



Buried Alive:

Solitary Confinement in Arizona's Prisons and Jails

by Caroline Isaacs and Matthew Lowen

American Friends Service Committee–Arizona

I. EXECUTIVE SUMMARY

StopMax is a national campaign spearheaded by the American Friends Service Committee (AFSC) that seeks to end the use of long-term solitary confinement in prisons and jails. **This report represents the launch of the StopMax Arizona campaign.** It is the culmination of an extensive research project examining three diverse correctional institutions in the state: the Arizona Department of Corrections, the Arizona Department of Juvenile Corrections, and the Maricopa County Fourth Avenue Jail. This report summarizes our findings and offers a series of recommendations for improvements in these systems.

This report is the first of its kind in Arizona. To our knowledge, these units have never been extensively catalogued or investigated. The findings are deeply troubling. **Arizona has chosen to employ long-term isolation not only for sentenced adult felons but also for juveniles under 18 years of age and for persons detained in jail prior to being found guilty of the criminal charges pending**

against them. The implications of these practices are far reaching and potentially damaging to Arizona families and communities.

Solitary confinement in supermax units is characterized by holding prisoners alone at least 23 hours per day for months or years. The cells are generally the size of a small bathroom and are outfitted only with a toilet, a sink, and a slab of metal protruding from the wall as a bed. Many such cells have no windows and no way to tell if it is daytime or nighttime. Prisoners describe either an eerie silence or a deafening wall of constant noise 24 hours each day. Prisoners eat alone and most human “interaction” occurs through a small slot in a steel door. Shakedowns, or cell searches, by guards and strip searches are common. These prisoners have extremely limited access to prison programs. They are forbidden from holding jobs or attending most rehabilitative or educational programs. In 2000, the United Nations Committee Against Torture called the “excessively harsh regime” of supermax prisons a violation of the *U.N. Convention Against Torture*.

Supermax units have acquired various names, such as management control units, secure housing units (SHUs), closed custody units, or special management units (SMUs). No matter the name, each employs long-term solitary confinement. This distinguishes them from short-term disciplinary segregation units, often referred to by prisoners as the hole. Instead, these units serve what prison operators term “administrative segregation” purposes. Primarily this involves isolated separation of death-sentence prisoners, prisoners who have been threatened or attacked by other prisoners, and, most often, prisoners found in need of behavioral modification because of alleged gang membership or behavioral problems. Assignment to such units is a purely administrative decision, controlled by corrections officials, raising concerns regarding protections of a prisoner’s right to due process.

The report examines three different correctional systems in the state of Arizona: the Arizona Department of Corrections, which houses people convicted of felonies who have been sentenced to more than one year; the Arizona Department of Juvenile Corrections, which holds juveniles adjudicated delinquent and committed to its jurisdiction by the county juvenile courts; and the Maricopa County Jails, which primarily detain people who are awaiting trial but have not been convicted of the crime for which they are accused.

In the **Arizona Department of Corrections** (ADC), there are two facilities built exclusively for long-term isolation confinement: Special Management Units (SMU) I and II. Together, they house 1,623 human beings, 26 percent of whom are mentally ill. *In Arizona, 4.6 percent of the entire prison population resides in long-term solitary confinement.* Prisoner testimony to AFSC reveals an average supermax confinement period of a total of five years, which is in keeping with a recent national study which concluded that most prisoners are held in solitary confinement for more than five years. Letters to AFSC from prisoners describe that in supermax, “the feeling of being buried alive is real.” One prisoner stated, “I never truly wanted to die until I had spent time in an Arizona SMU.” According to a National Public Radio report by Laura Sullivan, housing people in solitary confinement can cost \$50,000 more than the average \$20,000 that is spent on each prisoner per year in Arizona.

The **Arizona Department of Juvenile Corrections** (ADJC) has been under investigation and sanctions from the US Department of Justice on and off since 1987 for abusive conditions of confinement, including an overuse of “separation,” ADJC’s term for solitary confinement. DOJ monitors found that in mid-2006, the rate of separation was increasing and accounted for 2.85 percent of the total juvenile corrections population. Recent research in cognitive science shows that the brain does not mature until well into the early twenties, particularly those parts of the brain that govern impulsivity, judgment, planning for the future, foresight of consequences, and other characteristics relating to moral culpability. This research reveals that subjecting youth to isolation conditions is an ineffective strategy for punishing or correcting behavioral problems. The ADJC adheres to an adult corrections model even though many states around the nation have adopted a decentralized model of dormitory living, intense program supervision, and therapeutic interventions that have proven to be much more effective.

Maricopa County Jails hold the fourth largest inmate population in the United States. The Maricopa County Sheriff’s Office, which oversees the jails, just opened a new Fourth Avenue jail featuring a supermax security wing with 144 beds. A total of 288 close custody cells exist in the jail, employing various levels of solitary confinement. Prisoners in the Maricopa supermax facility report conditions far worse than those in the State Department of Corrections. Seventy percent of Maricopa’s jail inmates are awaiting trial and have not been convicted of the crimes of which they are accused. The U.S. Justice Department has repeatedly investigated abuse and

poor conditions in the Maricopa County Jails, and even Amnesty International has decried the harsh treatment of detainees. Sheriff Joseph Arpaio of Maricopa County regularly makes headlines for the tough conditions of confinement in his jails, claiming that this will discourage detainees from committing crimes in the future. But a study Arpaio commissioned at Arizona State University found no improvement in the recidivism rate under his administration when compared to that of prior sheriffs.

Summary of Key Findings

- 1. Prisoners in supermax units have higher rates of mental illness.** People with mental illnesses are more likely to wind up in supermax because their symptoms cause them to repeatedly break prison rules, resulting in a gradual increase in their security classification. *One in four prisoners in the Arizona Department of Corrections' Special Management Unit is mentally ill.* A study of Washington state prisoners similarly found that prisoners with mental illness were five times more likely to be placed in supermax.
- 2. Supermax units are damaging to prisoners' mental health.** Mental Health experts have found that long-term isolation conditions have exacerbated and even *produced* mental illness in otherwise healthy people. Supermax prisoners can develop a syndrome involving visual and auditory hallucinations, hypersensitivity to noise and touch, paranoia, uncontrollable feelings of rage and fear, and massive distortions of time and perception. Studies have also found that supermax confinement increases the risk of prisoner suicides. New York State found that 53 percent of all mentally ill inmates in supermax confinement had attempted suicide.
- 3. There is no evidence that supermax units reduce prison violence.** Despite correctional assertions that such conditions are necessary to control assaultive prisoners, Chad S. Briggs' 2006 study of the impact of supermax units on aggregate levels of violence within prisons concluded that "[n]o support was found for the hypothesis that supermaxes reduce levels of inmate-on-inmate violence" and that "[m]ixed support was found for the hypothesis that supermax increases staff safety." Arizona was one of three states examined in the study, which found that the opening of SMU I had no measurable impact on the number of staff assaults. More surprising was the finding that *assaults on prison guards actually increased temporarily after the opening of SMU II*, from five to seven per month.

4. Research suggests that long-term isolation is linked to increased recidivism. We received numerous reports of Arizona prisoners being released to the community directly from solitary confinement units with no transition time or assistance. One study of recidivism rates among supermax prisoners in Washington State found a distinct correlation between immediate release from supermax conditions and increased recidivism. Also, prisoners with mental illness were much more likely to recidivate. Although an Arizona inmate program evaluation found that high program participation while in prison reduces recidivism by 35 percent or more, supermax prisoners have little to no access to any program participation. Shockingly, none of the three institutions studied in this report could provide recidivism data for prisoners released from supermax units.

Conclusions

This report shows that the use of long-term isolation is not only a violation of international human rights standards, but a thoroughly ineffective behavior-management tool that actually exacerbates and produces mental illness, frequently resulting in *increased* behavioral problems. Those who believe that some incarcerated children and adults deserve the most severe punishment for their crimes must consider whether this punishment is having the intended effect.

Regardless of differing political views, most people want the same thing from their criminal justice policies: increased public safety. We want people to be held accountable for their mistakes and to become contributing members of society. We want less crime. Increasingly, however, research and investigations are showing that supermax confinement creates more problems than it solves.

Recommendations

Immediate measures

1. All facilities employing any level of long-term isolation should be subject to permanent review and monitoring by an independent body that is empowered to hold the facility accountable for problems and enact necessary reforms.
2. One aspect of this monitoring should be a requirement to collect and release to the public statistical data that indicates the impacts and effectiveness of this type of confinement, including:
 - a. Incident reports of assaults, disturbances, suicides, and suicide attempts by unit;
 - b. Percentage of prisoners with mental illnesses, onset of symptoms correlated to housing in solitary confinement, and treatment requested and received;
 - c. Recidivism rates by unit, mental health status, and length of time in solitary confinement;
 - d. Cost data.

Intermediate measures

3. All facilities should be sufficiently funded to allow for adequate mental health treatment, including maintaining proper staffing levels, providing ongoing staff training, and delivering the community standard of care for all mentally ill prisoners, including timely and consistent delivery of proper medications.

Long-term measures

4. Under no circumstances should prisoners with a history or symptoms of mental illness be held in long-term solitary confinement conditions.
5. Juveniles and pre-trial detainees should never be held in long-term solitary confinement conditions.
6. Eliminate the use of long-term solitary confinement in all Arizona facilities.