



Legislative Testimony
765 Asylum Avenue, First Floor
Hartford, CT 06105
860-523-9146
www.acluct.org

**Written Testimony Supporting Senate Bill 1059, An Act Concerning the
Correction Accountability Commission, the Office of the Correction
Ombuds, the Use of Isolated Confinement, Seclusion and Restraints, Social
Contacts for Incarcerated Persons and Training and Workers'
Compensation Benefits for Correction Officers**

Senator Winfield, Representative Stafstrom, Ranking Members Kissel and Fishbein, and distinguished members of the Judiciary Committee:

My name is Kelly McConney Moore, and I am the interim senior policy counsel for the American Civil Liberties Union of Connecticut (ACLU-CT). I am submitting this testimony in support of Senate Bill 1059, An Act Concerning the Correction Accountability Commission, the Office of the Correction Ombuds, the Use of Isolated Confinement, Seclusion and Restraints, Social Contacts for Incarcerated Persons and Training and Workers' Compensation Benefits for Correction Officers (PROTECT Act).

The goal of our justice system is meant to be rehabilitation, not punishment. Placement in solitary confinement can result in irreparable harm. People in solitary confinement are vulnerable to damaging psychological effects of isolation, including extreme loneliness, anxiety, paranoia, and depression, among other potentially debilitating emotional and psychological problems.¹ In consequence, one study found that individuals placed in solitary confinement were fourteen times more likely to engage in self-harm, including suicide, than people who had never been subjected to solitary confinement.² Additionally, solitary confinement can constitute cruel and unusual punishment, directly violating the Eight Amendment to the U.S.

¹ See, e.g., Sadie Dingfelder, "Psychologist testifies on the risks of solitary confinement." American Psychological Association, Oct. 2012, *available at* <https://www.apa.org/monitor/2012/10/solitary>.

² Fatos Kaba *et al*, "Solitary Confinement and risk of self-harm among jail inmates." *Am. J. Public Health* 104, Mar. 2014, *available at* <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3953781/>.

Constitution.³ A special rapporteur to the United Nations has declared that the form of solitary confinement practiced in Northern Correctional Institution in Connecticut is, indeed, torture.⁴

In addition to mental health implications and constitutional concerns regarding solitary confinement, the practice disproportionately affects people of color. In Connecticut, people of color are more likely to be punished with solitary confinement relative to the overall incarcerated population.⁵ In fact, in 2019, Connecticut was the absolute worst state in the nation for disproportionately assigning Black men to solitary confinement.⁶

The PROTECT Act is critical to ending these harmful practices and other unnecessary, harmful, and punitive methods – like abusive restraints – used in the Connecticut Department of Correction. By ending extreme isolation, all the harms listed above, including racial disparities, can be avoided. Pro-social guarantees with respect to correspondence and visitation will give people harmed by isolation, and the threat of it, important outlets and community ties, measures deeply linked to success after incarceration.⁷ By promoting the wellness of correctional officers, the PROTECT Act works to ensure that the people who have worked in harmful systems have the resources they need to stop perpetrating the cycle of abuse. And by requiring data collection, accountability, and oversight, the PROTECT Act contains strong measures to ensure that segregation and solitary confinement are not just brushed under the rug, reformulated, or rebranded.

³ See, e.g., *Madrid v. Gomez*, 889 F. Supp. 1146, 1264 (N.D. Cal 1995).

⁴ “United States: prolonged solitary confinement amounts to psychological torture, says UN expert,” United Nations Human Rights Office of the High Commissioner, *available at* <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25633&LangID=E>.

⁵ “Time-in-cell 2019: A snapshot of restrictive housing” at Fig. 11. Correctional Leaders Ass’n & Arthur Liman Center for Public Interest Law at Yale Law School, Sept. 2020, *available at* https://law.yale.edu/sites/default/files/area/center/liman/document/time-in-cell_2019.pdf.

⁶ *Id.*

⁷ See Alex Friedmann, “Lowering recidivism through family communication.” Prison Legal News, Apr. 15, 2014, *available at* <https://www.prisonlegalnews.org/news/2014/apr/15/lowering-recidivism-through-family-communication/>.

The ACLU-CT supports the PROTECT ACT, Senate Bill 1059 and strongly urges this Committee to report favorably on the bill as-is.