Do the disadvantages of solitary confinement outweigh its actual or potential benefits?

Solitary confinement denotes a form of imprisonment or incarceration characterized by holding an individual in a single cell with minimal or no meaningful contact and interaction with other inmates. Moreover, individuals within such cells experience strict measures aimed at controlling contrabands alongside the use of reinforced and additional security measures and equipment in keeping such individuals in control. Ideally, solitary confinement exposes an individual to solitary and lonely treatment as opposed to other forms of imprisonment where an individual can interact with other individuals, especially inmates and is capable of enjoying some freedom within the incarceration centers. The nature of the confinement within the incarceration center makes it a severe form of imprisonment, which has attracted numerous criticisms from social justice defenders and human rights defenders. Notably, it cuts off the interactions between an individual and all other people in the society, rendering it significantly unpopular. However, solitary confinement is considered as an important and effective measure in handling inmates who are not only disruptive to the prison system but also pose a huge security threat and risks to the other inmates, the prison staff, as well as the prison setting itself. Amidst the variation in opinions, the disadvantages of solitary confinement outweigh its benefits.

The issue of solitary confinement is a major challenge both in the United States and across the world. Under the confines of international law, solitary confinement is considered as one of the outlawed forms of cruel, inhuman, or degrading treatment or punishment. As such, its use in the criminal justice system is an outright violation of international law. In the US, ‘Solitary Watch’, a non-governmental organization championing against solitary confinement has depicted the extent of the problem by examining its prevalence and implications in the country. It notes that there were a total number of 80,000, 68,000, 61,000, and 81,000 people in solitary confinement in 2015, 2016, 2017, and 2018 respectively across the United States (Solitary Watch, 2019). The numbers are significantly high considering the alleged human rights violations that tag along with the practice. Moreover, Solitary Watch (2019) captures that nearly half of juvenile residential placement facilities for detention of juvenile offenders use solitary confinement as a disciplinary method in their punishment. Accordingly, 35% of children placed in residential placements had been placed in solitary confinement before (Solitary Watch, 2019). The increased use of solitary confinement is equally captured by the Bureau of Justice, which noted that approximately 20 percent of prison and jail inmates spent time in segregation or solitary confinement (Bureau of Justice, 2015). The data shows that solitary confinement is highly used in total disregard of its overall implications, including adverse effects on health and well-being.

Solitary confinement largely affects the inmates, who as noted above range from minors to adults who find themselves within the prison system. By extension, it affects close friends and family members of those facing the menace in the criminal justice system as they are exposed to psychological aguish upon understanding what their loved ones go through. The society itself is directly affected as solitary confinement has a direct impact on the reformation of an individual and the subsequent reintegration into the society (Luigi et al 2020). Finally, the government is indirectly affected in that it faces criticism for the violation of both domestic and international law.

Addressing the issue of solitary confinement in the social context is important as it will aid in the reformation and successful reintegration of inmates into the society, and thus reduce recidivism rates. Holding individuals into solitary confinement cuts off them from socially interacting with other individuals and thus lead lonely lives. Such treatment may be detrimental to their social skills, which may be depicted in the form of challenges in reintegrating back into the society upon the completion of their sentences (Gordon, 2013). Due to the inabilities to be successfully reintegrated into the social fabric, they may easily fall into the allure of crime, and thus resulting into recidivism.

The study is important as it will help lay out the benefits and disadvantages of solitary confinement to demonstrate that the disadvantages outweigh the benefits to pave way for its abolishment or reduced use by informing practice and policy considerations. A review of the disadvantages will open room for further research in the form of interrogating the effectiveness of harsh criminal penalties and punishment such as solitary confinement in ensuring deterrence.

Solitary confinement has been continually in use across the United States and other parts of the world despite the numerous concerns over its efficacy and its overall impact on inmates and society. Various researches have significantly pointed out that it tags along with a series of adverse psychological implications. However, its benefits have largely been used to justify its application over the years. Under the confines of international law, solitary confinement is considered as one of the outlawed forms of cruel, inhuman, or degrading treatment or punishment besides it violating domestic law (Knowles, 2015). This literature review examines the positions taken by the authors on the subject to examine the positive and negative attributes of solitary confinement with a view of demonstrating that the disadvantages overshadow the possible benefits.

Solitary confinement has been in use for several years. Most people have drawn on its potential benefits to justify its use. Numerous advantages or potential benefits have been considered as directly stemming from the ability to control disruptive inmates. The main benefit of solitary confinement is that it offers an approach through which disruptive inmates can be handled. Ideally, it is largely applied in instances where an inmate is considered dangerous to themselves or to others (Cockrell, 2013). Under such instances, it is always necessary to ensure that the safety of other inmates is guaranteed by protecting them from injury by other inmates. Solitary confinement helps in guaranteeing their security by ensuring that they are separated without any interactions that would offer an opportunity for dangerous confrontations.

Arrigo & Bullock (2008). argues that solitary confinement is an instrumental concept in the dispensation of criminal justice. However, it is warned that the effectiveness should be critically evaluated as it varies from one case scenario to the other. The most important element is in instances where the suspect or accused person is dangerous in the sense of having engaged in criminal activities outside prison. A good example would be an instance where an individual has violated their bail and bond terms upon release pending their full trial. Other cases for consideration would include the intimidation or the molestation of witnesses outside the prison. Under such circumstances, it is used as a form of punishment to such an insider, and thus enhancing the deterrent effect. However, some inmates may be at risk from being harmed by other inmates, and thus the preference of solitary confinement as a form of protective custody.

Finally, the other benefit of solitary confinement is the ability to enhance the deterrence effect of the criminal justice system. The prison system specifically is charged with the mandate of reformation and deterring convicted individuals from committing further crimes, including upon release from incarceration. The deterrent effect is achieved through a raft of measures, including the imposition of harsher sentences and treatment of inmates in the incarceration centers. It can be argued that solitary confinement is a form of the harsh treatment and punishment contemplated to enhance the deterrent effect. Since solitary confinement is common norm in ‘supermax prisons’ associated with prisoners who are deemed dangerous or of high risk, it follows that it tags along with a higher deterrent effect as a result of the treatment offered to the inmates.

Despite the alleged benefits, there are numerous concerns or disadvantages associated with solitary confinement. The practice of solitary confinement is significantly high in the maximum security prisons christened supermax prisons, which are associated with the most dangerous criminals based on the nature of the crime committed and the sentence accorded to them. According to Haney (2003), the use of solitary confinement in such supermax prisons inflicts massive psychological trauma and emotional pain to the inmates confined in them. Ideally, the net implication of the emotional and psychological suffering is the onset of numerous mental health challenges. In essence, solitary confinement is associated with mental health challenges (Haney, 2003). The key source of mental health issues in the solitary confinement settings arises from the heightened tendencies of the apparent neglect and inhumane treatment accorded to the inmates. Such an instance is an outright violation of the objects of incarceration as it leads to further health challenges.

Haney (2003) advances a scathing criticism on the entire idea of solitary confinement by terming it as insensitive to the mental needs of the inmates. Attaining the status of an inmate does not strip an individual their basic human rights entitlement. This is the reason as to why international law characterizes continued solitary confinement as a form of cruel, inhuman, or degrading treatment or punishment. There are various indicators that depict the violation of basic human rights, particularly the right to health, with mental health being the most challenging issue. Haney (2003) advances this argument by drawing from the increased number of inmates in solitary confinement with mental health issues. In essence, some of the alleged dangerous conduct that drive people into solitary confinement are as a result of underlying mental health challenges. Instead of addressing them, the inmates end up being considered as dangerous and thus condemned to solitary confinement. Similarly, there has been a systemic failure to offer appropriate mental health treatment and therapeutic interventions to assist those suffering from emotional distress and psychic pain as a result of solitary confinement. As such, solitary confinement is insensitive of mental health issues, besides triggering them to the detriment of the inmates.

Despite the fact that one of the alleged benefits of solitary confinement is the ability to enhance deterrence owing to the severity of the treatment, quantitative studies indicate otherwise. Sherman, et al (2015) examined the implication of restorative justice through the use of restorative conferences and its ability to reduce repeat offending.it was established that restorative justice is the most instrumental in reducing repeat offending, commonly referred to as recidivism. Recidivism is an occurrence where an individual falls back to the allure of crime and thus commits other crimes after being convicted and serving a sentence for the first crime. It follows that the severity of the sentence is not as effective as restorative justice in determining the probability of repeat offending (Sherman, et al 2015). The best explanation is that restorative justice offers a good opportunity for the offender to be reintegrated into the society and lead a fresh life, as opposed to solitary confinement where there are no interactions with the members of society. In essence, the severity of sentences and treatment in the incarceration centers may have counterproductive effects.

Various calls for policy and practice reforms in the conduct of solitary confinement have raised serious issues that depict the challenges overshadowing the practice. Ahalt & Williams (2016) advanced a call for reforms by reiterating the issues raised during the Obama administration, followed by the widespread bod of scientific literature highlighting the plights of inmates subjected to solitary confinement. Notably, solitary confinement tags along with numerous psychological and mental issues from the degrading treatment accorded to individuals within the system. The most intriguing thing is that majority of such inmates, both juveniles and adults are released back into the society upon the completion of their jail terms or trials. In essence, 95% of such individuals end up in the society as they are released later on (Ahalt & Williams, 2016). However, they undergo untold mental anguish and challenges in the society, laboring from psychological issues suffered from the prison. Some end up in the criminal justice system as repeat offenders while other may commit suicide, with another portion significantly struggling to piece their lives together.

In a Doctoral dissertation submitted to the University of Cincinnati, Labrecque (2015) clearly demonstrated the negative implications of solitary confinement on institutional misconduct following a longitudinal evaluation. The study led to the overall conclusion that solitary confinement led to increased instances and probabilities of engagement in misconduct, which included both violent and non-violent conduct. The assertions further cast doubt on whether harsh treatment of inmates and sentences are indeed effective in ensuring reformation, preventing further offending, or even in the maintenance of law and order. It can be opined that solitary confinement may be significantly counterproductive.

Solitary confinement exposes an individual to solitary and lonely treatment and enjoys no freedom within the prison facilities. Ideally, solitary confinement cuts off the interactions between an individual and all other people in the society, rendering it one of the most criticized form of punishment in the criminal justice system. Solitary confinement tags along with both advantages and disadvantages. On the side of the benefits, solitary confinement is lauded as an important and effective measure in handling inmates disruptive to the prison system and those posing a security threat and risks to the other inmates. Despite the view that solitary confinement may be beneficial, or it is justifiable, its disadvantages outweigh the benefits. In essence, it orchestrates untold mental anguish to the inmates out of the degrading treatment alongside making it difficult to reintegrate back into the society successfully upon the completion of their respective prison terms. Based on the foregoing, the use of solitary confinement should be minimized and only deployed as a last resort where possible.

**Research** **methodology**

**Introduction**

Before the commencement of the research, ethics approval will first be sought from the Research Ethics Committee. This chapter discusses the research methodology used to explore the lived experiences of people who have lived in solitary confinement. It will include the research design, the sampling technique, and the data collection technique used. The research will also have a data analysis section that will include definitions of the dependent and independent variables.

**Research** **design**

The study will adopt a mixed qualitative research design. According to Hammarberg et al. (2016), a qualitative research technique is used where the research study seeks to obtain factual data to explain a particular phenomenon. Hammarberg et al. (2016) observe that the research design helps avoid premature judgments. Since the current study aims to study the experiences of people who have experienced solitary confinement, the qualitative research technique was the most appropriate.

**Sampling**

The target population of this study will be incarcerated individuals serving their sentences at the San Quentin State Prison in California. The prison had 3,776 as of April 2020 (California Department of Corrections and Rehabilitation, 2020). Out of these, the study will select 120 respondents. They will comprise 40 members of staff and 80 inmates. Members of staff were selected due to their daily responsibilities, making them interact with the inmates before. They will include security officers and health officers dealing with high-risk patients.

On the other hand, prisoners who had a history of suffering from mental disorders will be considered. They will also be required to be currently under the drug or alcohol withdrawal program. The other inclusion criteria will include being in prison for over one month. The simple random sampling technique will be used to select the participants. According to Elfil and Negida (2017), the random sampling technique accords every participant in the population the same chances of being selected to participate in the study. One of the significant advantages of the method is that it eliminates population bias. According to Sharma (2017), other benefits include being straight forward and representative of the sample. Therefore, it was the most appropriate for the current study.

**Data** **collection**

The current research will use qualitative data collection techniques. In particular, two qualitative research techniques will be used. They include semi-structured interviews and participant observation.

**Semi-structured** **interviews**

The main research instrument for the current study is the interview. According to Peters and Halcomb (2015), qualitative interviews allow the researcher to obtain extensive data about the respondent. They also argue that interviews enable the researcher to probe the participant further on issues that are not clear. On their part, Knox and Burkard (2009) argue that data collection is hastened since the researcher can regulate the pace of their interviewee. Other benefits of qualitative research include building a rapport with the interviewee and the opportunity to read the participant's body language. Interviews also give a respondent a memorable experience since they hear from and interact with different persons. The current study's interviews will be semi-structured and will last between forty-five minutes and one hour. The researcher will write down notes and record the discussion with the respondents on a hand-held device. The recorded interviews will complement the notes taken during the interviews.

Two sets of participants will be interviewed, as stated in the sampling section. Interviews with the staff will cover the participants' attitudes, experience, knowledge and training. In particular, the researcher will seek to establish whether the participants' have the appropriate skills to identify and manage mental health problems. The staff will also be asked to describe their current practices, how they assign duties among themselves, and the extent that their work had impacted their mental health. They will also be asked to describe their relationships with their fellow professionals and the prisoners they are in charge of.

On the other hand, interviews with prisoners will focus on their mental health before being incarcerated, concerns, and whether the concerns had been met as they had desired. The prisoners will also be asked about the prison environment since they entered, how it had affected their mental health and their relationships with one another and with the prison wardens. They will also be asked to comment about the various mental health support programs they have accessed since being incarcerated.

**Participant** **observation**

As stated in previous paragraphs, participant observation will complement interviews to corroborate research data. Towards this end, the researcher will observe the interactions between the prison staff and the prisoners. The observation will place at the boarding sections, dining areas, and during training sessions. Some of the aspects that will be observed include the way the prisoners relate with the wardens. The researcher will mainly take note of the verbal interactions between the two sets of participants. The researcher will carry a pen and paper to record field notes during these interactions.

**Data Analysis**

***Definitions***

The current study is qualitative research. Towards this end, it will cover themes such as the disruption of prisoners' medication upon incarceration, the effect of being restricted within prison boundaries on the prisoner, and warden practices on the prisoner. Other themes will include comorbidity and distancing of the relationships between the prisoners and health care professionals. Although the current research intends to assume a discussion like interviews, four research questions will guide the study. They will include -

1. Kindly tell me about any medication that you were using before being incarcerated.
2. How is the relationship between you and the facility’s health care professionals?
3. Has the relationship between you and the prisoners affected your mental health?
4. What mental support have you accessed since entering prison?

A few questions will also guide the interviews with the prison wardens and the health professionals. They shall include -

1. How do you identify the mental health challenges of the prisoners?
2. How are prisoners assisted in accessing mental health?
3. How are prisoners on medication before incarceration facilitated after admission?
4. What challenges do you encounter when dealing with the prisoners?

***Reliability and validity***

The interview will further be checked for reliability and validity. However, as Gani et al. (2020) observe, it is not easy to evaluate qualitative research's reliability and validity. However, they suggest allocating the same set of questions and assigning an equal amount of time to the participants. The current study will also ensure validity by asking a panel of experts the same questions that will be asked during the interview. References

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