

FACT SHEET



1716 East Franklin Street, Richmond, VA 23223
804-643-2474 • www.virginiainterfaithcenter.org

Solitary/isolated confinement: 2023 General Assembly

The Problem: According to the Virginia Department of Corrections' 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. Solitary confinement in Virginia is considered 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 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: Solitary/isolated confinement should be prohibited except in rare circumstances — such as when a prisoner 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 the Virginia safer and more just by requiring Virginia prisons and jails to consider humane alternatives before implementing a 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: Inmates who experience isolation are considerably more likely to develop mental health issues than those in the general prison

population. The Virginia Department of Corrections reported that 26 percent of prisoners have mental health issues. Prisoners in solitary confinement are diagnosed with a range of disorders such as bipolar disorder, post-traumatic stress disorder because of abuse, manic depression, and schizophrenia amid other mental illnesses.

Financial Impact: According to the national estimate, the cost is \$75,000 per prisoner in solitary confinement. Despite this high cost per prisoner, 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 public safety.

State Changes: *New Jersey* restricted 'isolated 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 pregnant, postpartum, serious medical and/or psychological conditions, and members of the LGBTQ community. Recreational and rehabilitative interventions during the short period of time when inmates 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 women. 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