

# ISOLATED CONFINEMENT IN NEW YORK STATE: A CHRISTIAN VIEW

## The situation

Every morning, more than 4,000 New Yorkers wake up in an isolation cell, about the size of a parking space, which they will leave for only an hour, and that for walking back and forth, alone, in an empty, high-walled outdoors cage of the same size. Our brothers and sisters get no educational programs, almost no mental health care, no meaningful human contact, no stimulation. And this is not for being violent: five-sixth of “tickets” resulting in isolation are for non-violent, often trivial rule violations. For example, one can spend weeks in isolation for having more postage stamps than the rules allow. Prisoners, including youth and mentally ill people, spend months, years, even decades in isolation, even though research indicates that irreversible psychological damage can start as soon as after 15 days, and almost immediately for youth and the mentally ill. Furthermore, isolation is meted out to people of color far more, in proportion to their presence in prisons, than to whites.

Human rights experts consider isolation lasting more than a few days as a form of torture. But it is also ineffective in practical terms. By damaging mental health, it creates new problems, making prisoners less able to follow rules in the future. When ultimately released, prisoners subjected to isolation often cannot reintegrate, since their ability to form normal human relationships has been impaired. Their return to crime and prison is therefore likely. Costs to run isolation are high, and the guards working in isolation

units themselves become traumatized.

All this is unnecessary. Other advanced countries do not use American-style isolation. Britain, for example, despite being ruled by a very conservative government, has only 50 prisoners in isolation, even though its population is more than 3 times that of New York State. And British isolation is much less harsh, offering programs and human contact.

Some improvements have been made or are in progress. The SHU exclusion law protects the most seriously mentally ill prisoners from the harshest treatment. A recent agreement with the New York Civil Liberties Union, in response to a lawsuit, will partially protect pregnant women, the developmentally disabled, and 16 and 17-year olds. A recent bill provides some other protections for youth. But these are very limited steps.

The NY Campaign for Alternatives to Isolated Confinement is a broad-based effort, supported by religious, human rights, and prisoner advocacy organization, to curtail isolation in our state. In January 2014, bills were introduced in the Assembly (A8588, sponsored by Jeffrion Aubry) and Senate (S6466, sponsored by Bill Perkins) that would drastically reduce the number of prisoners sent to “the box” and the length of time people spend there. In addition to public education, in the coming year visits will be made to legislators around the state to discuss the bill and the issues behind it, and to request cosponsorship.

Links to information and resources are found at the end of this flyer.

## What do our scriptures say?

There are scores of passages talking about prisoners in the Jewish and Christian scriptures.

In some ways, their application to cur-

rent corrections issues is hard to determine. The context is very different, since the use of imprisonment as punishment was rare until the Enlightenment. Crimes were most often punished by execution, exile, amputation, flogging, or financial penalties. Prisoners were people awaiting trial, captives of war, debtors, or political enemies. That may be why so little is said about guilt or innocence in these passages. In some passages, the term “prisoner” is used metaphorically for what controls one’s life, rather than to speak of actual prisoners.

But what is most clearly evident and still applies today is a position of solidarity as fellow human beings with those who are in prison, regardless of the reason. “Remember [a better translation might be “be with”] those in prison as though you yourself were in prison with them; those who are being tortured as though you yourselves were being tortured.” (Hebrews 13:3) In other passages, we are told to “heed the groans” of prisoners. Jesus tells us repeatedly to visit prisoners. Through all these teachings, God is telling us that prisoners must not be treated as non-persons, invisible once locked away behind high walls; that their suffering matters; and that we should be with them, visiting them so that in practice they are not isolated and cut off from humanity. It’s hard to square that perspective with solitary confinement as a prison management technique.

## What do our traditions and liturgy say?

In The Episcopal Church, the baptismal covenant, reaffirmed frequently, contains these exchanges:

Will you seek and serve Christ in all persons, loving your neighbor as yourself?

*I will, with God's help.*

Will you strive for justice and peace among all people, and respect the dignity of every human being?

*I will, with God's help.*

This covenant is among the most powerful statements of commitment to human rights ever penned. It reflects a core belief Christians share with many religions: that humans—even the worst—are created in the image of God, are children of God, and therefore have something sacred within them. Of course we may protect ourselves and others in situations of immediate danger. But respect for God's children requires that once we and our government are out of such situations we must deal with captives, no matter how guilty, as full human beings, deserving humane treatment not because of their personal deserts but because of God's presence within them. The modern human rights tradition, while often secular and at many times fighting against religiously-based oppression (be it anti-Semitism, hatred of Muslims, or repression of women in the name of religion), is basically the descendant of the conceptions of human dignity and autonomy that developed within religious traditions, most systematically within Christianity.

Our approach to prisons needs to reflect our religious values, not the retributive ethos that prisons mostly embody. People in prison do not stop being fully human, or lose their most basic human rights, when they lose their freedom. Most prisoners have made bad mistakes. Some have done

terrible things to others, although more are in prison for non-violent and victimless drug offenses. Many regret their past and would like to turn their lives around. If we respect God within them, we will ensure that they are all treated humanely while incarcerated and that our penal system assists and encourages those who want to make a better life. Doing these things is also in our interest, reducing the burden of crime and cost of prisons. The use of isolated confinement as a routine management tool, to punish even trivial offenses, is a violation of personhood, and of our shared humanity, that cannot continue.

### Information and Resources About Isolated Confinement

The resources described below can all be reached easily from [epfwny.org/isolation](http://epfwny.org/isolation)

- The HALT Solitary Confinement Bill, a 1-page summary of it, and a FAQ dealing with many issues about the bill
- First-hand accounts by people who have spent long periods in isolation
- A short summary of the problems with solitary confinement as now practiced in New York State
- This flyer, if you want to download or print it
- Sheet music and an audio clip for the hymn on the front of this flyer, written by John Schimminger for this campaign,
- The home page of the campaign, with many useful resources. [nycaic.org](http://nycaic.org)
- A comprehensive report on solitary confinement from the NY Civil Liberties Union [www.boxedinny.org/report](http://www.boxedinny.org/report)

For more information, call or e-mail Steve Hart: [evestay@live.com](mailto:evestay@live.com); 716.903.9090

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Episcopal  
Peace  
Fellowship



National Religious Campaign  
Against Torture

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O Brother, rescue me!  
O Sister, cry my name!  
Since here in isolation's tomb  
By cruelty's will I came.

Like Lazarus I wait  
For Jesus to appear.  
Yet only conscience crying out  
Can speak salvation here.

“O visit pris'ners and  
The tortured in their pain.”  
So say the scriptures and the heart.  
Sit here beside me then.

This cell is yours and mine.  
Its moan must still be heard  
Until that day humanity  
In every soul is bared.

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