

THE UNITED STATES COMMISSION ON CIVIL RIGHTS

Eastern Regional Office

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CIVIL RIGHTS PANEL TO RELEASE REPORT ON THE SOLITARY CONFINEMENT OF YOUTH IN NEW YORK

**What: Press Conference of the New York Advisory Committee
to the U.S. Commission on Civil Rights.**

When: Thursday, December 18, 2014 12:00 p.m. ET

Where: Steps of City Hall, City Hall Park, New York, NY 10007

WASHINGTON, DC – The New York Advisory Committee to the U.S. Commission on Civil Rights (Committee) has released its report, “The Solitary Confinement of Youth in New York: A Civil Rights Violation” in which it calls for the end of solitary confinement for those under 25, at a press conference on the steps of City Hall on Thursday, December 18 at 12:00. The report may be accessed at <http://www.usccr.gov/pubs/NY-SAC-Solitary-Confinement-Report-without-Cover.pdf>

The Committee has concluded, among other things, that New York’s use of solitary confinement against youth constitutes a violation of their civil rights and should be eliminated. In addition, the DOJ should use its enforcement powers to correct the situation.

The Committee has determined that youth in solitary confinement, primarily Blacks and Latinos, are subject to abhorrent, dehumanizing conditions in New York City and New York State facilities. The exposure to solitary confinement has devastating effects on these youth, including: (i) exacerbating any existing mental health problems; (ii) increasing the risk of self-harm and suicide; (iii) causing serious deterioration of physical health; and (iv) stunting social, emotional and physical development.

The detrimental effects of solitary confinement are so severe and New York’s prisons so obviously indifferent to its effects as to be unquestionably inconsistent with the standards of decency of a mature society. As a result, we believe that New York’s use of solitary confinement for punishment of youth in jails and prisons constitutes cruel and unusual punishment under the Eighth Amendment.

Moreover, Black and Latino youth are disproportionately the victims of solitary confinement discipline because, among other things, they are disproportionately represented in New York state and city prison systems. Latino’s, for example, make up 70 percent of 16- and 17-year-olds arrested in New York State, and 80 percent of youth sentenced to incarceration in New York State, and they represent 88 percent of those arrested and 94 percent of the arrests resulting in incarceration in New York City. The NY SAC report concludes that the practice of solitary confinement in New York constitutes impermissible discrimination.

“New York needs to improve its standards of administering justice to youth. Consigning children and young adults to the degradation of solitary confinement is inconsistent with any standard of decency. Subjecting Blacks and Latinos disproportionately to such terror is unconscionable.” said Alexandra Korry, chair of the Committee.

Moreover, because 16- and 17-year-olds automatically are subjected to adult criminal responsibility in the shamefully harsh judicial system in New York, a greater proportion of youth are subject to solitary confinement than would otherwise be. New York can reduce the number of youth subjected to solitary confinement simply by raising the age of criminal responsibility to 18, thereby ensuring youth will not be sent to adult correctional facilities.

Given these findings and the U.S. Department of Justice's mandate to ensure the fair and impartial administration of justice for all, the Committee has recommended that DOJ use its statutory authority to commence civil actions to effect changes to the confinement of youth in New York as quickly as possible. Most importantly, the Committee recommends that DOJ use its enforcement powers to require New York state, city and county jails and prisons to eliminate the confinement of inmates under 25 immediately.

Copies of the report will also be available at the press conference.

The New York Advisory Committee to the U.S. Commission on Civil Rights

The U.S. Commission on Civil Rights has established state advisory committees to advise the Commission about civil rights issues in their states that are within the Commission's jurisdiction. More specifically, the committees are authorized to receive reports, suggestions, and recommendations from individuals, public officials, and representatives of public and private organizations in response to committee inquiries; forward advice and recommendations to the Commission; and assist the Commission in its public education and outreach efforts. The committees are comprised of state citizens who serve without compensation.

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