



**THE ISSUE: SB 124 *Juveniles: solitary confinement (Leno, D-San Francisco)* would set standards for the use of solitary confinement for juveniles. (Support)**

*“When the respect for basic human rights is neglected, the implementation of the penalty degenerates into an instrument of punishment alone and of social retaliation, which in turn is detrimental to the individual and society.”*

**—Pope Francis, Visit to Detainees, Penitentiary Staff, and their Families, June 2014**

## HISTORY & BACKGROUND

Solitary confinement is an extremely harmful practice, widely condemned as torture, but overused in California state and local juvenile justice systems. In 2011, the United Nations called on all countries to ban solitary confinement of prisoners except in exceptional circumstances and for brief periods, with an absolute prohibition in the case of juveniles and people with mental disabilities.

Despite a long-standing consent decree, abuses in California youth prisons continue. A 2011 audit found that youth were often isolated in their cells for 23 hours a day or more. Solitary confinement endangers mental health and increases the risk for suicide. Nationally, over half of the youth who have committed suicide in a correctional facility were in solitary confinement. 62 percent had a history of being placed in solitary confinement. Current statutes and regulations, fail to adequately protect youth from damaging isolation.

## CHURCH TEACHING

The Old Testament provides us with a rich tradition that demonstrates both God’s justice and mercy. Isolation may be necessary in some rare cases for the protection of minors; but while cutting off human and particularly family contact can make incarceration easier for those in charge, it can make reintegration harder for those in custody. Solidarity calls us to insist on responsibility and seek alternatives that do not simply punish, but rehabilitate, heal and restore.

## TALKING POINTS

- Solitary confinement is contrary to the rehabilitation and treatment goals of the juvenile justice system and contrary to our values as a society.
- Without a legal definition of solitary confinement, local governments have no standard to prevent abuse, related injuries or deaths, or to avoid costly lawsuits.
- Efforts continue to be made across the country to curb the use of solitary confinement and several states have prohibited this harsh measure for youth for punitive reasons.
- Research demonstrates youth who are still in their development stages, who are emotionally and mentally immature, are at a greater risk of permanent damage caused by isolation.
- SB 124 is a historic opportunity for California to curb this dangerous and inhumane practice.