

Solitary Confinement

What is Solitary Confinement?

- Solitary confinement is a form of punishment that separates an inmate from human contact for more than 22 hours a day.
- A solitary confinement cell typically includes one mattress, one slot in the door for food, one sink and one toilet.
- All access to programs, leisurely activities and educational materials is severely or absolutely limited.
- Solitary confinement is often referred to as segregation, the hole, isolation, solitary, special handling unit (SHU), or secure housing unit.¹

Administrative versus Disciplinary Segregation:

- Administrative segregation prevents an incarcerated person from being in general population for security or safety reasons.
- An inmate can request to be placed in administrative segregation.
- An inmate in administrative segregation must be released at the earliest and safest appropriate times.
- There are three reasons for administrative segregation to be used:
 - The inmate represents a threat to the safety of the institution or to other individuals.
 - The inmate could interfere with an investigation.
 - The inmate would be at risk if not segregated.
- Disciplinary segregation is a punishment that is evoked to encourage incarcerated persons to abide by the rules of a prison.²

1 Solitary confinement. (n.d.). Retrieved from https://en.m.wikipedia.org/wiki/Solitary_confinement

2 Correctional Service Canada. (2017, January 3). Administrative segregation. Retrieved from <https://www.csc-scc.gc.ca/publications/005007-3005-eng.shtml>
Wichmann, C., & Taylor, Kelly. (2004, May). Federally sentenced women in administrative segregation: A descriptive analysis. Retrieved from <https://www.csc-scc.gc.ca/research/r158-eng.shtml#9>

Why is Solitary Confinement used?

- Solitary confinement is used in order to protect correctional staff from offenders who are considered too high of a threat to manage in general population. Advocates state that it can restore stability to a rocky correctional environment.
- Solitary confinement has also been used as a tool for offenders who are deemed a threat to themselves; either by suicide or self-harm.
- There are no legal limits on how long an inmate can be held in administrative segregation, though there are mandated procedural reviews that take place at the 5, 30, and 60 day marks.³

Controversies with Solitary Confinement:

- The UN stated that individuals with mental health difficulties should not be put in segregation.
- There are extensive mental and physical health risks associated with Solitary Confinement including but not limited to: exacerbating mental health issues, PTSD, anxiety, developmental immaturity in adolescents, chronic headaches, hallucinations, shifting sleep patterns, cardiovascular and respiratory issues, lack of adequate exercise.⁴

3 Solitary confinement. (n.d.). Retrieved from https://en.m.wikipedia.org/wiki/Solitary_confinement
Sapers, H. (2015, June 26). Annual report of the office of the correctional investigator 2014-2015. Retrieved from <https://www.oci-bec.gc.ca/cnt/rpt/annrpt/annrpt20142015-eng.aspx#s7>

4 Hall, J. (2015, March 30). The problem with solitary confinement. Retrieved from <https://www.utoronto.ca/news/problem-solitary-confinement>
Huffington Post. (2015, June 22). Mental and physical damage from solitary confinement can last for years. Retrieved from https://www.huffpost.com/entry/solitary-confinement-health_n_7637496

Solitary Confinement Statistics in Canada:

- Almost 6% of federal inmates are housed in segregation units.
- 48% of the current incarcerated population has a history of segregation.
- 31% of Aboriginal inmates were previously segregated.
- Over 20% of inmates who have a history of segregation have also been placed in a psychiatric hospital.⁵

Youth and Solitary Confinement:

- Youth are considered more susceptible to the adverse effects of solitary confinement because they are in a developmental stage that requires constant stimulation.
- The UN has suggested solitary confinement be prohibited for youth.⁶

The Case of Adam Capay:

- Capay was sent to jail at 19 on minor charges. After an altercation resulted in the death of another inmate in 2012, Capay was awaiting trial.
- By the time of inquiry, Adam Capay has been held in segregation since 2012 in northern Ontario while awaiting trial on a first-degree murder charge for an astounding 1,647 days.
- Capay, a member of Lac Seul First Nation, spends 23 hours alone in his cell each day, where the lights never turn off. He is permitted out for an hour each day to shower and perhaps make a phone call.
- Capay's solitary confinement, however, was considered administrative segregation — used when an inmate may be a threat to himself or others.
- Correctional officers at the Thunder Bay District Jail say they have few options for dealing with people like Capay, who exhibits symptoms of mental illness.⁷

5 Zinger, I. (2013, March 22). Ending the isolation: An international conference on human rights and solitary confinement. Retrieved from <https://www.oci-bec.gc.ca/cnt/comm/presentations/presentations20130322-23-eng.aspx#ot1%20and%20http://www.oci-%20bec.gc.ca/cnt/rpt/annrpt/annrpt20142015-eng.aspx#s7>

Balll, D. (2015). Solitary confinement crammed with aboriginal inmates. Retrieved from <https://ammsa.com/publications/windspeaker/solitary-confinement-crammed-aboriginal-inmates>

6 Tucciarone, C., Asefi, F., & Domenico, S. (2018, April 30). If we truly want to rehabilitate incarcerated youth, we must stop putting them in solitary confinement. Retrieved from <https://www.cbc.ca/news/opinion/youth-segregation-1.4640422>

Kirkland, T. (n.d.). Youth solitary confinement continues despite ongoing criticism. Retrieved from <https://www.foxnews.com/us/youth-solitary-confinement-continues-despite-health-and-civil-demand>

7 Diaczuk, D. (2019, March 12). He spent 1,647 days in solitary, now Adam Capay faces a sexual assault charge. Retrieved from <https://www.sudbury.com/around-the-north/adam-capay-back-in-custody-1317250>

Prokopchuk, M. (2019, February 26). Breaches of Ontario man's charter of rights so 'abhorrent, egregious' that murder charge stayed, judge rules. Retrieved from <https://www.cbc.ca/news/canada/thunder-bay/adam-capay-judge-s-ruling-1.5033625>