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Appraising Solitary Confinement

The 8th Amendment in the US Constitution prohibits the federal government from imposing excessive bail, excessive fines, or cruel and unusual punishments on individuals. However, despite this being an Amendment that the government must abide by, there are grey areas where things can fall through the cracks. Prison being a prime example of a grey area that the government takes advantage of and fails to recognize as being taken advantage of. Prisoners used to be considered slaves and thus there was no viewpoint that their constitutional rights were violated. Currently, prisoners are no longer considered slaves and as such have constitutional rights to the 8th Amendment that can be violated under serious circumstances. Circumstances that today relate to individuals specifically not being under unnecessary and wanton infliction of pain, if minimal life necessities aren’t met, or where it can be proven that correctional officials acted in deliberate indifference or recklessness. Any of these, or all of these are conditions that individuals could go through while solitary confinement.

The use of solitary confinement is on a discretionary basis decided by correctional officials. Correctional officials make their claims under the basis that the prisoners are dangerous, disruptive, or a threat. Whether it is something they have done or on the basis for what correctional officials think they will do. When an individual is subjected to solitary confinement, they are characteristically kept in confinement for all but one hour a day, in cells that minimize human contact and sensory stimulation. The condition of the cell consists of the

prisoner in question in a 7 by 10 cell, no window, and a solid door that eliminates the possibility of communication with others incarcerated and correctional officials. Being locked away and alone creates a pervasive feeling of unreality.

In deprivation conditions, such as solitary confinement, individuals can have their health problems exacerbated or have significant health risks formed. Physical ailments can be directly connected to the conditions of being placed in solitary confinement. Various deprivations can be attached to the lack of movement, provisions, and human contact that is restricted under solitary confinement. Under solitary confinement conditions individuals have experienced skin irritations and weight fluctuations, the two most common of physical ailments. Prisoners in solitary confinement have commented on experiencing rashes, dry and flaky skin, and in some instances fungus. These conditions are attributed to being directly associated with poor air and water quality, irritating hygiene products (no commissary), and lack of sun exposure inherent to their conditions of solitary confinement. The last aspect eventually produces a Vitamin D deficiency due to the lack of exposure. Overall, inmates in solitary confinement face predicaments that they would not normally be exposed to in general population.

On a psychological level, individuals who went into solitary confinement experienced distress such as anxiety, depression, paranoia, and aggression. One study gave evidence to a slowing of brain waves after a week of solitary confinement. After a month, brain abnormalities gave evidence to symptoms of PTSD or head trauma that the individual went through. Lack of sustained social interaction will have the human brain become impaired and show a brain scan similar to someone who experienced a traumatic head injury. Humans are social creatures that rely on interactions with one another to function on a daily basis. Therefore, the lack of

interaction and communication that these individuals experience can lead to social withdrawal that even impacts individuals when they are out of solitary confinement.

The punishments faced while being in solitary confinement also play a crucial role in individuals being able to properly readjust to the general population, or society in general. There is pure elation that can be associated with being able to talk to individuals, have freedom, and see the sun. Individuals once freed from solitary confinement talk for hours on end, enjoy being around others, and enjoy sunlight like they never have before. They are optimistic that they can bounce back and adjust to society without any delay however, that is not the case. While in confinement, individuals lose the concept of time and even being put back in the general population does not help. Individuals still have time management problems of reestablishing normal sleeping and eating patterns. Additionally, it has been voiced by some individuals that they are not sure how to handle their emotions. There are so many complex emotions and sensations that they are newly introduced to once free, that in some instances individuals are not able to adjust properly. Depending on the individual's educational level will ultimately determine if their mind deteriorates quicker or is able to bounce back quicker once in the general population.

Although the mentioned health problems and issues that are associated with solitary confinement do not violate the 8th Amendment, it is most definitely a grey area. There are numerous situations in which a prisoners' rights to not being exposed to cruel or unusual punishment can fall into the cracks. Correctional officers can claim that they were not deliberate in their acts of indifference or recklessness. Additionally, only the bare minimum of life necessities needs to be met. Therefore, the bare minimum in water, sunlight, and food is seen as adequate enough regardless of the negative symptoms that an incarcerated individual might

exhibit. Solitary confinement needs to be more than the bare minimum and whether a correctional officer did an action deliberately or not. The act of confining someone and the physical and psychological reactions that an individual goes through is a violation of the 8th amendment and needs to be addressed. Solitary confinement does not curb prisoner on prisoner crime or prisoner on correctional officer trouble. The act of confining an individual for 23 hours needs to be amended so that individuals are not plagued while facing their confinement and once free from their confinement.

Citations

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