

Overview

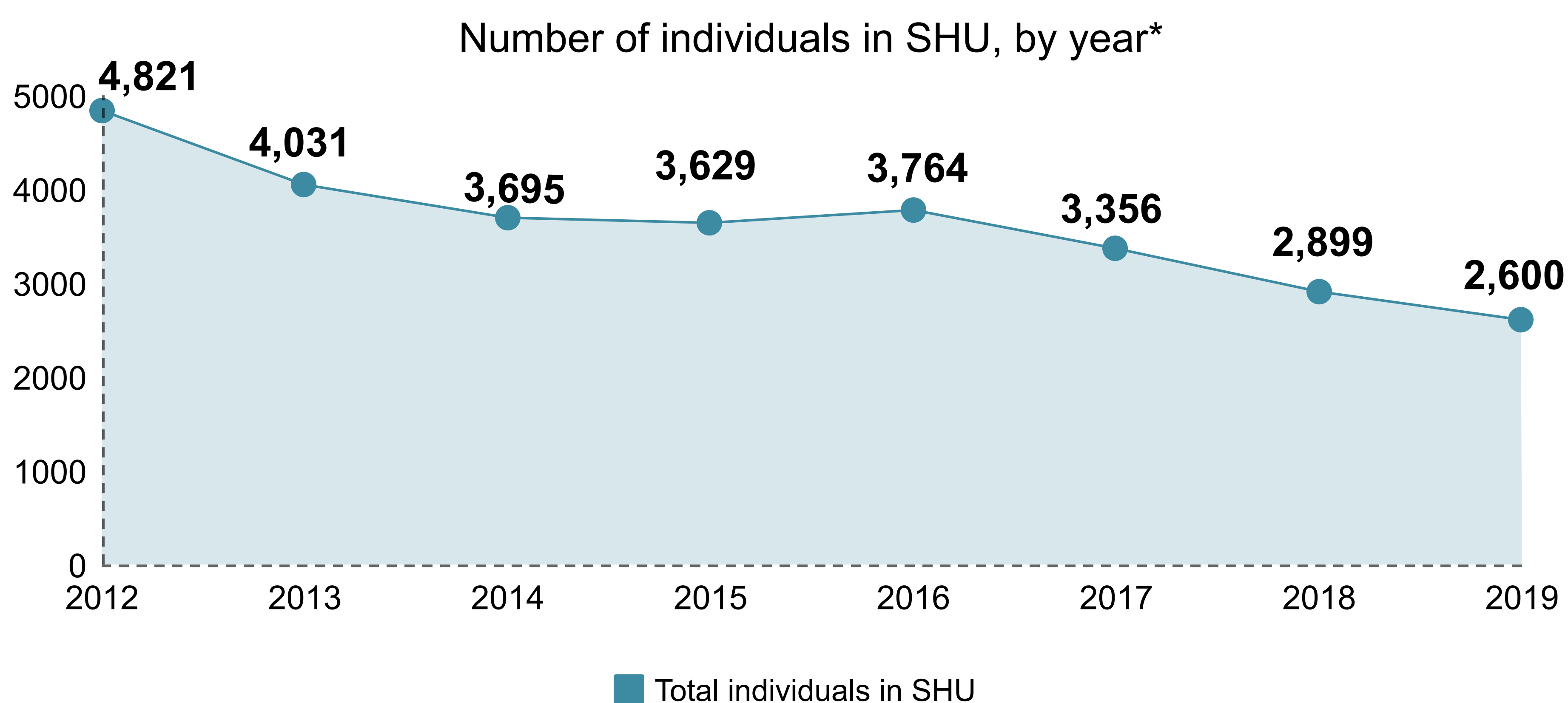
- On an average day in New York's prisons, approximately **2,600 people are in Special Housing Units, also known as solitary confinement**, and an estimated 1,000 people are in disciplinary confinement in their cells, known as "keeplock." In 2016, New York's prisons imposed more than 30,000 individual sentences of more than 15 days to disciplinary isolation in solitary or keeplock.
- Solitary confinement in New York entails **22- to 24- hours a day** locked in a cell the size of an elevator, alone or with one other person. Individuals in solitary may be permitted 1-2 hours to exercise alone in a caged area; some do not receive any meaningful programs or therapy, and often cannot make phone calls.
- Solitary confinement is just one form of isolation. An unknown but significant number of **individuals are locked in their cells alone for most of the day**, for reasons that could include lockdown due to a lack of sufficient programs or work assignments.
- Despite evidence that this practice causes **devastating physical and behavioral health outcomes** for those subjected to it,* and that it **makes prisons and communities less safe,**** it persists.
- This fact sheet includes key facts and trends about the use of solitary confinement in New York's prisons.

Key facts and trends

THE USE OF SHU IS DECLINING IN NEW YORK

In recent years, New York's prisons have reduced the number of people in disciplinary solitary confinement, including a **significant drop of 24% between early 2016 and late 2017**. However, exact trends in the number of people in keeplock are unknown and not reported by DOCCS.

- The central impetus for this reform has been a settlement in the case *Peoples v. Annucci*, litigated by the New York Civil Liberties Union and others, which advances a variety of policy initiatives, including reducing the reliance on, use and duration of confinement in special housing units.



Source: CANY's analysis of Department of Corrections and Community Supervision (DOCCS) data
*Based on a daily snapshot from a day during the first quarter of each year

NEW YORK'S USE OF SOLITARY REMAINS AMONG HIGHEST IN NATION

Despite recent declines, nearly 5.5% of people in prison in New York are SHU, a rate that is:

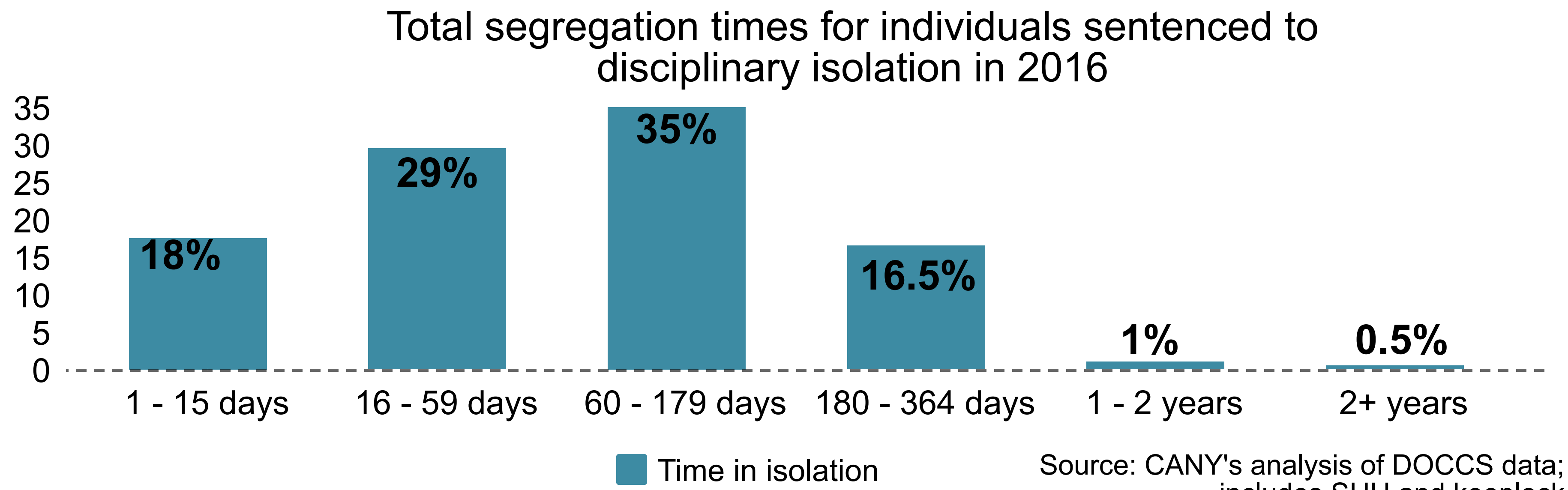
- 40% higher than in the early 2000s in New York;
- Higher than the national average of 4.4%; and
- Many times higher than the rates reported in states like Colorado and Washington.

*See, e.g., The Science of Solitary Confinement, Smithsonian Magazine, Feb, 19, 2014.

**See, e.g., Shira E. Gordon, Solitary Confinement, Public Safety and Recidivism, U. of Mich. Journal of Law Reform, Vol. 46, Issue 2, 2014, p. 514-522.

MOST SOLITARY SENTENCES EXTEND FOR MONTHS

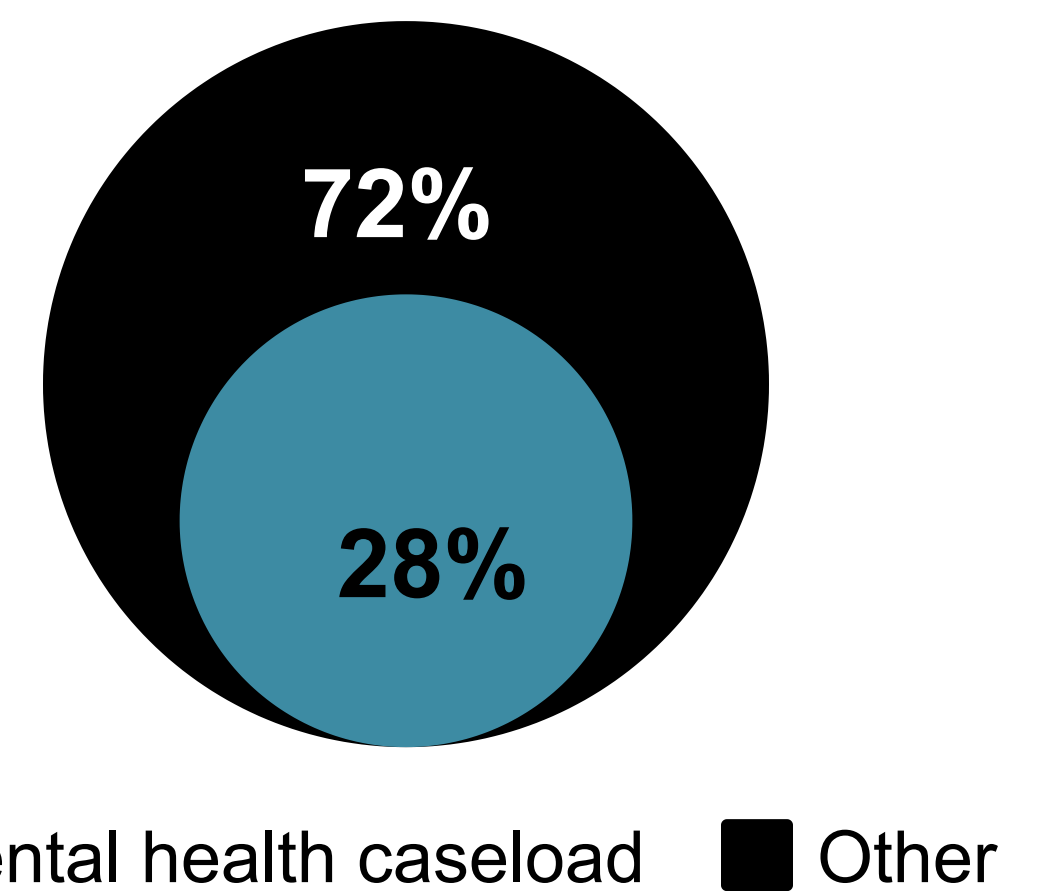
Following the *Peoples v. Annucci* settlement, the average length of stay in solitary confinement in New York's prisons has dropped. Despite this decline, most disciplinary isolation sentences extend for months and there is no total limit on how long a person can spend in solitary. In 2016, 52 people were sentenced to longer than four years in isolation.



HIGH USE OF SOLITARY FOR PEOPLE WITH MENTAL HEALTH NEEDS

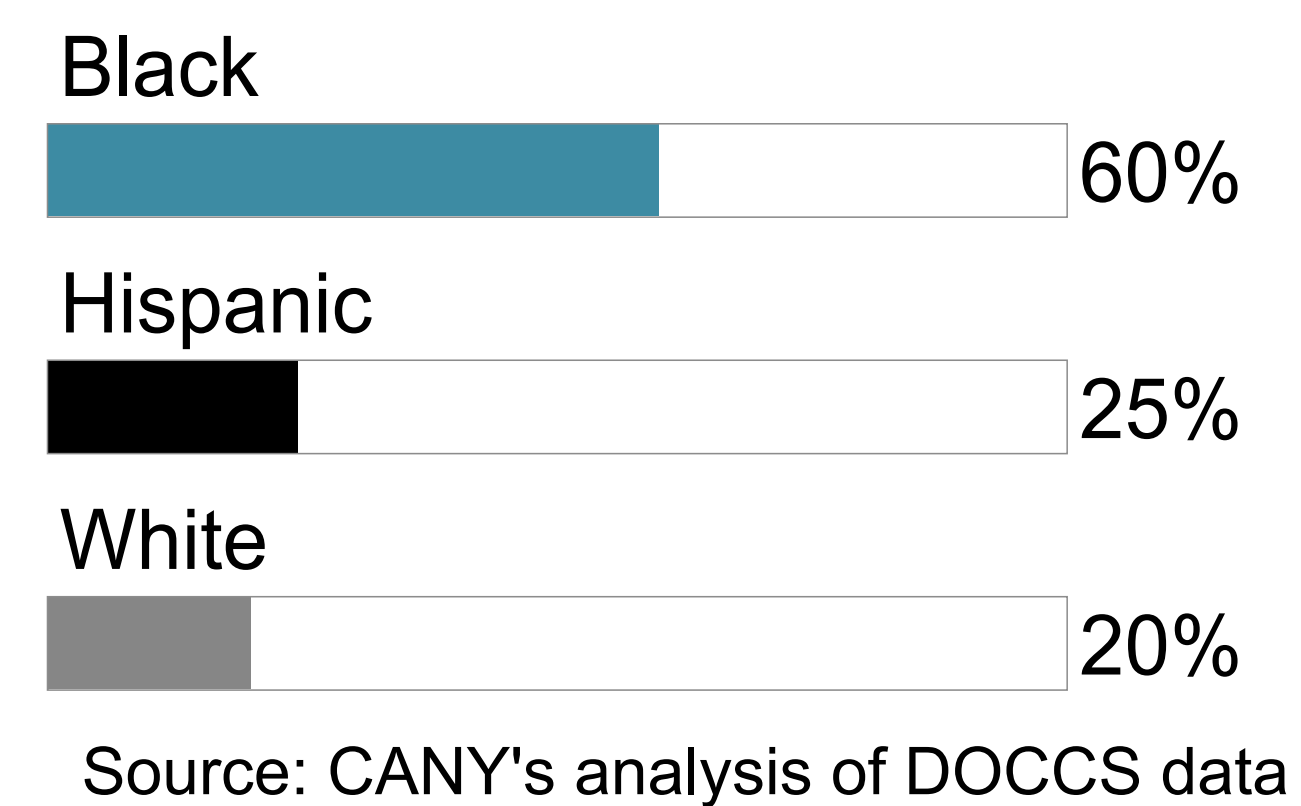
- Approximately 21% of the overall New York Prison population is on the Office of Mental Health caseload, meaning that they have a recognized mental health diagnosis.
- In 2017, approximately 28% of all people in solitary confinement were on the Office of Mental Health caseload, ranging from approximately 850 to 930 patients on a given day.

Total SHU population in 2017*



OVER-REPRESENTATION OF PEOPLE OF COLOR

- Approximately 72% of the overall New York Prison population is Black (47.9%) or Hispanic (24.1%), while 24.7% is white.
- In 2017, approximately 84.6% of individuals in longterm solitary confinement were Black (60%) and or Hispanic (24.6%). *Note that we use the race and ethnicity categories reported by DOCCS.*



HIGH CONCENTRATION OF SUICIDES IN SOLITARY

- Between 2014 and 2016, 32% of all suicides in New York's prisons occurred in the SHU or keeplock.
- In 2017, there were 185 suicide attempts in New York's prisons, 35% of which occurred in SHU or long-term keeplock.

Source: CANY's analysis of OMH data

NEARLY EVERY PERSON CHARGED WITH A DISCIPLINARY OFFENSE IS SENTENCED

- The process of sentencing an individual to solitary confinement begins when a correctional staff member issues a disciplinary ticket to an incarcerated individual.
- The majority of people sentenced to segregation have been found to violate non-violent rules, many for "refusing a direct order."
- Incarcerated individuals have a right to a hearing by another DOCCS staff member. These hearings are rarely resolved in favor of the charged individual: 95% of people charged with rule violations are found guilty. In 2016, this resulted in more than 30,000 sentences to disciplinary isolation for 15 days or longer in 2016.
- These processes occur with little public reporting by DOCCS.

Outcomes of disciplinary hearings

