

FACT SHEET



Solitary/Isolated Confinement: 2023 General Assembly

The Problem: According to the Virginia Department of Corrections' (VADOC's) own numbers, more than 7,000 people incarcerated in Virginia prisons were placed in solitary confinement units known as "restrictive housing" at some point between July 1, 2018, and June 30, 2019. That number does not include people placed in solitary confinement conditions through other types of housing units in Virginia prisons, let alone Virginia jails or juvenile detention facilities.

What is Solitary Confinement: Solitary confinement is the isolation of a person in a jail or prison cell for all or nearly all day with little environmental stimulation or opportunity for human interaction. Though VADOC has changed what it is called many times, the inhumane practice remains the same. Solitary confinement is considered at least 20 hours per day in isolation away from the rest of the prison population for adults. People who were formerly incarcerated routinely describe people being put in lengthy solitary confinement for minor rule infractions. Tyquine Lee, 28, spent more than 600 days in solitary confinement at Red Onion prison in Virginia from 2016 to 2018. Red Onion is a supermax prison treated as an "end of the line" facility within the penal system. Such excessive use of solitary confinement is torture.

The Solution: SB887/Morrissey, HB2487/Davis. Solitary/isolated confinement should be prohibited except in rare circumstances — such as when an incarcerated person poses a real and imminent threat of physical harm — and only for as little time as necessary. VICPP supports bills patroned by Del. Glenn Davis (R) and Sen. Joseph Morrissey (D). The bills will make Virginia safer and more just by requiring Virginia prisons and jails to consider humane alternatives before implementing this dehumanizing and barbaric practice that is known to exacerbate and even cause serious mental illness. The bills limit the use of solitary/isolated confinement to no more than 15 days.

Mental Health Impact: Incarcerated people who experience solitary confinement are considerably more likely to develop mental health issues than those in the general prison population. VADOC reported that 26% of incarcerated people have mental health issues. People in solitary confinement are diagnosed with a range of disorders such as bipolar disorder and post-traumatic stress disorder because of abuse, manic depression, and schizophrenia among other mental illnesses.

Financial Impact: According to the national estimate, the cost is \$75,000 per incarcerated person in solitary confinement. Despite this high cost per person, there is little or no evidence showing that solitary confinement makes prisons safer. In fact, these conditions may be more of a threat to the Commonwealth's public safety.

State Changes: New Jersey restricted "isolated [or solitary] confinement" to no more than 20 days and only for people between the ages of 21 and 65 last year. It also bans solitary confinement for people who are pregnant, postpartum, and have serious medical and/or psychological conditions, and members of the LGBTQ+ community. Recreational and rehabilitative interventions during the short period of time when incarcerated people in solitary confinement are allowed to exit their cells are required.

New York passed The Humane Alternatives to Long Term Solitary Confinement Act (HALT), which bans the use of solitary confinement for those with mental or physical disabilities, people aged under 21 or over 55, and pregnant or postpartum people. The new law restricts prisons and jails from holding people in solitary confinement for more than 15 consecutive days. Sources: ACLU of Virginia, Business Insider, Interfaith Action for Human Rights, Prison Policy Initiative, Silent Injustice: Solitary Confinement in Virginia, Mental Health Institution - Virginia Department of Corrections, The New York Times