.S. prisons, jails, and immigration detention centers. Originally intended to address dangerous, violent behavior in such facilities, solitary confinement has become a common tool for responding to all levels of misconduct—ranging from serious assaults to minor, nonviolent rule violations—and for housing vulnerable people.

The argument to end solitary confinement is rooted in a vast body of research that shows the serious detrimental effects on mental and physical health of spending 22 to 24 hours per day alone and idle in a cell the size of a parking space. Numerous studies have also found that solitary has a disproportionate impact on Black and brown people, youth, and people with mental illnesses.<sup>1</sup> And in recent years, researchers have begun to examine the potential harmful effects of the practice on corrections staff in solitary confinement units.<sup>2</sup> Moreover, research suggests that the widespread use of solitary does not achieve its intended purpose—it does *not* make prisons, jails, or the community safer, and may actually make them less safe.

When viewed comprehensively, research on solitary confinement reveals that it can have a host of adverse impacts on people inside and outside corrections and detention facilities. This evidence provides compelling reasons for corrections agencies to swiftly and safely reduce—and ultimately end—its use.

## Impacts of Solitary Confinement on Incarcerated People

### Psychological

More than 150 years of research in psychiatry, psychology, criminology, anthropology, and epidemiology has documented the detrimental effects of solitary confinement on mental health and well-being.

- **Solitary confinement can lead to serious and lasting psychological damage.** Physical and social isolation, coupled with sensory deprivation and forced idleness, create a toxic combination associated with a variety of harmful effects, including<sup>3</sup>

- > anxiety
  - > anger
  - > depression
  - > insomnia
  - > impulse control issues
  - > paranoia
  - > hypersensitivity
  - > obsessive thoughts
  - > cognitive disturbances
  - > post-traumatic stress disorder (PTSD)
  - > loss of identity
  - > psychosis
- **Solitary is particularly harmful for people with preexisting mental illness.** The isolation, forced idleness, and lack of intensive therapeutic mental health services can exacerbate mental illness and cause people’s mental health to significantly deteriorate.<sup>4</sup>
  - **Psychological harms may worsen the longer someone stays in solitary.**<sup>5</sup>
  - **Negative mental health repercussions can persist long-term.** They may last well after a person leaves solitary confinement and even after their release from jail, prison, or immigration detention.<sup>6</sup>
  - **Solitary is associated with an increased risk of self-harm and suicide.**<sup>7</sup>
    - In New York State, the rate of suicide was more than **five times higher** for people in solitary confinement than in the general prison population between 2015 and 2019.<sup>8</sup>
    - Similarly, a 2014 study of the New York City jail system found that people who had been confined in solitary were **3.2 times more likely** to self-harm than incarcerated people who were never placed in solitary.<sup>9</sup>
    - A study of more than 200,000 people released from prison found that those who had spent any time in solitary were **78 percent more likely** to die from suicide within the first year after their return to the community than people who had been incarcerated but not placed in solitary.<sup>10</sup>

## Neurological

In recent years, there has been increasing research into the neurological impacts of solitary confinement. Studies are demonstrating that isolation can lead to physical changes in the brain and how it functions. There is widespread agreement within the field of psychology that people have a fundamental need for social connection.<sup>11</sup> Neuroscientific research in this area provides powerful evidence that **social deprivation can cause people to experience “social pain,”** which the brain processes in the same way as physical pain.<sup>12</sup> Research also suggests that the social deprivation experienced in solitary confinement can “fundamentally alter the structure of the human brain in profound and permanent ways.”<sup>13</sup>

- **For example, even one week in solitary can lead to significant changes in electrical activity in the brain.**<sup>14</sup> This is not a new concept—as far back as 50 years ago, researchers linked social isolation and sensory deprivation to slowed brain activity and poorer performance on intellectual and perceptual-motor tests.<sup>15</sup>

A large body of research provides evidence of similar neurological impacts in mice and rats, which have neuroanatomy similar to humans’.<sup>16</sup> Studies show that the brains of rodents subjected to isolation exhibit

dramatic changes, including **fewer neurons (nerve cells), smaller neurons, decreased connections between neurons, and fewer blood vessels in the brain.**<sup>17</sup>

- One particularly impacted area is the hippocampus, the part of the brain that affects learning, memory, and spatial awareness. It also regulates the body's response to stress, and its shrinking can result in loss of emotional and stress control.<sup>18</sup>
- At the same time, the forced isolation can cause a surge of activity in the amygdala—the region of the brain responsible for mediating fear and anxiety; notably, people held in solitary confinement often report high levels of both.<sup>19</sup>

## Physiological

**Solitary confinement is a public health issue.** Increasingly, research is showing that people placed in solitary can develop serious, long-lasting health problems, which may increase their risk for further health complications in the future and even premature death.

- **Hypertension, heart attacks, and strokes.** In a 2019 study of California prisons, the incidence of hypertension among people in solitary confinement was almost three times higher than for those held in maximum-security general population units (47.5 percent vs. 16.5 percent).<sup>20</sup>
- **Other negative health effects.** People in solitary can experience heart palpitations, insomnia, shaking, weakness, deterioration of eyesight, sensory hypersensitivity, and aggravation of pre-existing medical problems.<sup>21</sup>
- **Premature death.** One study found that people who had spent any time in solitary confinement were 24 percent more likely to die in the first year after their release from prison than those who had been incarcerated but not been placed in solitary confinement, particularly from suicide (78 percent more likely) and homicide (54 percent more likely). They were also 127 percent more likely to die of an opioid overdose in the first two weeks after release.<sup>22</sup>
- **Lasting effects even after short stays.** For example, formerly incarcerated people in Denmark who had spent less than seven days in solitary were found, five years after release, to have higher overall death rates from unnatural causes such as accidents, suicide, and violence than people who had not spent time in solitary.<sup>23</sup>

## Impacts on Staff

The stressful conditions within many solitary units—including frequent loud shouting and banging, flooded or feces-covered cells, and instances of interpersonal and self-inflicted violence—can make for an extremely difficult work environment.<sup>24</sup> Yet there has been little research to date focused specifically on how working in solitary units affects corrections staff.

**Studies of corrections officers and firsthand accounts from staff suggest that working in carceral environments can take a significant toll on health and well-being.**<sup>25</sup>

- **Corrections work can be stressful, physically and emotionally demanding, and dangerous.** It also often comes with low pay, insufficient training, and high levels of overtime work in understaffed facilities.<sup>26</sup>
- **Corrections staff often become hypervigilant**—extremely attentive and continually on the lookout for danger—since they must be on constant alert for interpersonal and self-inflicted violence. They can also experience serious trauma when such incidents occur.
- Given the intense challenges they face over prolonged periods of time, it’s not surprising that corrections officers have been found to suffer severe physiological, psychological, and behavioral effects from job stress.<sup>27</sup> These can be so pronounced that a specific diagnostic category, “**corrections fatigue**,” has been proposed to account for them.<sup>28</sup>
- In fact, studies have shown that corrections officers suffer from **heart disease, hypertension, PTSD, and suicide** at especially high rates, even compared with people with similarly stressful jobs, such as military veterans or police officers.<sup>29</sup>

Further research is needed to understand how working conditions specific to solitary confinement units impact corrections staff. However, **Vera’s experience in the field suggests that working in solitary is especially taxing:**

- There are frequent reports of staff being reluctant to work in solitary confinement, sometimes even quitting on the spot after being assigned to those units.
- Corrections staff often report experiencing significantly lower stress levels and increased feelings of safety after leaving solitary to work in less restrictive units, or when working in solitary units that have implemented substantial reforms.

## Impacts on the Community and Public Safety

### Families

Placement in solitary dramatically decreases a person’s contact with the outside world.

- **Phone calls** and other communications are frequently limited or prohibited outright.
- **Access to visits** is often similarly curtailed. People held in solitary may be restricted to “no-contact visits,” where they must talk to loved ones through a glass partition. Or they may have fewer or shorter visiting periods or no visits at all.<sup>30</sup>

**Limitations on communication and visits negatively impact not only incarcerated people, but also their loved ones on the outside.**

- A large body of research shows that maintaining family engagement—particularly through frequent and meaningful in-person visits—is vital for the well-being of incarcerated people and their loved ones; it can also increase their chances of a successful transition back into the community after incarceration.<sup>31</sup>
- **Visits can be especially important for the many children of incarcerated parents.**<sup>32</sup> Studies have found that half to three-quarters of incarcerated people have children under age 18, and it is estimated that more than 5 million children (7 percent of all children in the United States) have had a parent behind bars at some point in their lives.<sup>33</sup> Research has shown that the

negative effects of having an incarcerated parent can be mitigated if children with strong parental bonds are permitted to maintain and develop their family relationships.<sup>34</sup>

## **Institutional Safety, Public Safety, and Reentry**

The use of solitary confinement is generally intended to promote the safety of staff and incarcerated people within prisons and jails. Corrections practitioners often contend that it is a necessary tool to maintain order by preventing or deterring people from engaging in misconduct and violence and punishing such conduct severely when it occurs. However, there is little evidence to suggest that the use of solitary confinement improves safety in U.S. prisons and jails or in the community, and some evidence that it may actually have the opposite effect.

- **Solitary confinement does not make prisons or jails safer.** Most studies examining the effects of solitary find that its use *does not* decrease instances of misconduct or violence—including assaults on corrections staff or other incarcerated people—and therefore does not improve prison and jail safety.<sup>35</sup>
- **Solitary confinement does not improve public safety and may even increase re-offending.** Studies indicate that the use of solitary confinement does *not* decrease rates of recidivism, which refers to the percentage of people who are rearrested and/or reincarcerated after being released from prison or jail. In fact, research suggests that time spent in solitary may actually *increase* people’s likelihood of post-release offending, especially violent re-offending.<sup>36</sup> And people released *directly* from solitary into the community have significantly greater recidivism rates.<sup>37</sup>
- **Solitary confinement can prevent or delay people’s release from prison.** In many jurisdictions, parole boards consider a person’s housing or security classification and disciplinary history when deciding whether to approve early release.<sup>38</sup> Someone with time in solitary on their record may be less likely to be granted parole. Parole boards may also misunderstand the different types of solitary—and the reasons why people are sent there—which may affect their perceptions of a person’s risk to public safety. In this way, solitary may actually increase the amount of time some people spend in prison.

**In short, solitary confinement does not improve safety and may actually lead to an increase in violence and recidivism.** This is not surprising, given that people in solitary are typically denied the opportunity to participate in education, mental health or drug treatment, and other rehabilitative programs or to otherwise prepare for reentering the community.<sup>39</sup> The negative repercussions of this, along with the psychological damage caused by isolation, can persist long after a person’s release from solitary and make their transition back to a jail or prison’s general population or to the community considerably more difficult.

## **Economic Impact**

In addition to the human cost, solitary confinement carries a high fiscal price tag.<sup>40</sup>

**Solitary units are particularly expensive to run.** The restrictions on movement and out-of-cell time for people in solitary make operations far more staff-intensive than in most housing units. Staff must deliver meals, mail, toilet paper, and other necessities to each person, and generally one or two staff members are required to physically restrain and escort each incarcerated person any time they leave their cell for showers, recreation, or other activities.

- The Federal Bureau of Prisons estimated in 2013 that it cost **\$216 per person, per day**, to hold people in solitary in the Administrative Maximum Facility at the Federal Correctional Complex in Florence, Colorado. In comparison, the estimated cost of housing people in the complex's general population was **\$86 per person, per day**.<sup>41</sup>
- An Illinois supermax prison was estimated to be spending more than **\$60,000 a year** for each person in solitary confinement in 2012—almost three times as much as the average annual cost (**around \$22,000**) of holding someone in the state's other prisons.<sup>42</sup>

**The many negative impacts of solitary may lead to increased future costs.**

- Serious and lasting damage done to people's mental and physical health in solitary is likely to significantly increase the costs of providing them with health care during their incarceration and beyond.<sup>43</sup>
- If the use of solitary confinement leads to increased recidivism, state and local governments are likely to incur additional expenses related to the new offenses, including the costs of law enforcement, prosecution, courts, community supervision, and reincarceration.<sup>44</sup>

## Disproportionate Impacts on Certain Populations

**Incarcerated people do not experience solitary confinement equally.** The use of solitary confinement is rife with disparities. Mirroring inequalities often seen throughout the criminal legal system, some people are more likely than others to end up in solitary confinement based on their race, gender identity, sexual orientation, age, physical and mental disabilities, or other characteristics. These disparities may be compounded when an incarcerated person falls into more than one disadvantaged demographic group. Additionally, some groups of people, such as those with preexisting mental illnesses, may be even more vulnerable to solitary's harmful effects.

### Race and Ethnicity

**In many jurisdictions, people of color make up a larger proportion of the population in solitary than of the overall incarcerated population.**

- According to a 2019 national survey of state prison systems, Black, Latinx, and Native American/Alaskan Native men were overrepresented in solitary confinement.<sup>45</sup>
  - For example, **40.5 percent** of the total male prison population of the surveyed jurisdictions was Black, while Black men accounted for **43.4 percent** of men in solitary.<sup>46</sup>
  - Black women were even more dramatically overrepresented. They made up just **21.5 percent** of the total female prison population but **42.1 percent** of women in solitary.<sup>47</sup>

- Analysis of six state and local corrections agencies by the Vera Institute of Justice found that people of color are sent to solitary confinement at higher rates and/or for longer average periods of time than white people.<sup>48</sup> For example, in New York City, Black people were admitted to solitary at 5.7 times the rate of white people, and in Oregon prisons, people of color made up 26 percent of the total population but 34 percent of those in solitary confinement.<sup>49</sup>
- There is little research on the causes of racial disparities in solitary units. However, theories about what may be causing these disparities include
  - **Policies that implicitly or explicitly target certain racial groups.**
    - For example, policies that prohibit specific hairstyles or head coverings associated with certain racial or cultural groups and make noncompliance a disciplinary infraction punishable by solitary confinement.
  - Classification systems, policies, or informal practices that rely primarily on solitary confinement to discipline or manage members or suspected members of **security threat groups (STGs) or gangs** (many of which are based on racial identity).<sup>50</sup>
  - **Risk assessments** based on criminal history, number of incarcerations, or other characteristics that often correlate with race because of systemic racism and overpolicing of communities of color.
  - **Implicit bias on the part of corrections staff**, particularly in areas where they exercise wide discretion (such as disciplinary write-ups and sanctions).
    - Members of different racial groups may be equally likely to commit infractions within corrections settings, but members of certain groups may be more frequently written up and/or sent to solitary for these infractions.<sup>51</sup>

## Women

It is important to examine the use of solitary confinement for women in corrections institutions and consider how incarcerated women might experience solitary differently from men.

- **When discussing the experience of women, researchers often focus on cisgender women.**<sup>52</sup> Increasingly, however, research on incarcerated women includes all people housed in women’s facilities or units. More research is needed to highlight the specific experiences of transgender women, nonbinary people assigned female at birth, and other gender-nonconforming people in prisons and in solitary.<sup>53</sup>
  - In some jurisdictions, corrections agencies still proactively place transgender women in solitary confinement units at men’s facilities, purportedly for their own protection and often without their consent.<sup>54</sup>
- **Many jurisdictions only have one women’s facility—and often one women’s solitary confinement unit—that houses all types of solitary**, such as administrative segregation, disciplinary segregation, protective segregation, and death row. It may not be feasible under these conditions for corrections agencies to create tailored programs for each type of solitary, which often means all women in solitary are subjected to the most restrictive, “lowest-common-denominator” conditions.<sup>55</sup>



- **When corrections agencies use security classification systems created with men in mind**, women may end up assigned to a higher security level and placed in more restrictive environments than are necessary or appropriate.<sup>56</sup>
- **Women are often sent to solitary confinement for low-level, nonviolent behavior and are more likely to receive harsher punishments for minor violations than men.** As a result, women may spend shorter, but more frequent, periods in solitary.<sup>57</sup>
- **There is a higher prevalence of serious mental illness among incarcerated women than men.**<sup>58</sup> Nearly 70 percent of women in prison or jail have a history of mental health issues.<sup>59</sup> Likewise, women with mental illness are generally overrepresented in solitary confinement.<sup>60</sup>
- **Incarcerated women have high rates of past trauma and abuse.**<sup>61</sup> The isolation of solitary can be retraumatizing, as can strip searches, cell shakedowns, use of restraints, and other practices that are common in solitary units.<sup>62</sup>
- **Solitary can be particularly harmful for pregnant people.**
  - It can prevent them from getting proper prenatal care, and the use of restraints (common in solitary) can be particularly dangerous for this population.<sup>63</sup>
  - National and international organizations have widely condemned the use of solitary confinement for pregnant and postpartum people. Several state legislatures have passed legislation to prohibit this practice.<sup>64</sup>
- **Incarcerated women are more likely than men to have been the primary caregivers of minor children before their incarceration.**<sup>65</sup> Visitation and phone restrictions in solitary confinement mean that many women are unable to have face-to-face visitation or regular contact with their children, which can negatively impact them and their children.<sup>66</sup>

## Sexual Orientation

- **Lesbian, gay, and bisexual people are more likely to be housed in solitary than heterosexual people.**<sup>67</sup> In many jurisdictions, policies require or permit housing these populations in protective custody—a type of housing that separates someone for fear they will be victimized.<sup>68</sup> Frequently, the conditions in these units are indistinguishable from traditional solitary confinement used for disciplinary reasons.
- In a 2014 survey by Black & Pink of nearly 1,200 LGBTQ+ incarcerated people, **85 percent of respondents reported having been placed in solitary confinement** at some point during their incarceration.<sup>69</sup>
  - **Racial disparities are also present within this population.** Black, Latinx/Hispanic, mixed-race, and Native American/American Indian respondents were twice as likely to have been in solitary than white LGBTQ+ respondents.<sup>70</sup>



## People with Mental Illness

- **As noted above, conditions in solitary can exacerbate preexisting mental illness.** People with serious mental illness are particularly vulnerable to the psychological harms of solitary confinement.<sup>71</sup>
  - People with serious mental illness are disproportionately represented in solitary confinement, and most corrections facilities are ill-equipped to provide the level of care they need.<sup>72</sup>
  - Symptoms or behaviors associated with mental illness are often perceived as “behavioral issues” to be met with disciplinary action, resulting in those in need of the most care being placed in solitary, which may contribute to their decompensation.<sup>73</sup>

## People with Disabilities

- **Many people in prison have physical disabilities.** For example, in a study of 10 state prison systems, the ACLU found that
  - one out of 10 incarcerated people in California had a hearing, visual, or mobility-related disability;
  - nearly one in 20 people in Pennsylvania’s prisons were classified as blind, low-vision, Deaf, or hard of hearing; and
  - in Florida, the state corrections department had assigned nearly 21 percent of incarcerated people an assistive device or other special accommodation indicating a disability, such as access to lower bunks or an attendant.<sup>74</sup>
- **However, there is no publicly available data on people with disabilities in solitary confinement.**
  - Moreover, the ability to even track such data varies by corrections departments, and some jurisdictions do not track this information at all.<sup>75</sup>
- People with physical disabilities are sometimes housed in solitary confinement because there are **no other available cells to accommodate them.**<sup>76</sup>
- Solitary units usually severely limit recreation and other out-of-cell activities, which can be detrimental to incarcerated people with **medical conditions that require regular exercise and movement.**
- Incarcerated people with sensory disabilities, such as those who are Deaf or blind, experience **even greater isolation and sensory deprivation** in solitary.<sup>77</sup>
  - Lack of access to sign language interpreters, text-to-audio devices, and other assistance may also limit this population’s ability to participate in rehabilitative programs or even exclude them altogether from programming and services offered to people in solitary confinement.<sup>78</sup>
- **The United Nations Standard Minimum Rules for the Treatment of Prisoners—known as the Mandela Rules—condemn the use of solitary for people with mental and physical disabilities.**<sup>79</sup> Legislators and advocates across the country are pushing for new

laws and policy reforms to end the use of solitary for people with disabilities, including developmental disabilities and traumatic brain injuries.<sup>80</sup>

## Youth

- Solitary confinement is sometimes used for youth (under age 18) incarcerated in adult corrections facilities, and many juvenile facilities also use solitary-like practices, sometimes called “room confinement,” “isolation,” “separation,” or “seclusion.”<sup>81</sup>
- In Vera’s analysis of five jurisdictions, **youth (under 18) and young adults (between ages 18 and 25) were often overrepresented in solitary.**<sup>82</sup>
- **Solitary confinement has detrimental effects on youth development.**
  - Youth and young adults are particularly vulnerable to the harms of solitary, given that they are in the formative stages of their physical and mental development. In fact, research shows that people’s brains continue to develop well into their 20s.<sup>83</sup> Because of this, young people generally possess less mental and emotional resilience than adults and are even less able to cope with the isolating conditions of solitary.<sup>84</sup>
  - In Vera’s experience in the field, the forced idleness associated with solitary can also lead to behavioral problems and disciplinary infractions, which often result in more time in solitary.

## Immigration Detention

- **Despite the “civil” nature of immigration detention, the use of solitary confinement as both a punitive and nonpunitive management tool in detention facilities is strikingly similar to how solitary is used in U.S. corrections facilities.**<sup>85</sup> As such, detained people are susceptible to the same psychological and physical harms as those in solitary in prisons and jails.
  - U.S. Immigration and Customs Enforcement (ICE) policy deems placement in solitary a “serious step that requires careful consideration of alternatives,” which should be used only when necessary and comport with strict standards.<sup>86</sup> However, ICE data analyzed by federal oversight agencies and outside watchdog organizations, along with testimony from detained people, suggests the practice is grossly overused.<sup>87</sup>
  - **Regardless of ICE policy, research has found that detained people may be sent to solitary for arbitrary reasons, in lieu of mental health care, or for their own protection.**<sup>88</sup>
- A 2019 report that examined 6,559 records of solitary confinement in ICE detention centers found that about **40 percent of placements in solitary were of people with a mental illness.**<sup>89</sup>
- A 2020 report on ICE detainees from 2013-2017 found that people with mental illnesses and immigrants from Africa and the Caribbean were overrepresented in solitary confinement.<sup>90</sup>

## Conclusion

A large body of research reveals the extensive scope of solitary confinement’s harmful impacts on incarcerated people, corrections staff, families, and the community. It can cause or exacerbate severe mental illness, negatively impact families, and be physically and mentally taxing on incarcerated people and corrections staff. Moreover, the practice does not significantly reduce misconduct, violence, or recidivism—and it may actually decrease institutional and public safety.

These findings underscore the urgent need for corrections and government leaders to end the use of solitary confinement in prisons, jails, and immigration detention centers across the country. Agencies must move away from the use of this harmful practice and instead employ humane and effective strategies to achieve safe facilities for incarcerated people and staff.

## For more information

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The Vera Institute of Justice is powered by hundreds of advocates, researchers, and community organizers working to transform the criminal legal and immigration systems until they’re fair for all. Founded in 1961 to advocate for alternatives to money bail in New York City, Vera is now a national organization that partners with impacted communities and government leaders for change. We develop just, antiracist solutions so that money doesn’t determine freedom; fewer people are in jails, prisons, and immigration detention; and everyone is treated with dignity. Vera’s headquarters is in Brooklyn, New York, with offices in Washington, DC, New Orleans, and Los Angeles.

For more information, contact Margaret diZerega at [mdizerega@vera.org](mailto:mdizerega@vera.org).

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## Endnotes

<sup>1</sup> Léon Digard, Elena Vanko, and Sara Sullivan, *Rethinking Restrictive Housing: Lessons from Five U.S. Jail and Prison Systems* (New York: Vera Institute of Justice, 2018), 20-26, <https://perma.cc/XHZ3-P4KM>.

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<sup>5</sup> Bruce Arrigo and Jennifer Leslie Bullock, "The Psychological Effects of Solitary Confinement on Prisoners in Supermax Units: Reviewing What We Know and Recommending What Should Change," *International Journal of Offender Therapy and Comparative Criminology* 52, no. 6 (2007), 622-640, [https://www.researchgate.net/publication/5822305\\_The\\_Psychological\\_Effects\\_of\\_Solitary\\_Confinement\\_on\\_Prisoners\\_in\\_Supermax\\_Units\\_Reviewing\\_What\\_We\\_Know\\_and\\_Recommending\\_What\\_Should\\_Change](https://www.researchgate.net/publication/5822305_The_Psychological_Effects_of_Solitary_Confinement_on_Prisoners_in_Supermax_Units_Reviewing_What_We_Know_and_Recommending_What_Should_Change); and Smith, "The Effects of Solitary Confinement," 2006.

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<sup>9</sup> Kaba, Lewis, Glowa-Kollisch et al., "Solitary Confinement and Risk of Self-Harm," 2014, 444.

<sup>10</sup> Lauren Brinkley-Rubinstein, Josie Sivaraman, David L. Rosen et al., "Association of Restrictive Housing During Incarceration with Mortality After Release," *JAMA Network Open* 2, no. 10 (2019), <https://perma.cc/PT2Q-T7XK>.

<sup>11</sup> Matthew D. Lieberman, expert report submitted in *Ashker v. Governor of the State of California*, No. 4:09-cv-05796-CW (N.D. Cal. 2014), 2-5, <https://perma.cc/WX6C-JKRV> (citing Roy F. Baumeister and

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Mark R. Leary, "The Need to Belong: Desire for Interpersonal Attachment as a Fundamental Human Need," *Psychology Bulletin* 117, no. 3 (1995)).

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<sup>13</sup> Jules Lobel and Huda Akil, "Law & Neuroscience: The Case of Solitary Confinement," *Daedalus* 147, no. 4 (2018), 61-75, <https://perma.cc/H9FN-DSS9> (quoting "Brief of Medical and Other Scientific and Health-Related Professionals as *Amici Curiae* in Support of Respondents and Affirmance," *Ziglar v. Abbasi*, 582 U.S. \_\_\_\_ (2017) (brief filed December 23, 2016), 225).

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<sup>18</sup> Lobel and Akil, "Law & Neuroscience," 2018, 69-70.

<sup>19</sup> Lobel and Akil, "Law & Neuroscience," 2018, 70; and Blanco-Suarez, "The Effects of Solitary Confinement on the Brain," 2019.

<sup>20</sup> Brie A. Williams, Amanda Li, Cyrus Ahalt et al., "The Cardiovascular Health Burdens of Solitary Confinement," *Journal of General Internal Medicine* 34, no. 10 (2019), 1977-1980, 1978.

<sup>21</sup> Sharon Shalev, *A Sourcebook on Solitary Confinement* (London: Mannheim Centre for Criminology, London School of Economics, 2008), 15, <https://perma.cc/2FHE-BKMX>; Sharon Shalev, "Solitary Confinement As A Prison Health Issue," in *WHO Guide to Prisons and Health*, edited by Stefan Enggist, Lars Møller, Gauden Galea and Caroline Udesen (Copenhagen: World Health Organization, 2014), 28.

<sup>22</sup> Researchers controlled for age, number of prior incarcerations, mental health, race, sex, and other factors. Brinkley-Rubinstein, Sivaraman, Rosen et al., "Association of Restrictive Housing During Incarceration with Mortality After Release," 2019, 1-11.

<sup>23</sup> Researchers controlled for potentially confounding factors such as sentence length, age at admission, sex, and ethnicity. Christopher Wildeman and Lars H. Andersen, "Solitary Confinement Placement and Post-Release Mortality Risk Among Formerly Incarcerated Individuals: A Population-Based Study," *The Lancet Public Health* 5, no. 2 (2020), e107-e113, e112, <https://perma.cc/M6XG-3RAL>.

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<sup>24</sup> Dan Edge and Lauren Mucciolo, "Last Days of Solitary," PBS (Public Broadcasting Service, April 18, 2017) (film), <https://www.pbs.org/wgbh/frontline/film/last-days-of-solitary/>. See also David H. Cloud, Ernest Drucker, Angela Browne, and Jim Parsons, "Public Health and Solitary Confinement in the United States," *American Journal of Public Health* 105, no. 1 (2015), 18-26, 22, <https://perma.cc/FLK9-HXPZ>.

<sup>25</sup> Cloud, Drucker, Browne, and Parsons, "Public Health and Solitary Confinement in the United States," 2015, 22-23.

<sup>26</sup> Kevin Minor, Brenda Cherie Dawson-Edwards, James B. Wells, Carl Griffith, and Earl Angel, "Understanding Staff Perceptions of Turnover in Corrections," *Professional Issues in Criminal Justice* 4, no. 2 (2009), 43, [https://www.researchgate.net/publication/241522036\\_Understanding\\_Staff\\_Perceptions\\_of\\_Turnover\\_in\\_Corrections](https://www.researchgate.net/publication/241522036_Understanding_Staff_Perceptions_of_Turnover_in_Corrections). For the average hourly wage for U.S. corrections officers, see U.S. Bureau of Labor Statistics, "Occupational Employment and Wages, May 2019: Correctional Officers and Jailers," <https://perma.cc/EFG6-37DU>. The average hourly pay is \$24.10, which reflects the fact that states with unionized corrections workers, such as California, Illinois, and New York, typically pay far higher wages. See for example Jon Ortiz, "California Prison Officers' Union, Jerry Brown Agree on Contract," *Sacramento Bee*, March 16, 2016, <https://perma.cc/6Y7R-FPB4>. As of May 2019, California continued to lead the country with an average annual salary of \$78,510 for corrections officer and jailer jobs, according to Bureau of Labor Statistics data. On the other end of the scale, 12 states pay corrections workers a yearly salary of at most \$38,000. U.S. Bureau of Labor Statistics, "Wages: Correctional Officers." See also Eric Lambert, "I Want to Leave: A Test of a Model of Turnover Intent Among Correctional Staff," *Applied Psychology in Criminal Justice* 2, no. 1 (2006), <https://perma.cc/UFR4-48JT>.

<sup>27</sup> Dasha Lisitsina, "'Prison Guards Can Never Be Weak': The Hidden PTSD Crisis in America's Jails," *Guardian*, May 20, 2015, <https://perma.cc/Q8LQ-6TDX>.

<sup>28</sup> Michael D. Denhof, Caterina G. Spinaris, and Gregory R. Morton, *Occupational Stressors in Corrections Organizations: Types, Effects, and Solutions* (Washington, DC: DOJ, National Institute of Corrections, 2014), 5, <https://perma.cc/HPV8-NNL9>.

<sup>29</sup> Steven Stack and Olga Tsoudis, "Suicide Risk Among Correctional Officers: A Logistic Regression Analysis," *Archives of Suicide Research* 3, no. 3 (1997), 183-186, <https://www.researchgate.net/publication/240238125>; Jaime Brower, *Correctional Officer Wellness and Safety Literature Review*, (Washington, DC: U.S. Department of Justice, Office of Justice Programs Diagnostic Center, July 2013) (citing a study that found the suicide rate among New Jersey correctional workers was more than double than that of police officers, see pages 6-10), <https://perma.cc/7UH5-UV66>; Frank Valentino Ferdik and Hayden Smith, *Correctional Officer Safety and Wellness Literature Synthesis* (Washington, DC: U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, 2017), <https://perma.cc/7UH5-UV66>; Srinivas Konda, Hope Tiesman, Audrey Reichard, and Dan Hartley, "U.S. Correctional Officers Killed or Injured on the Job," *Corrections Today* 75, no. 5 (2013), 122-125, <https://perma.cc/J6JR-V97Y>; W. Morgan, "Correctional Officer Stress (1977-2007): A Review of the Literature," *American Jails* 23, no. 2 (2009), 33-43; and Michael D. Denhof and Caterina G. Spinaris, *Depression, PTSD, and Comorbidity in Corrections Professionals* (Florence, CO: Desert Waters Correctional Outreach, 2013), 14-15 and 35-36, <https://perma.cc/UZ8A-LXNN>.



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<sup>30</sup> See for example Brad Bennett, Jamie Kizzire and Will Tucker, *Solitary Confinement: Inhumane, Ineffective, And Wasteful* (Montgomery, AL: SPLC, 2019), 7-8, <https://perma.cc/WQ69-SWLU>.

<sup>31</sup> Vera's Family Justice Program produced several reports on the importance of maintaining family engagement. In these reports, Vera cites research showing that family visits can lower the risk of recidivism and lead to other positive outcomes. For example, in 2010, the Washington State Department of Corrections found that incarcerated people who visited regularly with family were six times less likely to commit infractions while incarcerated than those without regular family contact. See Margaret diZerega and Jules Verdone, *Setting an Agenda for Family-Focused Justice Reform* (New York: Vera Institute of Justice, 2011), <https://perma.cc/42YK-VWVX>; and Vera Institute of Justice, *Why Ask About Family* (New York: Vera Institute of Justice, 2011), <https://perma.cc/42L6-35UX>. See also Grant Duwe and Valerie Clark, "Blessed Be the Social Tie That Binds: The Effects of Prison Visitation on Offender Recidivism," *Criminal Justice Policy Review* 24, no. 3 (2013), 271-279.

<sup>32</sup> Eric Martin, "Hidden Consequences: The Impact of Incarceration on Dependent Children," *NIJ Journal* no. 278 (2017), <https://perma.cc/3WGV-MWYS>.

<sup>33</sup> *Ibid.*; Laura E. Glaze and Laura M. Maruschak, *Parents in Prison and their Minor Children*, (Washington, DC: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics (BJS), 2008, revised 2010), 2, <https://perma.cc/KD94-WVRK>; and David Murphey and P. Mae Cooper, *Parents Behind Bars* (Bethesda, MD: Child Trends, 2015), 1, <https://perma.cc/J33N-K9TQ>.

<sup>34</sup> Martin, "Hidden Consequences," 2017, 4.

<sup>35</sup> Benjamin Steiner and Calli M. Cain, "The Relationship Between Inmate Misconduct, Institutional Violence, and Administrative Segregation: A Systematic Review of the Evidence," in *Restrictive Housing in the U.S.: Issues, Challenges, and Future Directions* (Washington, DC: U.S. Department of Justice, National Institute of Justice, 2016), <https://perma.cc/BCJ3-HYK3>; Robert G. Morris, "Exploring the Effect of Exposure to Short-Term Solitary Confinement Among Violent Prison Inmates," *Journal of Quantitative Criminology* 32 (2016), 1-22; Ryan M. Labrecque and Paula Smith, "Assessing the Impact of Time Spent in Restrictive Housing Confinement on Subsequent Measures of Institutional Adjustment among Men in Prison," *Criminal Justice and Behavior* 46, no. 10 (2019), 1445-1455; and Chad S. Briggs, Jody L. Sundt, and Thomas C. Castellano, "The Effect of Supermaximum Security Prisons on Aggregate Levels of Institutional Violence," *Criminology* 41, no. 4 (2003), 1341-1376.

<sup>36</sup> Kristen M. Zgoba, Jesenia M. Pizarro, and Laura M. Salerno, "Assessing the Impact of Restrictive Housing on Inmate Post-Release Criminal Behavior," *American Journal of Criminal Justice* 45, no. 1 (2020), 102-125; Daniel H. Butler, Benjamin Steiner, Matthew D. Makarios, and Lawrence F. Travis III, "An Examination of the Influence of Exposure to Disciplinary Segregation on Recidivism," *Crime & Delinquency* 66, no. 4 (2020), 485-512; Christopher Wildeman and [Lars Højsgaard Andersen](#), "Long-Term Consequences of Being Placed in Disciplinary Segregation," *Criminology* 58, no. 3 (2020), 423-453, <https://www.readcube.com/articles/10.1111%2F1745-9125.12241>; and Daniel P. Mears and William D. Bales, "Supermax Incarceration and Recidivism," *Criminology* 47, no. 4 (2009), 1131-1166, [https://www.researchgate.net/publication/229577059\\_Supermax\\_incarceration\\_and\\_recidivism](https://www.researchgate.net/publication/229577059_Supermax_incarceration_and_recidivism).

<sup>37</sup> David L. Lovell, L. Clark Johnson, and Kevin C. Cain, "Recidivism of Supermax Prisoners in Washington State," *Crime & Delinquency* 53, no. 4 (2007), 633-656, [https://www.researchgate.net/publication/240730534\\_Recidivism\\_of\\_Supermax\\_Prisoners\\_in\\_Washington\\_State](https://www.researchgate.net/publication/240730534_Recidivism_of_Supermax_Prisoners_in_Washington_State).

<sup>38</sup> Joel M. Caplan, "What Factors Affect Parole: A Review of Empirical Research," *Federal Probation* 7, no. 1 (2007), 16-19, <https://perma.cc/8MGE-57NL>.



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<sup>39</sup> Christie Thompson, "From Solitary to the Street," The Marshall Project, June 11, 2015, <https://perma.cc/443V-CSST>.

<sup>40</sup> Sal Rodriguez, *Factsheet: The High Cost of Solitary Confinement* (Washington, DC: Solitary Watch, 2011), <https://perma.cc/Y9GL-YUD2>.

<sup>41</sup> U.S. Government Accountability Office (GAO), *Bureau of Prisons: Improvements Needed in Bureau of Prisons' Monitoring and Evaluation of Impact of Segregated Housing* (Washington, DC: US GAO, 2013), 31, <https://perma.cc/UFD3-SRUR>.

<sup>42</sup> Office of U.S. Senator Dick Durbin, "Durbin Chairs First-Ever Congressional Hearing on Solitary Confinement," press release (Washington, DC: Office of U.S. Senator Dick Durbin, June 19, 2012). <https://perma.cc/LUY5-EKJ9>.

<sup>43</sup> For costs of treating mental illness—including depression, panic disorders, agoraphobia, anxiety disorders, and PTSD, all of which are linked to solitary confinement—in prison, see Chad Kinsella, *Corrections Health Care Costs* (Lexington, KY: Council of State Governments, 2004), 12-14, <https://perma.cc/HTU2-HC8U>.

<sup>44</sup> For example, a 2018 report found that the average cost for one instance of recidivism in Illinois is nearly \$151,700, and estimated that over the next five years recidivism would cost the state, victims, and taxpayers a combined \$13 billion. Illinois Sentencing Policy Advisory Council (SPAC), *Illinois Results First: The High Cost of Recidivism 2018 Report* (Springfield, IL: SPAC, 2018), 1-2, <https://perma.cc/R59T-FQ5E>.

<sup>45</sup> Correctional Leaders Association (CLA) and the Liman Center for Public Interest Law at Yale Law School, *Time-in-Cell 2019: A Snapshot of Restrictive Housing Based on a Nationwide Survey of U.S. Prison Systems* (Iona, ID: CLA, 2020), 24-35, <https://perma.cc/M6K7-2NYG>. This publication summarizes data self-reported by state departments of corrections in response to a survey. Thirty-three departments provided responses about racial and ethnic disparities; information about incarcerated people's race and ethnicity was based on self-reports, correctional records, or appearance.

<sup>46</sup> *Ibid*, 24.

<sup>47</sup> *Ibid*, 25-26.

<sup>48</sup> The six agencies analyzed in these studies were the corrections departments of Louisiana, Nebraska, New York City, North Carolina, Oregon, and Utah. See Digard, Vanko, and Sullivan, *Rethinking Restrictive Housing*, 2018, 23-25; David Cloud, Jessi LaChance, Lionel Smith, and Lauren Galarza, *The Safe Alternatives to Segregation Initiative: Findings and Recommendations for the Louisiana Department of Public Safety and Corrections* (New York: Vera Institute of Justice, 2019), 67, <https://perma.cc/A7GU-5X7Y>; and Byron Kline, Jessi LaChance, Lionel Smith, and Lauren Galarza, *Safe Alternatives to Segregation Initiative: Findings and Recommendations for the Utah Department of Corrections* (New York: Vera Institute of Justice, 2020), 29, 46, <https://perma.cc/SB7H-V9EP>.

<sup>49</sup> Digard, Vanko, and Sullivan, *Rethinking Restrictive Housing*, 2018, 24-25.

<sup>50</sup> A large driver of solitary confinement in many correctional agencies is security threat groups ("STG"—a term used for gangs). Many of these groups are based on racial identity, and thus policies that move STG members and affiliates into solitary confinement may contribute to racial disparities. See D.C. Pyrooz, "Gang Affiliation and Restrictive Housing in U.S. Prisons," in *Restrictive Housing in the U.S.* (Washington, DC: U.S. Department of Justice, National Institute of Justice, 2016),

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<sup>51</sup> Evidence is mixed on whether there are racial disparities in the use of solitary as a disciplinary response. See H. Daniel Butler and Benjamin Steiner, "Examining the Use of Disciplinary Segregation Within and Across Prisons," *Justice Quarterly* 34, no. 2 (2017), 248-271, 250, 265.

<sup>52</sup> "Cisgender women" refers to people assigned female at birth (sex) who also identify as female (gender).

<sup>53</sup> American Civil Liberties Union (ACLU), *Still Worse Than Second-Class: Solitary Confinement of Women in the United States* (New York: ACLU, 2019), 13-14, <https://perma.cc/W7UE-P7D7>.

<sup>54</sup> *Ibid.* Similarly, until recently transgender women in immigration detention were routinely held in men's detention facilities, where they were often placed in solitary confinement, ostensibly for protection. See Human Rights Watch, "Do You See How Much I'm Suffering Here?": Abuse against Transgender Women in US Immigration Detention (New York: Human Rights Watch, 2016), 32-40, [https://www.hrw.org/sites/default/files/report\\_pdf/us0316\\_web.pdf](https://www.hrw.org/sites/default/files/report_pdf/us0316_web.pdf).

<sup>55</sup> Jessi LaChance, *Women in Segregation* (New York: Vera Institute of Justice, 2018), 2, <https://perma.cc/5AGV-H2HL>.

<sup>56</sup> Miles D. Harer and Neal P. Langan, "Gender Differences in Predictors of Prison Violence: Assessing the Predictive Validity of a Risk Classification System," *Crime & Delinquency* 47, no. 4 (2001), 513-36, 521, <https://perma.cc/UFH5-6PXN>.

<sup>57</sup> LaChance, *Women in Segregation*, 2018, 1.

<sup>58</sup> *Ibid.*

<sup>59</sup> Jennifer Bronson and Marcus Berzofsky, *Indicators of Mental Health Problems Reported by Prisoners and Jail Inmates, 2011-12* (Washington, DC: BJS, 2017), 4, Table 2, <https://perma.cc/459V-A3UP>.

<sup>60</sup> LaChance, *Women in Segregation*, 2018, 3.

<sup>61</sup> Shannon Lynch, Dana Dehart, Joanne Belknap et al., "A Multisite Study of the Prevalence of Serious Mental Illness, PTSD, and Substance Use Disorders of Women in Jail," *Psychiatric Services* 65, no. 1 (2014), 670-674; and Nena Messina and Christine Grella, "Childhood Trauma and Women's Health Outcomes in a California Prison Population," *American Journal of Public Health* 96, no. 10 (2006), 1842-1848, <https://perma.cc/D4Y8-Z7L9>.

<sup>62</sup> LaChance, *Women in Segregation*, 2018, 2.

<sup>63</sup> ACLU, *Still Worse Than Second-Class*, 2019, 9; and National Task Force on the Use of Restraints with Pregnant Women under Correctional Custody, "Best Practices in the Use of Restraints with Pregnant Women Under Correctional Custody," (Washington, DC: U.S. Department of Health and Human Services, 2012), <https://perma.cc/4JPN-24DG>.

<sup>64</sup> In the last few years, several states have banned or significantly limited the use of solitary confinement for pregnant and postpartum people in state facilities. See for example Louisiana HB 344 (2020) (enrolled as Act 140), <https://perma.cc/9ANK-VS38>; South Carolina A136, R141, H3967

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(2020) (enrolled as Act 136), <https://perma.cc/WGU8-DPX2>; and Maryland SB 809 (2019) (approved as Chapter 324). See also Nebraska LB 620 (2021), <https://perma.cc/62U8-C74Z>.

<sup>65</sup> Glaze and Maruschak, *Parents in Prison*, revised 2010, 5.

<sup>66</sup> See generally Murphey and Cooper, *Parents Behind Bars*, 2015.

<sup>67</sup> Allen J. Beck, *Use of Restrictive Housing in U.S. Prisons and Jails, 2011–12* (Washington, DC: BJS, 2015), 5, <https://perma.cc/YL9S-7B98>.

<sup>68</sup> The Prison Rape Elimination Act (PREA) requires agencies to use “protective custody” as a last resort for LGBTQ+ populations after all alternatives have been exhausted. PREA also requires that people continue to have access to programming and imposes limits on how long someone can stay in solitary for protection. 28 CFR 115.41, <https://perma.cc/7UH6-9RQG>; and 28 CFR 115.43, <https://perma.cc/H4MK-TZCZ>. See also Fenway Institute, *Emerging Best Practices for the Management and Treatment of Incarcerated Lesbian, Gay, Bisexual, Transgender, and Intersex (LGBTI) Individuals* (Boston, MA: Fenway Institute, 2019), 46-48, <https://perma.cc/NV8F-MEB7>; and National Center for Transgender Equality, *LGBTQ People Behind Bars: A Guide to Understanding the Issues Facing Transgender Prisoners and Their Legal Rights* (Washington, DC: National Center for Transgender Equality, 2018), <https://perma.cc/TL47-XVXB>.

<sup>69</sup> Jason Lydon, Kamaria Carrington, Hana Low et al., *Coming out of Concrete Closets* (Boston: Black & Pink Massachusetts, 2015), 5, <https://perma.cc/M8R5-YZFX>.

<sup>70</sup> *Ibid.*

<sup>71</sup> Haney, “The Psychological Effects of Solitary Confinement: A Systematic Critique,” 2018, 368, 374. See also Sasha Abramsky and Jamie Fellner, *Ill-Equipped: U.S. Prisons and Offenders with Mental Illness* (New York: Human Rights Watch, 2003), 145-173, <https://perma.cc/JQB3-WB99>.

<sup>72</sup> *Ibid.*; and Maureen L. O’Keefe, “Administrative Segregation for Mentally Ill Inmates,” *Journal of Offender Rehabilitation* 45, no. 1-2 (2007), 149-165, [https://courses.justice.eku.edu/COR320/docs/02\\_OkeefeArticle.pdf](https://courses.justice.eku.edu/COR320/docs/02_OkeefeArticle.pdf).

<sup>73</sup> Craig Haney and Mona Lynch, “Regulating Prisons of the Future: A Psychological Analysis of Supermax and Solitary Confinement,” *N.Y.U. Review of Law & Social Change* 23, no. 4 (1997), 477-570, 513-514 <https://perma.cc/R2TC-RQSH>; and Haney, “Mental Health Issues in Long-Term Solitary and ‘Supermax’ Confinement,” 2003.

<sup>74</sup> ACLU, *Caged In: Solitary Confinement’s Devastating Harm on People With Physical Disabilities* (New York: ACLU Foundation, 2017), 8, <https://perma.cc/4CMX-U827>.

<sup>75</sup> For example, the Illinois DOC does not track data on the number of incarcerated people who have disabilities, or on the nature of the disabilities. *Ibid.*

<sup>76</sup> *Ibid.*, 6.

<sup>77</sup> *Ibid.*, 5 and 12.

<sup>78</sup> *Ibid.*, 12.

<sup>79</sup> Rule 45 states “The imposition of solitary confinement should be prohibited in the case of prisoners with mental or physical disabilities when their conditions would be exacerbated by such measures.” In these non-binding international principles, the United Nations also denounces the use of solitary for women and children. See United Nations Standard Minimum Rules for the Treatment of Prisoners (the

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Nelson Mandela Rules), General Assembly Resolution A/RES/70/175 (2015), <https://undocs.org/A/RES/70/175>.

<sup>80</sup> ACLU, *Caged In*, 2017, 47-48.

<sup>81</sup> Jennifer Lutz, Mark Soler, and Jeremy Kittredge, *Not in Isolation: How to Reduce Room Confinement While Increasing Safety in Youth Facilities* (Washington, DC: Center for Children's Law and Policy and the Justice Policy Institute, 2019), 8, <https://perma.cc/9E5N-8PS8>.

<sup>82</sup> Digard, Vanko, and Sullivan, *Rethinking Restrictive Housing*, 2018, 25-26.

<sup>83</sup> Council on State Governments Justice Center, *Reducing Recidivism and Improving Other Outcomes for Young Adults in the Juvenile and Adult Criminal Justice Systems* (New York: Council on State Governments Justice Center, 2015), 2-3, <https://perma.cc/GK3C-YWDE>. See also Sara B. Johnson, Robert W. Blum, and Jay N. Giedd, "Adolescent Maturity and the Brain: The Promise and Pitfalls of Neuroscience Research in Adolescent Health Policy," *Journal of Adolescent Health* 45, no. 3 (2009), 216-221, <https://perma.cc/GK5T-3BRZ>.

<sup>84</sup> Ian Kysel, *Growing Up Locked Down: Youth in Solitary Confinement in Jails and Prisons Across the United States* (New York: American Civil Liberties Union and Human Rights Watch, 2012), <https://perma.cc/NNN9-R9AZ>.

<sup>85</sup> SPLC and Americans for Immigrant Justice, *Prison By Any Other Name: A Report on South Florida Detention Facilities* (Montgomery, AL: SPLC, 2019), 15-16, <https://perma.cc/CD52-RB3Q>.

<sup>86</sup> In 2013, ICE issued a new directive that outlines requirements for oversight and reporting when solitary is used in immigration detention facilities and establishes vulnerable populations that cannot be placed in solitary. See US Immigration and Customs Enforcement, *ICE Directive No. 11065.1: Review of the Use of Segregation for ICE Detainees* (Washington, DC: U.S. Immigration and Customs Enforcement, 2013), <https://perma.cc/W8MX-MTAH>.

<sup>87</sup> *Ibid.*, 15. See also U.S. Department of Homeland Security, *Concerns about ICE Detainee Treatment and Care at Detention Facilities* (Washington, DC: U.S. Department of Homeland Security, Office of Inspector General, 2017), <https://perma.cc/MH3D-MKPJ>.

<sup>88</sup> Stacey A. Tovino, "Of Mice and Men: On the Seclusion of Immigration Detainees and Hospital Patients," *Minnesota Law Review* 100 (2016), 2381-2432, <https://perma.cc/HNS7-YZDJ>.

<sup>89</sup> Nick Schwellenbach, Mia Steinle, Katherine Hawkins, and Andrea Paterson, *ISOLATED: ICE Confines Some Detainees with Mental Illness in Solitary for Months* (Washington, DC: Project On Government Oversight, 2019), <https://perma.cc/25WV-EZRS>.

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