



NYCAIC #HALTsolitary CAMPAIGN
TESTIMONY FOR NYS PUBLIC PROTECTION BUDGET HEARING
Regarding the New York State Executive Budget Proposals
State Fiscal Year 2019-2020
January 29, 2019

The Campaign for Alternatives to Isolated Confinement (CAIC) aims to end the torture of solitary confinement for all people through passage of the Humane Alternatives to Long-Term (HALT) Solitary Confinement Act, S.1623(Sepúlveda)/A.2500(Aubry). CAIC's #HALTsolitary campaign is a community of people who have survived solitary, family members of people incarcerated, concerned community members, advocates, health/mental health professionals, and people in the human rights, faith, and social justice communities throughout New York State.

CAIC believes that New York State must make a myriad of policy changes to address the ongoing incarceration crisis in our state – including changes related to parole, bail, speedy trial, discovery, prison brutality, higher education, voting rights, prosecutions of DV survivors, reentry, the racist nature of the system, and more. CAIC will defer to the testimony of its colleagues, allies, and member organizations, such as Release Aging People in Prison (RAPP), Citizen Action, JustLeadershipUSA, VOCAL-NY, Drug Policy Alliance, defenders organizations, and more, on those topics, and will focus our testimony on the need for New York to end the torture of solitary confinement in our prisons and jails.

What is Needed: the HALT Solitary Confinement Act

The NYCAIC #HALTsolitary campaign urges the Governor and the legislature to take a much more humane, effective, and comprehensive approach than the solitary confinement proposal the Governor has proposed by finally passing the Humane Alternatives to Long Term (HALT) Solitary Confinement Act, S.1623/A.2500 and thereby end the torture of solitary confinement for all people and create more humane and effective alternatives. Among other changes, HALT would: 1) end the torture of solitary for all people by imposing a limit of 15 consecutive days; 2) create more humane and effective alternatives to solitary that involve meaningful out-of-cell human contact and programs; 3) restrict the criteria that can result in solitary or alternative separation to the most egregious conduct in need of an intensive intervention; 4) ban certain groups of people from spending even one day in solitary and ending solitary confinement in protective custody units; 5) enhance procedural protections, staff capabilities, and transparency and accountability through mandatory reporting and outside oversight.

- 1) End the torture of solitary confinement for all people by imposing a limit of 15 consecutive days in solitary, and 20 days total in a 60 day period**

Solitary confinement is torture. The entire United Nations General Assembly – consisting of every nation of the world, including with support and a vote by the United States – passed the

Mandela Rules, which prohibit any person from being in solitary confinement beyond 15 consecutive days. These rules follow the standards articulated by the United Nations Special Rapporteur on Torture, who determined that any amount of time beyond 15 days in solitary for any person amounted to torture, or cruel, inhuman, or degrading treatment.

New York State should not be subjecting people in its prisons and jails to torture. People held 22-24 hours a day without any meaningful human contact or programs has long been demonstrated to cause devastating physical, psychological, and emotional harm.¹ Yet thousands of people each day in New York prisons and jails spend 22 to 24 hours a day locked in a cell the size of an elevator, alone or with one other person. They may be permitted 1-2 hours to exercise alone in a cage; they do not receive any meaningful programs or therapy, and often cannot make phone calls. The sensory deprivation, lack of normal human interaction, and extreme idleness can lead to intense suffering and severe damage. Isolated confinement fails to address, and often exacerbates, underlying causes of difficult behavior as people deteriorate psychologically, physically, and socially. In turn, solitary confinement also decreases institutional and community safety. States that have reduced solitary have seen a positive impact on safety for both incarcerated people and correction officers.

Despite the 15 day prohibition in the Mandela Rules, people sent to solitary in New York State prisons and jails regularly spend months or years there; some individuals have been in solitary confinement in New York's prisons for more than two decades (upwards of 30+ years).² New York currently places no limit on the total time a person can spend in solitary confinement. Other states have dramatically reduced the number of people in solitary including by implementing effective time limits. For example Colorado prisons – while they have not gone far enough and still have challenges – have implemented a 15-day time limit in line with the Mandela Rules, reduced the number of people in solitary from 1,500 (almost 7% of the prison population) to 18, and have seen positive outcomes, so much so that “corrections officers who had initially opposed [the changes] changed their minds after they began to see positive results.”³ New York must end the torture of solitary for all people.

¹ See, e.g., <http://www.newyorker.com/news/news-desk/kalief-browder-1993-2015>; James Gilligan and Bandy Lee, *Report to the New York City Board of Correction*, p. 3, Sept. 5, 2013, available at: <http://solitarywatch.com/wp-content/uploads/2013/11/Gilligan-Report.-Final.pdf>; Stuart Grassian, *Psychiatric Effects of Solitary Confinement*, *Journal of Law & Policy*, Vol. 22:325 (2006), available at: <http://law.wustl.edu/journal/22/p325grassian.pdf> (“*Psychiatric Effects of Solitary*”); Craig Haney, *Mental Health Issues in Long-Term Solitary and ‘Supermax’ Confinement*, 49 *Crime & Delinq.* 124 (Jan. 2003), available at: <http://www.supermaxed.com/NewSupermaxMaterials/Haney-MentalHealthIssues.pdf>; Stuart Grassian and Terry Kupers, *The Colorado Study vs. the Reality of Supermax Confinement*, *Correctional Mental Health Report*, Vol. 13, No. 1 (May/June 2011); Sruthi Ravindran, *Twilight in the Box: The suicide statistics, squalor & recidivism haven’t ended solitary confinement. Maybe the brain studies will*, *Aeon Magazine*, Feb. 27, 2014, available at: <http://aeon.co/magazine/living-together/what-solitary-confinement-does-to-the-brain/>; Joseph Stromberg, *The Science of Solitary Confinement*, *Smithsonian Magazine*, Feb. 19, 2014, available at: <http://www.smithsonianmag.com/science-nature/science-solitary-confinement-180949793/#.Uwoq5RSWaQ.email>.

² See, e.g., William Blake, *Voices from Solitary: A Sentence Worse than Death*, *Solitary Watch*, Dec. 24, 2014, available at: <http://solitarywatch.com/2014/12/25/voices-from-solitary-a-sentence-worse-than-death-2/>.

³ Rick Raemisich, *Why We Ended Long-Term Solitary Confinement in Colorado*, Oct. 12, 2017, available at: <https://www.nytimes.com/2017/10/12/opinion/solitary-confinement-colorado-prison.html>.

- 2) **Create more humane and effective alternatives, by expanding the amount of out-of-cell time guaranteed to all people who are separated to at least seven hours daily and ensuring that out-of-cell time involves meaningful human contact and programs**

Solitary confinement is not only inhumane but also counterproductive. If people have to be separated from the general prison or jail population because they pose a serious risk of harm to the safety of others, there is no logical reason that they should be subjected to the extreme isolation of solitary confinement that will not only cause intense suffering and damage but also likely exacerbate what led the person to being separated. Instead, appropriate treatment and access to programs and recreation must be provided. Specifically, people must be given many hours of out-of-cell time per day, as well as access to meaningful programs and services aimed at addressing their underlying needs and the causes of their behaviors. What is needed is a fundamental transformation from a focus on punishment, isolation, and deprivation, to a focus on accountability, rehabilitation, and treatment.

Other states and countries have implemented program-based alternatives to solitary that have proven both more humane and more effective. For example, the Resolve to Stop the Violence Project (RSVP) in San Francisco jails immersed residents in an intensive program including most of the day out-of-cell, group discussions, classes, counseling, and meetings with victims of violence. RSVP resulted in a 25-fold reduction in violent incidents, five-fold reduction in rearrests for violent crimes, six-fold reduction in jail time, and cost savings). European countries rarely, if ever, utilize solitary confinement and instead have an intense focus on programming, connections to family and community, granting people autonomy and responsibility, creating conditions akin to life outside of incarceration, and preparation for returning home.

New York itself has had very positive examples in both prisons and jails. The Clinical Alternatives to Punitive Segregation (CAPS) unit on Rikers Island is a much more program-intensive, treatment supported, and empowerment-based alternative to solitary confinement that has large amounts of out-of-cell time, utilizes de-escalation of difficult situations, and has greatly reduced the amount of violence and self-harm. The Merle Cooper program in New York prisons – now closed purportedly due to resource constraints – also provided a successful program-intensive, empowerment-based unit that involved complete separation from the rest of the prison population but no isolation of individual people. For people deemed at high risk of recidivism, the Merle Cooper program provided group sessions, intensive programming, peer-led initiatives, increased autonomy and responsibility, most of the day out of cell, and the ability to earn unlocked cells. Even though Clinton C.F. is considered one of the most violent prisons in NY, while it was open (1977 to 2013) Merle Cooper had high levels of reported safety, and near universal praise from correction officers, participants, and administrators.

- 3) **Restrict the criteria that can result in a person being placed in solitary or otherwise separated to the most egregious conduct**

The majority of sentences that result in solitary confinement in NYS are for non-violent conduct. People who engage in such conduct should never be isolated and also do not require an intensive rehabilitative and therapeutic intervention. Only those who truly pose a risk of harm to others

should be separated so that resources can be focused on providing support to individuals who would actually benefit from such an intensive programmatic and therapeutic intervention.

In addition, restricting the criteria would help to limit the amount of discretion given to correction officers and other staff for imposing solitary confinement, and in turn would limit the amount of racial discrimination that infuses the process of sending people to solitary. Black people represent about 13% of all people in NYS, but 50% of those incarcerated in NYS, and nearly 60% of people held in long-term solitary confinement units in NY. The *New York Times* documented in 2016 what people who have been inside have long known, solitary confinement is fueled by racism and imposed disproportionately against Black and Latinx people.⁴

- 4) **Ban certain groups of people from spending even one day in solitary confinement, by expanding the type of protected categories of people and ensuring that the protections for those groups provide meaningful support**

Countless people are in solitary confinement who are particularly vulnerable either to the effects of isolation itself or to additional abuse while in isolation. Young people, elderly people, people with disabilities, people with mental health or addiction needs, pregnant women, new mothers, and members of the LGBTQI community are subjected to solitary confinement. While solitary confinement is torture for all people, it can have particularly devastating effects on some of these categories of people, including a young person whose brain is still developing or a person with mental health needs that are exacerbated by being alone in a box.

Some people are put in solitary confinement not as punishment but presumably “for their own protection” but they are not then protected. For instance, young people or transgender women who are housed in prisons or jails for men are often put in solitary for their own protection and then instead face additional abuse while inside. The conditions in protective custody generally resemble conditions in solitary confinement, with people spending 22 to 24 hours a day alone in a cell without any meaningful human contact or programs. One’s identity - whether sex, race, sexual orientation, age, religion, gender identity or expression - is not a justification for the torture of solitary confinement. And people shouldn’t have to choose between their safety and their mental, emotional, and physical well-being.

- 5) **Enhance procedural protections, staff qualifications and capabilities, and transparency and accountability**

The processes resulting in solitary confinement are often arbitrary and unfair, involve under-equipped staff, and take place with little transparency or accountability. As noted above, correction officers or other staff can often write disciplinary tickets for the most minor of reasons, for false reasons, or due to racial or other bias. Jails and prisons across the state are laden with staff brutality and other abuses. As one element of that, staff are not equipped to work with people with serious needs or who engage in challenging behavior, and so brute force and disciplinary sanctions as punishment become the only ways staff have of responding.

⁴ Michael Schwartz, Michael Winerip and Robert Gebeloff, *The Scourge of Racial Bias in New York State’s Prisons*, *The New York Times*, Dec. 3, 2016, available at: https://www.nytimes.com/2016/12/03/nyregion/new-york-state-prisons-inmates-racial-bias.html?_r=0.

At the next level, the hearings or administrative procedures that result in placement in solitary confinement are not conducted by judges or other supposedly non-biased neutral decision-makers, but rather by corrections staff. In New York prisons, approximately 95% of the people who are charged with the most serious rule violations that can result in solitary confinement are found guilty.

Further, what takes place to lead people to solitary confinement or what happens to people while in solitary confinement often takes place essentially secretly, cut off from the outside world. Such a situation further creates an environment in which there is little oversight and no accountability and more opportunity for abuse.

Currently it is very difficult to even know how many people are in solitary confinement in jails across the state. Similarly the state prisons do not even report the number of people in keeplock in their own cells – one form of solitary – and so again the public doesn't even know how many people are in solitary on a given day, let alone why people are in solitary, for how long people have been in solitary, how many people are subjected to solitary in a given year, the demographic breakdown of who is in solitary, etc. This type of information should be readily and easily available to all members of the public as a way to shed light on what these public institutions are doing in our name and with our taxpayer dollars.

Severe Limitations of the Governor's Proposal in Budget Regarding Solitary

The Governor's recognition of the need to limit solitary confinement in New York is positive. However, the Governor's Article VII budget bill proposal has severe limitations, including that it would 1) continue to allow people to be held in solitary indefinitely, 2) leave behind many of the people who can suffer the most from solitary, 3) continue to allow people to be sent to solitary for minor rule violations, 4) not provide adequate alternatives to solitary, 5) continue to allow anyone to be held in solitary for periods of time that amount to torture, and 6) allow people to be warehoused in alternative units indefinitely. Specifically, some of the key limitations of the Governor's proposal include:

1. **Indefinite Solitary Continued:** People can still be held for months, years, decades, or indefinitely in solitary confinement without limit under this proposal. All of the protections in the proposal only seem to apply to "segregated confinement" which is defined in existing law as "disciplinary confinement" in "special housing units or longterm keeplock units". There do not seem to be *any* limitations (related to length of time or conditions) for people in various other forms of solitary confinement, including people held keeplock *in their own cells* (rather than in SHU or a longterm keeplock unit), administrative segregation, or protective custody. The protections of HALT would apply to all of these types of confinement, which all amount to solitary.
2. **Leaving Behind Some of the People Most Vulnerable to Harm:** The proposal leaves behind many groups of people who are most vulnerable to be particularly harmed by solitary confinement, including people with pre-existing mental health conditions, young people aged 18-21, and people with physical disabilities. The only two "special populations" that would

be barred from solitary under the proposal are adolescents in a designated Adolescent Facility and pregnant women/new mothers. HALT would also bar people with mental health needs, elderly people, young people aged 21 and younger, and people with physical disabilities since all of these groups face particularly devastating harm in solitary.

3. **Solitary for Minor Rule Violations:** There are no restrictions on the criteria of who can be placed in solitary under this proposal, so that people will still be able to be sent to solitary for almost any minor, non-violent rule violation. HALT would restrict the criteria for who can be placed in segregation or alternative units to more serious conduct.
4. **Inadequate Alternatives to Solitary:** The alternative Residential Rehabilitation Units in the proposal can still operate as solitary. Under the proposal, the alternative RRUs allow only 5 hours out of cell in a day and only four days a week (rather than 7 hours a day, 7 days a week under HALT). That means people will still be held in full 22-24 hour a day solitary three days a week, and will still be locked down at least 19 hours the other days. Also, there is no requirement for the out-of-cell hours to involve congregate interactions with other people or even a requirement for the out-of-cell time to involve programs. Under the proposal, the out-of-cell time could even, for instance, involve a person being alone in a cage for several hours of recreation. In other words, people could still be alone 24 hours a day in alternative units.
5. **Continued Routine Practice of Torture.** The proposal would codify lengths of time in solitary that amount to torture. The time limit on segregation would be 90 days as of April 2021, 60 days by Oct 2021, and then ultimately 30 days by April 2022. In addition, there does not seem to be any protection against people being returned to solitary very shortly after being removed at the designated limits. HALT would create a limit of 15 days in line with how international standards define torture, and protect against people being quickly returned to solitary through a limit of 20 days out of any 60. Also it is not clear why NY needs over three years to implement the proposed 30-day limit. The number of people who will lose their minds or their lives in that time is not acceptable. Moreover, again these time limits would not apply to people in administrative segregation, keeplock in their own cells, or protective custody. Under HALT the time limits would apply to anyone in solitary.
6. **Warehousing in Alternative Units:** There does not appear to be any time limit on being held in an alternative RRU unit, and in fact the proposal allows time in the RRUs to be involuntarily extended beyond a person's disciplinary sanction, so people could end up being warehoused in what may end up being a very punitive environment for months, years, and even longer. HALT has limits on how long someone can stay in an RRU.

Given these limitations, again the Governor and the legislature must instead pass the HALT Solitary Confinement Act, S.1623/A.2500, to end this torture in New York and create more humane and effective alternatives.

The Need for Fundamental Transformation of the Entire Injustice System

Beyond ending the torture of solitary, New York must end the urgent human rights and racial justice crisis created by the incarceration system as a whole for the people incarcerated as well as their families and communities and all New Yorkers. New York must shift from its extreme punitive approach (rooted in a racist system) to a public health and empowerment approach. Some concrete policy changes NY policy-makers should adopt this budget season or this legislative session include, but are not limited to:

- Fair and Timely Parole, Elder Parole, and a fully and appropriately staffed Parole Board;
- Restore education access and voting rights to people incarcerated & on parole;
- Close more prisons, starting with the most racist and abusive, such as Attica, Southport, Clinton, and Great Meadow;
- Domestic Violence Survivors Justice Act;
- Pretrial System Overhaul: Bail and Discovery reform;
- Marijuana Regulation and Taxation Act;
- Restore 7-day visits and family visiting bus program, house people closest to their children, and ensure technology is not used to restrict family ties;
- Safe and Supportive Schools Act;
- Police Statistics and Transparency (STAT) Act and repeal 50a; and
- Reparations, and racial & ethnic impact statements.

We will defer to our allies' testimony regarding these issues, and will just highlight some information on a small number of these topics here.

Parole

The New York State Parole Board denies release to thousands of people every year, often repeatedly, causing people to spend years and decades in prison longer than the minimum sentence imposed by the judiciary and the legislature. Yet, far too often the Board inflicts those denials – in a racially biased manner – based on the person's crime of conviction or past criminal history, rather than making determinations based on who the person is today who appears before them, what current risk to public safety they pose, what accomplishments and transformation they have achieved, or whether they have demonstrated their current readiness for release. The *New York Times* articles on racial bias in the prison system and parole decisions showed how the racially biased infliction of solitary confinement can also lead to racially biased parole decisions. When someone is in solitary confinement during an appearance before the Parole Board, that person will most likely be denied parole release. Moreover, people have often reported getting set up and sent to solitary confinement shortly before they are scheduled to appear before the Parole Board as a way for officers to carry out retaliation to have someone be denied parole. As a start to remedy the current crisis, the legislature should adopt the following measures:

1. **Fair and Timely Parole, S.497 (Rivera) / A (Weprin- new bill numbers TBD):**
Require the Board to focus on a person's current public safety risk at all appearances and create a presumption of release at parole reappearances (following an initial denial) unless there is evidence that a person poses a current serious public safety risk.

2. **Elder Parole, S.2114 (Hoylman) / A (Weprin- new bill numbers TBD):** Require that all older people who are 55 years and older and have already spent 15 years in prison to at least be considered for release by the Parole Board. Given the extreme sentence lengths in New York State, the ability of people to grow and change over this period of time, and the extremely low risk to public safety posed by older people and people convicted of the most serious crimes, allowing people who meet these criteria to at least appear before the Board is a much more humane and cost-effective policy.
3. **A Fair & Fully Staffed Parole Board:** The Parole Board should be fully staffed by 19 Commissioners, some of whom are formerly incarcerated people and all of whom are social workers, faith leaders, psychologists, nurses, advocates, and/or other professionals that fully embrace notions of mercy, redemption and rehabilitation.
4. **Court-Ordered Release on Appeals:** If a judge finds that a Parole Board's denial is unlawful, arbitrary or capricious, that judge should have the power to release the person who was denied by the Board.
5. **Support People Released:** The parole supervision process currently generally acts as a major barrier to successful reintegration. People far too often remain on supervision for years and years, often with arbitrary and abusive conditions. Moreover, people far too frequently have parole revoked and are sent back to jail or prison, very often for minor technical parole violations or even as arbitrary/abusive punishment by parole officers. If there remains parole supervision it must serve as a facilitator to successful reintegration, and people who demonstrate their readiness should quickly be released from supervision.

Higher Education and Voting Rights Access to People in Prison and on Parole

Higher Education: Evidence has long been shown, and our campaign's own members' and leaders' experiences demonstrate that, access to higher education in prison can have transformational impacts on people's lives and increase safety and well-being both in prisons and in outside communities. A number of our campaign members/leaders acquired higher degrees while incarcerated, which only furthered their ability to be peer leaders while incarcerated, successful upon return to the outside community, and leaders of various campaign efforts today. Despite this incredible value of higher education, there are only very limited college opportunities because New York ended Tuition Assistance Program (TAP) eligibility for incarcerated persons in the mid-1990s during the heart of the tough on crime era, at the same time the U.S. ended Pell grants. New York must reinstate TAP access for people in prison so that the nearly 60% of people in prison who already have their high schedule equivalency and could benefit from college access could have the opportunity to pursue higher education.

Voting Rights: The disenfranchisement of people upon being convicted of a crime is rooted in New York's past racist policies designed in the 1800s to deny Black people the right to vote. The ongoing legacy of the policy is that the vast majority of people who are disenfranchised in New York are Black or Latinx. There is absolutely no justifiable reason why a person should have their right to vote taken away when they are convicted of a crime. People who are in prison have

as much, and in many ways more, at stake in having the opportunity to elect the people who will represent them in making the policies and decisions that directly impact their lives. There is no legitimate public safety justification, or any other legitimate justification, for why a person could not vote while in prison. Two states – Maine and Vermont – allow people in prison to vote. As New York has begun to implement important voting reforms to ease access to more people for voting, New York must end felony disenfranchisement in this state and allow people the right to vote while they are incarcerated. At a minimum and immediately, the legislature and the Governor must pass legislation to ensure that people who are already released from prison and under supervision have the full right to vote, S.960.

Brutality and Closing Prisons

As noted above, interconnected with the use of solitary in New York prisons and jails is staff abuse and brutality of people who are incarcerated. Far too often, incarcerated people are beaten up and then put in solitary confinement to cover up the abuse. While others, like the Correctional Association of New York, have long documented the widespread racist brutality plaguing the incarceration system, DOCCS has failed to even take the most basic steps such as publicly accounting for the deaths of people in New York prisons, including Samuel Harrell, Karl Taylor, or Terry Cooper, or releasing a report that supposedly is now over two years in the making regarding racial bias in the system. New York must do much more to stop the racist, horrific, and systemic beatings and abuse across the state. As a start – to stop the abuses at these prisons and to send a clear message that such abuse will not be tolerated – New York should close some of the most notoriously abusive prisons, including Attica, Clinton, Great Meadow, and Southport.

Other Issues

While we will leave it to our allies to discuss other policy changes because of their greater expertise, we wish to just note again the urgency and necessity of passing pre-trial justice measures, fair and just marijuana legalization, the Domestic Violence Survivors Justice Act, ensuring closer family and community ties for people while they're incarcerated (including restoring the free bus program and housing people closer to their families); and so much more, such as improving access to quality healthcare for people incarcerated and ensuring continuity of care for people returning home; vastly improving health care for women, transgender people, and gender non-conforming people generally; ending the incarceration of people with mental health needs, of people with addiction issues, and others; reducing the number of all people incarcerated through dramatic sentencing reform; and addressing the intergenerational harm and trauma caused by the incarceration system and the other racialized systems of social control that preceded it through reparations and a truth, justice, and reconciliation commission.

Conclusion: The Need for Fundamental Change

The use and abuse of solitary confinement in New York State must end. New York can no longer use the inhumane and counterproductive practice of solitary confinement for the lengths and reasons that is currently being practiced. Instead New York must pass the HALT Solitary Confinement, S.1623/A.2500, this session and finally end the torture of solitary and create alternatives that are more humane and effective.

Across New York State, nationwide, and internationally there have been innumerable statements denouncing solitary, including from [President Obama](#),⁵ the [Pope](#),⁶ [Supreme Court Justice Kennedy](#) (concurrency starts on p. 33),⁷ the [Texas prison guards union](#),⁸ [NJ Legislature](#),⁹ the [NY Catholic Conference](#) (endorsing HALT),¹⁰ [NY Bishop Sharfenberger](#) (endorsing HALT),¹¹ the [UN Special Rapporteur on Torture](#) (endorsing HALT),¹² and the [NY Association of Psychiatric Rehabilitation Services](#) (endorsing HALT)¹³. Over 200 organizations across New York State support CAIC/HALT, including over a dozen mental health organizations around the state.¹⁴ Over 120 NY legislators also now support HALT, including 99 New York Assembly Members who voted to pass HALT in 2018 and dozens of New York Senators (HALT ended 2018 with 26 Senate co-sponsors and 5 additional Senators who committed to vote for HALT). HALT is the only bill that will end the torture of solitary for all people in New York prisons and jails. From Colorado¹⁵ to North Dakota¹⁶ to Washington¹⁷ to Connecticut to Maine to Mississippi to North Carolina, other states – while still having challenges and needing greater change – have dramatically reduced the use of solitary confinement in a manner far surpassing the limited changes made in New York, while other countries rarely if ever use this inhumane and counter-productive practice¹⁸. Now is the moment to end this torture.

Moreover, all of the policy changes outlined here, including and beyond ending the torture of solitary confinement, would have tremendous benefits for people who are currently incarcerated and their families and communities, and for New York State as a whole. Ultimately, we urge the entire New York legislature and Governor to take an expansive view of justice reform in New York to encompass all of these solutions, and to end the torture of solitary confinement through HALT and make other bold and transformative policy changes to ensure the health, safety, and well-being of all of our fellow New Yorkers.

⁵ https://www.washingtonpost.com/opinions/barack-obama-why-we-must-rethink-solitary-confinement/2016/01/25/29a361f2-c384-11e5-8965-0607e0e265ce_story.html.

⁶ <http://solitarywatch.com/2014/10/26/pope-francis-denounces-solitary-confinement-calls-for-prison-conditions-that-respect-human-dignity/>.

⁷ https://www.supremecourt.gov/opinions/14pdf/13-1428_1a7d.pdf.

⁸ <https://www.texasobserver.org/texas-prison-guard-union-calls-curtailed-solitary-confinement-death-row/>.

⁹ http://www.slate.com/blogs/xx_factor/2016/10/24/new_jersey_legislature_passes_bill_limiting_solitary_confinement.html.

¹⁰ <http://www.nycatholic.org/wp-content/uploads/2016/02/2016-LEGISLATIVE-AGENDA-HALT-Act-FINAL.pdf>.

¹¹ <http://www.timesunion.com/tuplus-opinion/article/Albany-bishop-Solitary-confinement-needs-reform-7238837.php>.

¹² <http://nycaic.org/wp-content/uploads/2013/02/UN-Special-Rapporteur-on-Tortures-Statement-on-Solitary-in-NY-State.pdf>.

¹³ <http://www.nyaprs.org/e-news-bulletins/2017/015454.cfm>.

¹⁴ <http://nycaic.org/campaign-members/>.

¹⁵ Rick Raemisch, *Why We Ended Long-Term Solitary Confinement in Colorado*, Oct. 12, 2017, available at: <https://www.nytimes.com/2017/10/12/opinion/solitary-confinement-colorado-prison.html>.

¹⁶ Dashka Slater, *North Dakota's Norway Experiment*, Mother Jones, July/Aug. 2017, available at:

<http://www.motherjones.com/crime-justice/2017/07/north-dakota-norway-prisons-experiment/>.

¹⁷ *More Than Emptying Beds: A Systems Approach to Segregation Reform (Washington State)* (2016), available at: <https://www.bja.gov/publications/MorethanEmptyingBeds.pdf>

¹⁸ See, e.g., <http://archive.vera.org/sites/default/files/resources/downloads/european-american-prison-report-v2.pdf>; <http://solitaryconfinement.org/uploads/DeepCustodyShalevAndEdgar.pdf>.