



Solitary Watch

The Gray Box

By Susan Greene

Editors' Note: For the first time, we are devoting our entire print edition to a single article—Susan Greene's "The Gray Box: An Investigative Look at Solitary Confinement." Greene is a Denver-based journalist who specializes in investigating social justice issues. She worked in newspapers for twenty years, most recently as a metro columnist for The Denver Post. The following is a long excerpt from an even longer article published in February by the Dart Society, an organization dedicated to connecting and supporting journalists worldwide who advance the compassionate and ethical coverage of trauma, conflict and social injustice (www.dartsociety.org). Our thanks to Susan Greene and the Dart Society for permitting us to reprint it.

A few weeks ago, on the 15th anniversary of his first day in prison, Osiel Rodriguez set about cleaning the 87 square feet he inhabits at ADX, a federal mass isolation facility in Colorado.

"I got it in my head to destroy all my photographs," he writes in a letter to me. "I spent some five hours ripping each one to pieces. No one was safe. I did not save one of my mother, father, sisters. Who are those people anyway?"

Such is the logic of the gray box, of sitting year after year in solitude.

Whether Rodriguez had psychological problems when he robbed a bank, burglarized a pawn shop and stole some guns at age 22, or whether mental illness set in during the eight years he has spent in seclusion since trying to walk out of a federal penitentiary in Florida – it's academic. What's true now is that he's sick, literally, of being alone, as are scores of other prisoners in extreme isolation.

Among the misperceptions about solitary confinement is that it's used only on the most violent inmates, and only for a few weeks or months. In fact, an estimated 80,000 Americans – many with no record of violence either inside or outside

prison – are living in seclusion. They stay there for years, even decades. What this means, generally, is 23 hours a day in a cell the size of two queen-sized mattresses, with a single hour in an exercise cage, also alone. Some prisoners aren't allowed visits or phone calls. Some have no TV or radio. Some never lay eyes on each other. And some go years without fresh air or sunlight.

Solitary is a place where the slightest details can mean the world. Things like whether you can see a patch of grass or only sky outside your window – if you're lucky enough to have a window. Or whether the guy who occupies cells before you in rotation has a habit of smearing feces on the wall. Are the lights on 24/7? Is there a clock or calendar to mark time? If you scream, could anyone hear you?

In the warp of time and space where Rodriguez lives, the system not only has stripped him of any real human contact, but also made it unbearable to be reminded of a reality that has become all too unreal. It's ripping him apart.

"Looking at photos of the free world caused me so much pain that I just couldn't do it any more," writes Rodriguez, 36. "Time and these conditions are breaking me down."

This is what our prisons are doing to people in the name of safety. This is how deeply we're burying them...

Plenty of corrections officers might tell you that offenders doing time in solitary don't deserve the roofs over their heads or the meals shoved through their food slots. To be sure, many of these prisoners have done heinous, unforgivable things for which we lock them up tightly. Just how tightly is no small question. Yet, as a matter of public policy, the question hardly comes up. Compared to how much we as a nation have debated capital punishment, a sentence served by a small fraction of the incarcerated, we barely discuss how severely we're willing to punish nearly everyone else.

"When the door is locked against the prisoner, we do not think about what is behind it," Supreme Court Associate Justice Anthony Kennedy once said.

Solitary confinement started in the U.S. as a morally progressive social experiment in the 1820s by Quakers, who wanted lawmakers to replace mutilations, amputations and the death penalty with rehabilitation. The hope was that long periods of introspection would help criminals repent.

After touring a Pennsylvania prison in the 1840s, Charles Dickens described prolonged isolation as a "slow and daily tampering with the mysteries of the brain immeasurably worse than any torture of the body." He also wrote, "There is a depth of terrible endurance in it which none but the sufferers themselves can fathom."

Some of his contemporaries shared that view. "It devours the victims incessantly and unmercifully," Alexis de Tocqueville reported from a prison in New York in the 1820s. "It does not reform, it kills."

Most prisons suspended the practice in the mid- to late-1800s once it became clear the theory didn't work. The U.S. Supreme Court punctuated that point in 1890 when it freed a Colorado man, recognizing the psychological harm isolation had caused him. "This matter of solitary confinement is not ... a mere unimportant regulation as to the safe-keeping of the prisoner," the court ruled in the case of James Medley. "A considerable number of the prisoners fell, after even a short confinement, into a semi-fatuous condition, from which it was next to impossible to arouse them, while those who stood the ordeal better were not generally reformed, and in most cases did not recover sufficient mental activity to be of any subsequent service to the community."

Solitary confinement was largely unused for about a century until October 1983 when, in separate incidents, inmates killed two guards in one day at the U.S. Penitentiary in Marion, Ill., which had replaced Alcatraz as home to the most

dangerous federal convicts. The prison went into lockdown for the next 23 years, setting the model for dozens of state and federal supermaxes – prisons designed specifically for mass isolation – that since have been built in the name of officer safety. “Never again,” promised Reagan-era shock doctrinarians who set out at great cost to crack down on prison violence...

Administered by corrections officials, not judges, solitary confinement is a punishment beyond incarceration, removing prisoners not only from the rest of society, but also from each other and staff. It’s now practiced routinely in federal penitentiaries, state prisons and local jails under a number of bureaucratic labels: “lockdown,” “protective custody,” “strip cells,” “control units,” “security housing units,” “special management units” and “administrative segregation.” Federal justice officials say the different classifications prevent them from keeping track of how many people are being isolated. What is acknowledged even in official records is that the vast majority are men and that rates of pre-existing mental illness exceed the higher-than-average levels in general prison populations...

Meantime, an analysis of prison budgets by the Urban Institute shows that taxpayers are shelling out about \$75,000 a year to house a single prisoner in solitary confinement – more than twice as much as spent housing prisoners in general population. Staffing is more expensive because two or more officers usually are required to escort prisoners any time they leave their cells, and because the cooking and cleaning work, which in other prisons would be performed by inmates, must be done by paid staff. As a rule, prisoners in isolation aren’t allowed to work.

For reasons of prison safety, short periods of confinement may make sense for the most violent inmates. Yet the so-called “worst of the worst” are, by definition, the exception rather than the rule. States vastly overestimated the need for supermax space to contain high-risk offenders, and have filled it with relatively low-risk prisoners, many of whom pose no apparent risk or have no record of violence. Anyone even loosely labeled to have ties with terrorists gets put into isolation as a matter of course. Juveniles are secluded for what is officially deemed to be their own pro-

tection. Mentally ill prisoners who are prone to rage or agitation are isolated for convenience. And, all too often, having a gang affiliation, writing grievances or cussing out a guard can land you in solitary for the long haul. Bad behavior – or merely a corrections officer’s allegation of it – can add years to your time in isolation. Some prisoners have spent a decade or two asking why they’re still there, without getting an official answer.

“These are extraordinary, I believe often needless and indefensible, risks to take with the human psyche and spirit,” writes Craig Haney, a psychology professor at the University of California at Santa Cruz.

Anthony Gay had a low-level assault charge in Illinois for punching another kid, stealing a dollar from him and swiping his hat. A parole violation on his seven-year suspended sentence ultimately landed him in a state supermax where he has cut himself hundreds of times with shards of glass and metal, and eats his own flesh. He has racked up a 97-year sentence for throwing urine and feces out his food slot – behavior that’s fairly typical for severely mentally ill prisoners in solitary.

Gay passes his time at the Tamms Correctional Center writing anyone who will receive his letters.

“I’ve been trapped for approximately nine years. The trap, like a fly on sticky paper, aggravates and agitates me,” he writes. “America, can you hear me? I love you America, but if you love me, please speak out and stand up against solitary confinement.”

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In months of trading letters with prisoners, and in a few dozen interviews with men who’ve gotten out, I hear the same descriptions of solitary: that it’s starkly sterile, unremittingly monotonous and numbingly idle.

“Ninety percent of the time you hear nothing but the sound of air from the ventilation. The silence can drive you crazy. Makes you feel as if the world has ended but you somehow survived and are tripped,” Jeremy Pinson writes from ADX, the crown jewel of the federal system once described by its warden as a “clean version of hell.”

“The world outside is like another planet,” writes Jack Powers, also from ADX. “I feel like I am trapped within a disease.”

Prisoners pace their cells like caged felines at a zoo. “I walked and walked and walked some more,” says Darrell Cannon, who did nine years in solitary in Illinois. “I’d walk in circles – always to the left, for some reason – for six, maybe seven hours a day.”

Almost everyone in isolation spends at least some time counting. They count the steps they take, the cinder blocks on the walls, the tiles on the ceiling, their sneezes and coughs, and how many times the furnace kicks in or the plumbings sloshes.

“If I remember correctly, there are 412 holes in (the cell door). I would count them daily,” Joe Sorrentino, now serving time in a general population prison, recalls of his cell at Tamms. “At the back of the cell, close to the ceiling there’s a window approx. 30 inches long and 10 inches high with a square bar going through the middle ... My window faced the tunnel, so my view for my first seven years there were of a blue wall. For years, I wondered what other guys could see out their windows.”

Some prisoners pass their time praying, meditating or talking to themselves. Some read voraciously, though often they’re limited to only a few books a month. Some take whatever enrichment classes are broadcast over their TVs...Out of limited supplies, prisoners create art. They lodge bits of sponges into ballpoint cartridges to make paintbrushes. For paint, they mix water with Nescafe grinds or dye from candy they can buy from the commissary. M&Ms – plain, not peanut – work best. For deep reds, they fold red dye in with ground powder from vitamins. Navy blue takes a three-step process mixing royal blue candy coating with blue and black ink from pens. The color purple is best achieved from Skittles.

Prisoners strike up relationships with the critters that crawl in through their air vents. One man used his own hairs to try to repair a moth’s injured wing in hopes of facilitating its escape. Mohammed Saleh – convicted of having conspired in the 1993 World Trade Center bombing – lost his daily hour of

outdoor recreation for three months at ADX because he saved bread crumbs to feed blackbirds in his exercise pen.

Defiance can kill time in solitary. Some prisoners kick the walls or bang their cups against their doors. Some flood their cells by clogging their toilets with toilet paper, or break light bulbs and set their mattresses on fire. Some write up their grievances; some sue over them; and some sue some more on behalf of guys on their units. Those feeling especially resistant stop eating or drinking. Brian Nelson starved himself regularly at Tamms, where he spent 12 years in seclusion. He once refused food and water for 40 days, he says, to try to prod the prison to treat a guy on his unit for cancer...

A hunger strike by 5,000 prisoners last fall shed light on solitary confinement conditions at California's Pelican Bay State Prison. The strike ended when the state agreed to consider letting prisoners make phone calls and buy calendars. Months later, no substantive changes have been made on those modest demands. There have been reports that strike leaders have faced disciplinary action and that three strikers have committed suicide.

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The human brain needs social contact like our lungs need air. Social needs are so basic that they drive family structures, religions, urban design, governments, economies and legal systems worldwide. We honor these needs even with pets and zoo animals, generally acknowledging the inhumanity of caging them for long periods of time alone or in tight spaces. New federal guidelines on the use of laboratory animals require relatively more space, sensory stimulation and environmental enrichment than we afford people in confinement. The revised rules put forth by the National Academy of Sciences call for significantly more square footage to house a head of cattle, for example, than prisons provide in solitary.

Convicts in the U.S. are not afforded such concern. We push some of them into seclusion with little to no programmatic support, basically giving up on them.

"Anyone who spends more than three years in a place like this is ruined for life," Powers writes. "Two or three hundred years from now people will look

back on this lockdown mania like we look back on the burning of witches."

In 2006, a bipartisan national task force convened by the Vera Institute for Justice called for ending solitary confinement beyond periods of about ten days. The report by the Commission on Safety and Abuse in American Prisons found practically no benefits from supermax conditions either for prisoners or the public. It cited studies showing that solitary confinement impairs brain function and can cause psychosis and serious depression. It also cited a number of reports showing that long-term isolation doesn't curb prison violence and makes it highly likely that prisoners will commit more crimes when released.

The United Nations Special Rapporteur on Torture, Juan Mendez, is calling to end the use of isolation on juveniles and the mentally ill. For everyone else, he is pushing a worldwide limit of 15 days. Mendez personally endured three days in solitary under the rule of a junta in Argentina – an experience he describes as "the darkest days of my life." So far, he has been unable to gain access to investigate state and federal prisons in the U.S. "Let's just say it has been a challenge," he says.

U.S. courts have rejected most 8th Amendment claims against isolation, ruling that some psychological harm to certain prisoners doesn't make the entire practice cruel or unusual. In many cases, corrections officials have persuaded judges that isolation is a misnomer because prisoners glean brief interactions with guards – exchanges that are at best perfunctory and at worst hostile, degrading and cruel. They'll also argue that prisoners shouting to each other between cellblocks, across exercise cages or down drainpipes constitute meaningful forms of social interaction.

* * *

For every hunger striker, jailhouse lawyer and cellblock arsonist, there are many more people in solitary who've folded up quietly into themselves.

"I became increasingly withdrawn at ADX to the point where the only people I interacted with were the television characters on 'Seinfeld.' I watched 'Seinfeld' four times a day. Jerry, Elaine, George and Kramer became my best friends. I felt like part of their fam-

ily. They were the only friends I had," Anthony McBayne wrote in a legal declaration.

Some prisoners say they forget what day, month or year it is, partly because keeping track can be too painful. "Time is the enemy, a constant reminder that your life is being wasted and there is no redemptive solution. Paying close attention to time will in short order drive you to misery and despair at what you've lost," Jeremy Pinson writes.

Concentration wanes, revenge fantasies fester and voices echo in people's heads. Idiosyncrasies grow into obsessions about the tiniest details of physical space. Prisoner after prisoner writes of becoming enraged by slight noises or tweaks in their routines.

Some describe losing their senses of self, physically and emotionally. Mirrors, if available, are stainless steel plates that reflect only blurs. You can go years without an accurate picture of your own aging. Basic biographical facts – your age, your birthday – can get lost in a fog.

"This is difficult to explain, but my memories were no longer mine," Mark Jordan writes of his years at ADX. "I questioned whether or not I really had a past or history at all, whether the memories were real or false. ... It was as though none of it was real. I was born into this life of isolation and the memories not memories at all. Confabulations."

We in the free world know who we are by interacting with each other. We make sense of ourselves largely through our relationships. Legal sociologist Joan Martel described the loss of identity in isolation. "To be," she writes, "one has to be somewhere." Without normal grounding in space or time, isolated prisoners lose their understanding of themselves and their own histories.

"After 14 years, those people are strangers to me; as I must be to them," Osiel Rodriguez wrote about the family members whose portraits he destroyed. "My parents will be dust if/when I ever get out of prison. My three sisters will be in their mid-70's to late 60's. So what was I doing holding on to photos of moments I was not a part of, or know nothing about?"

* * *

Letters from isolation are always hand-

written (supermaxes don't provide access to computers, which some longtimers have never even used). They arrive paper in government-issue white envelopes, often quilted with 1-cent and 5-cent postage stamps bartered somehow between cells.

Some – especially those from prisons allowing showers only once a week – come smelling like confinement.

Certain prisoners struggle with their writing...Others write so well that it hurts.

“I miss being around people. I miss being able to run on the track or walk on grass or feel the sun on my face,” reads one of Jack Powers’ letters. “One time I kept a single green leaf alive for a few weeks. And one time I had grasshopper for a pet. And one time I made a dwarf tree out of yarn from a green winter hat, paper and dried tea bags. I made a guitar out of milk cartons, and it played quite well. I invented a perfect family – mom, dad and sister – so that we could interact and love one another. One time I wanted to take a bath, so I got into a garbage bag and put water in it and sat there. For a while I made vases out of toilet paper and soap and ink from a pen. I have done a thousand and one things to replicate ordinary life, but these too are now gone.”...

Some letters are angry rants. Others are full of longing. A prisoner...in Illinois wrote a regretful 22-page essay about the man he had killed half a lifetime ago, imagining what might have happened to them each if he hadn't pulled the trigger...

A man who tried to hang himself in his cell asked for my help reimbursing the state of Illinois \$56 for a torn bed sheet. Attempted suicide in solitary often is treated as a disciplinary problem.

“When I'm put on a suicide watch, I'm all alone and stripped naked and may see a mental health staff for 3-4 minutes a day. So I wonder dam how is this pose to help me. It don't,” Bobby Boyd writes from Tamms.

Some prisoners recognize their mental health problems. Others write around them.

More often than I'll ever know, my letters haven't reached the men I've mailed them to. Some have come back to me marked that they were rejected by prisoners I'm sure didn't reject them. Even more often, their letters to me don't make it past the mailroom.

Between the lines of the ones that do, most letters from solitary say the same thing: That we're all higher than the lowest things we've ever done. For most of the so-called “worst of the worst” who bother writing, there seems to be at least some capacity for redemption.

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Some words are uncomfortable to write. “Trauma” is one of them, especially when used about people who have traumatized others. “Torture” is another. In the moral balance of crime and punishment, the word risks discounting the suffering convicts have brought their own victims.

Nothing is black and white in a gray box. Lines can blur between the good guys and the bad ones. It's far easier to label the secret police in some foreign dictatorship as torturers than to lob the word at prison guards in the next county.

It isn't news that solitary confinement hurts people. Dickens, de Tocqueville and the Supreme Court – they all knew it generations ago. But our memory is disturbingly short. What's considered cruel and unusual under the 8th Amendment pivots on the “evolving standards of decency that mark the progress of a maturing society.” Our continuing reliance on solitary confinement as a default for difficult prisoners raises the question of how much, if at all, we as a society have progressed.

Jack Powers, now in his 11th year at ADX, mentions in almost all his letters that every day is a struggle not to lose what's left of his free will.

“I could lie back, watch TV, eat chips and jack off all day and say to hell with it. But I cannot because there is some force of principle in my mind that will not allow me to do so,” he writes. “I am a voice crying out in a place where no one can hear me. I am saying, ‘Wait! We have it all wrong! We can do better than this!’ But maybe we cannot. Maybe we are just stuck with what it is. Maybe I am afraid of the world and of being human and of lacking love. Maybe we all are. Maybe this is all we are capable of.

“I hope not. But maybe it is.”

About Solitary Watch

Solitary Watch (www.solitarywatch.com) is a web-based project aimed at bringing solitary confinement out of the shadows and into the light of the public square. Our mission is to provide the public—as well as practicing attorneys, legal scholars, law enforcement and corrections officers, policymakers, educators, advocates, and prisoners—with the first centralized source of background research, unfolding developments, and original reporting on solitary confinement in the United States.

The print edition of Solitary Watch is produced quarterly and is available free of charge to current and former prisoners, to prisoners' families and advocates, and to non-profit organizations. To receive a copy, send a request to the address or email below.

We also welcome accounts of life in solitary confinement, as well as stories, poems, essays, and artwork by inmates who have served time in isolation. Please send contributions to “**Voices from Solitary**” at the address below.

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