

# **A RESOLUTION CONDEMNING PROLONGED SOLITARY CONFINEMENT AS A FORM OF TORTURE**

## **A Resolution of Witness**

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## **SUMMARY**

This resolution calls on the United Church of Christ to condemn prolonged solitary confinement as a form of torture. The resolution calls on the United Church of Christ to: 1) demand that governments globally end any use of prolonged solitary confinement in their prisons, jails, and detention centers, whether publicly run or contracted with private companies; and 2) raise our voices with human rights groups, survivors of the torture of prolonged isolation, and their loved ones, to replace the practice with humane, rehabilitative alternatives rooted in community and racial justice.

## **BIBLICAL, THEOLOGICAL, AND HISTORICAL GROUNDING**

Recalling the words of Jesus that when we visit those in prison, we are visiting him (Matthew 25:36), and the call to “Remember those in prison, as though you were in prison with them; those who are being tortured, as though you yourselves were being tortured” (Hebrews 13:3), those enduring the torture of prolonged solitary confinement in carceral settings globally must be remembered as members of the body of Christ.

In addition, the United Church of Christ has affirmed previously that in the outset of the creation stories, God declared that all that was made was good. Included in the goodness of creation was the creation of persons in the image of God (Genesis 1:26-27). The *Imago Dei* is present across many traditions which note that the equality of humankind rests on the theological premise that all people reflect the Divine. The sin of torture and denial of community those in prolonged solitary confinement endure are antithetical to the *Imago Dei*.

The U.S. incarcerates proportionately more of its people than any other nation globally as a result of mandatory sentencing, lack of mental health treatment, systemic economic injustice, and racial and religious profiling, among other factors. Two out of every five people

incarcerated in prisons and jails in the U.S. have a diagnosed mental illness.<sup>1</sup> Recent studies show that people of color are over-represented in solitary confinement compared to the prison population in general and they receive longer terms in solitary confinement than white people for the same disciplinary infractions.<sup>2</sup> Further, racially discriminatory statutes have dramatically increased the number of immigrants in federal detention.

At any given time, there are more than 75,000 people in solitary confinement in prisons in the United States alone, according to the Bureau of Justice Statistics.<sup>3</sup> Even more people are held in isolation in U.S. immigration detention centers and juvenile facilities. Solitary confinement causes immense suffering and devastating mental, physical, and emotional harm. In the United States, in federal custody, as in state and local jurisdictions across the country, solitary confinement is disproportionately<sup>4</sup> imposed on Black people, Latinx people, Native people, and other people of color, as well as transgender and gender non-conforming people, people with mental health needs, and young people.

In isolated confinement, people are typically held for 22 to 24 hours a day in small cells the size of a parking space, alone or with another person, with a toilet, sink, and no natural light. Many are confined in these conditions for months, years, and even decades. This practice remains largely unregulated in the United States despite significant documentation of its harms.<sup>5</sup> Research consistently demonstrates that the psychological effects, particularly among the most vulnerable including youth, the elderly, pregnant women, LGBTIQ people, and people with mental illness, are devastating. Even those who enter solitary confinement without pre-existing mental illness experience hallucinations, psychological deterioration, and have increased rates of self-mutilation and suicide.<sup>6</sup>

The impacts of incarceration and isolated confinement extend far beyond the individuals subjected to such conditions. For impoverished people and families in the U.S., the impact of the incarceration of a loved one is particularly devastating. Solitary confinement further exacerbates poverty in the families and communities of the estimated 500,000 people who are released from U.S. prisons and jails each year (U.S. Bureau of Justice Statistics).

In addition to barriers to employment and public assistance, very little is done to prepare those who have been in solitary confinement to transition back to families and employment and to repair the devastation of prolonged isolation to the mind, body, and spirit. Denied access to supportive services while incarcerated due to the isolation of solitary confinement, these people often leave prison with little more than a list of mental health facilities. Jobless and with little support to address the trauma and torture they have endured, many return to prison.

A group of leading criminologists coordinated by the American Academy of Arts and

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<sup>1</sup> <https://www.nami.org/Advocacy/Policy-Priorities/Improving-Health/Mental-Health-Treatment-While-Incarcerated>

<sup>2</sup> <https://www.theatlantic.com/politics/archive/2016/12/race-solitary-confinement/509456/>

<sup>3</sup>

<https://solitarywatch.org/2022/06/16/long-awaited-prison-census-shows-more-than-75000-people-in-solitary-confinement/>

<sup>4</sup> <https://www.justice.gov/archives/dag/file/815551/download>

<sup>5</sup> [https://openscholarship.wustl.edu/cgi/viewcontent.cgi?article=1362&context=law\\_journal\\_law\\_policy](https://openscholarship.wustl.edu/cgi/viewcontent.cgi?article=1362&context=law_journal_law_policy)

<sup>6</sup> <https://www.judiciary.senate.gov/imo/media/doc/12-6-19HaneyTestimony.pdf>

Sciences, as well as other scholars, have documented a prison to poverty pipeline linked to the widespread use of prisons and jails in the U.S. According to the Pew Charitable Trust, a formerly incarcerated person's earning potential is reduced by forty percent.<sup>7</sup> The family impact of contact with the U.S. prison system is one of the largest contributors to poverty, hunger, and success for children of those who are incarcerated.

## **TEXT OF THE MOTION**

**WHEREAS** the Twelfth General Synod of the United Church of Christ adopted a “Pronouncement on Human Rights” that denounced torture of any kind and affirmed that the “relationship of God to creation gives all human beings their in-alienable human right.” And further stated that “rights must be not only declared and codified, but also must be cared for, nurtured and embodied in covenant relationships between persons, groups, nations and between human beings and nature”<sup>8</sup>; and

**WHEREAS** solitary confinement is defined by the United Nations in its Standard Minimum Rules for the Treatment of Prisoners, as revised in 2015, also known as “The Nelson Mandela Rules,” as the confinement of prisoners for 22 hours or more a day without meaningful human contact, in excess of 15 days<sup>9</sup>; and

**WHEREAS** long-term isolation has been shown to offer no rehabilitative benefit, but its destructive psychological effects are well-documented,<sup>10</sup> amounting to torture under international law<sup>11</sup>; and

**WHEREAS** solitary confinement as a form of torture violates the U.N. Convention Against Torture,<sup>12</sup> the Convention on the Elimination of All Forms of Racial Discrimination,<sup>13</sup> and the U.N. International Convention on Civil and Political Rights<sup>14</sup>; and

**WHEREAS** the Thirtieth General Synod of the United Church of Christ called for the dismantling of discriminatory systems of mass incarceration in the United States, a system that has resulted in the proliferation of prolonged solitary confinement nationwide, making the U.S. a global outlier in its use of incarceration and the systematic torture of prolonged solitary confinement<sup>15</sup>; and

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<sup>7</sup> [https://www.pewtrusts.org/-/media/legacy/uploadedfiles/pcs\\_assets/2010/collateralcosts1.pdf.pdf](https://www.pewtrusts.org/-/media/legacy/uploadedfiles/pcs_assets/2010/collateralcosts1.pdf.pdf)

<sup>8</sup> <https://new.uccfiles.com/synod/resolutions/THE%20%20PROUNCEMENT-ON-HUMAN-RIGHTS-GS12.pdf>

<sup>9</sup> <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N15/443/41/PDF/N1544341.pdf?OpenElement>

<sup>10</sup> [https://openscholarship.wustl.edu/cgi/viewcontent.cgi?article=1362&context=law\\_journal\\_law\\_policy](https://openscholarship.wustl.edu/cgi/viewcontent.cgi?article=1362&context=law_journal_law_policy)

<sup>11</sup> <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N15/443/41/PDF/N1544341.pdf?OpenElement>

<sup>12</sup> <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N15/443/41/PDF/N1544341.pdf?OpenElement>

<sup>13</sup>

<https://www.ohchr.org/en/instruments-mechanisms/instruments/international-convention-elimination-all-forms-racial-discrimination>

<sup>14</sup> <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>

<sup>15</sup>

<https://new.uccfiles.com/pdf/GS30-DISMANTLING-DISCRIMINATORY-SYSTEMS-OF-MASS-INCARCERATION.pdf>

**WHEREAS** the carceral system in the U.S. is built on racism<sup>16</sup> and cannot be reformed, we seek ways to reduce harm to those currently incarcerated as we work toward alternatives to incarceration;

**THEREFORE BE IT RESOLVED** that the Thirty-Fourth General Synod of the United Church of Christ recognizes prolonged solitary confinement as a form of torture.

**BE IT FURTHER RESOLVED** that the Thirty-Fourth General Synod of the United Church of Christ condemns the use of prolonged solitary confinement by the United States and any government in the world, including national, state, local, and military jurisdictions, immigration detention centers, and private prisons and calls on our government to explore and implement alternatives to isolated confinement.

**BE IT FURTHER RESOLVED** that the Thirty-Fourth General Synod of the United Church of Christ calls on all members of the United Church of Christ to demand that their government ends any use of prolonged solitary confinement in prisons, jails, and detention centers, whether publicly run or contracted with private companies.

**BE IT FURTHER RESOLVED** that as Christians we are called to amplify the voices of the oppressed, including the voices and leadership of the formerly incarcerated who return to society with an intimate knowledge of prison policies and offer first-hand knowledge of the harm caused by prolonged solitary confinement.

**BE IT FINALLY RESOLVED** that the Thirty-Fourth General Synod of the United Church of Christ invites all settings to work with other faiths and human rights groups, including the National Religious Campaign Against Torture<sup>17</sup>, among others, to condemn the torture of prolonged solitary confinement and work towards its abolition in the United States and around the world.

**FUNDING:** The funding for the implementation of the Resolution will be made in accordance with the overall mandates of the affected agencies and the funds available.

**IMPLEMENTATION:** The Officers of the Church, in consultation with appropriate ministries or other entities within the United Church of Christ, will determine the implementing body.

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<sup>16</sup>

[https://www.sentencingproject.org/app/uploads/2022/10/07-14-2022\\_CERD-Shadow-Report-Draft\\_with-endnotes.pdf](https://www.sentencingproject.org/app/uploads/2022/10/07-14-2022_CERD-Shadow-Report-Draft_with-endnotes.pdf)

<sup>17</sup> <http://www.nreat.org/>