

Statement

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U.S. Senate Judiciary Committee hearing on Solitary Confinement
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Introduction

After my 17 year old son was convicted and sentenced as an adult in the criminal justice system I became involved in public awareness campaign, I am a member of the Tamms year Ten Campaign, and the Illinois Coalition for Fair Sentencing of Children at Northwestern University. I had the opportunity to give testimony to the Federal Coordinating Council on the importance of family engagement with the juvenile and criminal justice system. I am also a volunteer with the John Howard Association of Illinois who is known as the watchdog of the justice system. We monitor both juvenile and adult facilities.

Solitary Confinement

I can remember almost as if it were yesterday when I was sitting in court with my son as he was tried as an adult. I couldn't believe what I was hearing I wasn't aware they could do this legally I remember feeling like a ton of bricks had just fallen down on me. Prior to my sons' case they sentenced another youth to adult prison he was much smaller in stature than my son and I remember hearing the sheriff saying "oh, they are going to turn him out." I panicked all I could think about was my son being sexually abused by older men. I was devastated. By the sheriff making this comment let me know the courts were aware of the dangers of placing juveniles in prison with adults. I thought this should be happening and I began my crusade.

During the past 6 years since my son has been incarcerated at Tamms Supermax which is a solitary facility in Illinois, I have had the worst experience of my life. I never knew human beings were treated the way they are treated in solitary confinement family members are not treated too much better. I'll begin with the visiting process you go through to visit your loved one. You must submit a visitor request form ten days prior to your visit, then wait for three to five days to receive your reply stating you were either approved or denied.

The night before my visit I feel as though I'm having an anxiety attack, I find myself tossing and turning all night. I get up at 3:30 in the morning and I dress very carefully to avoid violating the facility dress code rules that seems to change every other month. I pack extra clothes so I can change if something has changed since my last visit. Rules inside the facility do change frequently and the change without families knowing they are changing so you have to be prepared for any and everything. I'm out of the house by 4:15 a.m. allowing myself extra time to ensure that I am not late because of traffic or some other unforeseen problem like a flat tire. I drive 5 ½ to 6 hours to get to Tamms if you are more than 15 minutes late your visit will be denied.

Once I arrive at the facility, I go through a metal detector and am physically searched. Though I completely understand the reason for this tight security and appreciate the administration for their attention to safety that protects my son and all the others, I still feel violated when the staff tells me I have to lift my underwear and shake it. After I get through security, I always feel I have a sense of relief that I am going to be able to visit

My son is brought into the visiting area by three guards, one on each side and one in back of him, he's handcuffed and shackled at the feet. They then sit him on a concrete stump and wrap the chain around the stump and that's where he stays for the duration of our visit which is four hours. As we talk through a thick glass that separates us I try to lift his spirits and bring him away from the depressive state I know he's in. I use my entire visit to catch my son up on everything going on at home and hear about how his life is going. I'm constantly watching him for signs of changes in his mental and physical state. I've noticed a twitch beneath his eye at times' this lets me know something is bothering him. I believe it is being in solitary confinement for such a long period is beginning to affect him. Most people have no idea how difficult it is to be cut off from your own child and the level of anxiety it can cause a mother. The truth is I do think people can understand exactly how difficult it can be if it were their own child or a child they loved but, because it's my son and he is in prison somehow it's what he deserves.

I can't begin to explain the hurt, the pain and the depressing state of mind I get when my visit has been denied. Those visits are what keeps' me going and according to research about visits to those behind bars, it is likely what keeps him going as well. So, I take full advantage of every visit I can get. It may be a hardship to me financially, but I need to know that my son is alive and safe. When these visits aren't possible, phone calls become the most important link to our child who is locked up. As a mother of a son who is incarcerated today, I let nothing stand in the way of those calls. I will walk out of Church leave a meeting, or doctor's appointment. It is the only communication we have in between our face to face visits. I need to hear his voice just as I need food and water. When I don't hear from him I feel anxious, worried and on edge.

Never once have I visited a facility in Illinois that compares to the solitary prison. I thought I would be prepared for the Tamms Supermax prison. After all I had visited other prisons in the past and had always heard oh, Tamms is a new prison and it's really nice. The first part I will agree with, it is a new prison but, nice, not hardly. It is an underground prison. In monitoring other prisons I found some inmates at other facilities have committed the same crimes yet they are in maximum or medium prisons. I see no need to have a solitary prison other than to torture and dehumanize a human being. It is a waste of the tax payer's money.

Solitary is designed for acute sensory deprivation. Inmates are locked in their cells 23 hours out of 24. They never leave their cells except to shower or exercise for one hour in a concrete pen. They never leave their cells except to shower or exercise for one hour in a concrete pen. The guards bring them their meals on dirty trays and push them through a slot in the door that's called a chuck hole. There are no jobs, communal activities, or physical contact. Conditions such as these are cruel, inhumane, and degrading it is actually a form of true torture. I don't get a chance to hug my son on visits, hold his hand or go to the vending machine to purchase snacks. I have witnessed the drastic changes in inmates from being in solitary confinement. Young men who entered into this prison looked their age and now after several years in solitary they have aged so much hair now is completely gray, they walk slumped over,

laugh and talk to themselves. Many inmates had began self-mutilation, attempted suicide and are now dealing with mental, physical, and psychological issues.

In one incident an inmate who was sentenced to seven years for an assault is now serving ninety-nine years for a series of incidents from self-mutilating, throwing urine and feces at the guards and eventually cutting off a body part. This is the result of a youth placed in solitary who otherwise would have been released in 3 ½ years had he spent his time in a regular prison. Instead of treatment for this prisoner they continued to punish him more by adding ninety-nine years to his sentence.

According to psychiatrist Dr. Terry Kupers, of the Wright Institute, a psychology graduate school in Berkeley California and an expert on the effects of long term solitary confinement stated that under conditions imposed by federal court decrees in California someone who is so disturbed that he continually cuts himself, and so bizarre and extreme in his emotional disturbance that he cuts off his body parts is clearly self-harming and should have been permanently removed from solitary.

This is a failure by the department of corrections to connect mental illness to long term isolation, even though a federal court ruling by a judge in East Saint Louis last year made the connection.

Dr. Janis Petzel the former president of the Maine Association of Psychiatric Physicians says prisoners should not be held in isolation longer than forty-five days, "It gets to be a vicious circle – the longer a prisoner is held in solitary the more abnormal their behavior becomes, and the longer they are forced to stay in solitary.

As if solitary is not enough punishment inmates in some cases are put in segregation for not following the rules how much punishment can one person take? If they are placed in segregation they only receive one visit a month. These guys have not had the privilege of touching, hugging, or shaking hands with their love ones for years. One parent stated she has not been able to touch her son in twelve years. This is truly a hardship to families not to be able to hug your child.

Everyone talks about community safety, how safe is it to release people with severe mental illness back into the community not knowing what they might do because of their illness.

I am not advocating that punishing the guilty is wrong what I am saying is that I am against inhumane treatment to any human being. People can change and they should not be defined by a mistake they made as a youth.

As one inmate who has served several years in the Supermax prison in Illinois said "It is like this place (Tamms) is designed to psychologically kill you. How could America be so cruel to its' own people?"

As of 2013 Tamms has been closed but, there's so many other facilities around the country that still house inmates in solitary confinement.

Thank you, for holding this hearing and I hope you will take into consideration the damage solitary has caused to our youth.

Recommendations

I urge the committee to:

- (1) Implement the Prison Rape Elimination Act (PREA) and the Juvenile Justice & Delinquency Prevention Act (JJDP A) to ban the placement of youth in adult jails and adult prisons;
- (2) Restore federal juvenile justice resources for states and localities to incentivize their use of best practices and evidence-based approaches that rely on the least restrictive setting for youth in conflict with the law; and
- (3) Ensure that the U.S. Department of Justice enhances technical assistance to states and localities to assist in the removal of youth from adult jails and adult prisons.
- (4) Update the Juvenile Justice & Delinquency Prevention Act (JJDP A) to ban the placement of youth in adult jails and adult prison;
- (5) Restore federal juvenile justice block grants for states and localities to incentivize their use of best practices and evidence-based approaches that rely on the least restrictive setting for youth in conflict with the law;
- (6) Hold a hearing to monitor the progress of PREA implementation, including the Youthful Inmate Standard after the May 15th Governor certification of compliance deadline;
- (7) Ensure that the U.S. Department of Justice provide concrete recommendations and best practices on implementing PREA's Youthful Inmate Standard which decreases the use of solitary confinement; and
- (8) Call for rulemaking by the U.S. Department of Justice to create the development of smart, humane and evidence-based national best practices and regulations that will limit the use of all forms of isolation and solitary confinement.