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Sent: Tuesday, December 16, 2014 3:39 PM  
To: Masters, Amanda (BOC)  
Cc: Paula Gravelle  
Subject: testimony re: Solitary Confinement

To the Board of Correction:

At its December 11th meeting, the Executive Committee of the New York State Council of Churches adopted a statement against the practice of solitary confinement as currently being utilized in our prisons. Our Council represents a partnership between the American Baptist Churches, the Presbyterian Church USA, the United Methodist Church, the Evangelical Lutheran Church in America, the Episcopal Church, the Society of Friends (Quakers), the Reformed Church in America, and the United Church of Christ. All of our member denominations profess that solitary confinement is immoral, inhumane and constitutes torture under international human rights standards.

As people of faith who are committed to honoring the dignity and inherent worth of each person, we are directed by God to speak on behalf of those persons who are in prison. Hebrews 13:1-3 teaches us to "Let mutual love continue. Do not neglect to show hospitality to strangers, for by doing that some have entertained angels without knowing it. Remember those who are in prison, as though you were in prison with them; those who are being tortured, as though you yourselves were being tortured."

Jesus identified himself with those who are imprisoned, saying that what we do to those who are in prison, we do to him. In Matthew 25:34-40, Jesus teaches his followers that we will be judged on our treatment of prisoners: "Then the king will say to those at his right hand, 'Come, you that are blessed by my Father, inherit the kingdom prepared for you from the foundation of the world; for I was hungry and you gave me food, I was thirsty and you gave me something to drink, I was a stranger and you welcomed me, I was naked and you gave me clothing, I was sick and you took care of me, I was in prison and you visited me.' Then the righteous will answer him, 'Lord, when was it that we saw you hungry and gave you food, or thirsty and gave you something to drink? And when was it that we saw you a stranger and welcomed you, or naked and gave you clothing? And when was it that we saw you sick or in prison and visited you?' And the king will answer them, 'Truly I tell you, just as you did it to one of the least of these who are members of my family, you did it to me.'"

Following the teachings of our faith traditions, the New York State Council of Churches urges the Board of Correction to adopt the following measures:

1. Time limits on solitary confinement sentences. No one should be held in isolation for more than 15 days.
2. Exclusion of vulnerable populations from solitary confinement. People under 25 years old, people with mental or physical disabilities or serious injuries, and pregnant women should not be placed in solitary confinement.
3. Persons in solitary confinement should be allowed out of their cell at least 4 hours daily with meaningful access to programs, services, and social activity.
4. Limits on reasons for placement in solitary confinement. No one should be placed in solitary confinement as punishment for a nonviolent rule violation.

5. Creation of an alternative disciplinary system. DOC needs to develop a disciplinary system that provides incentives for positive behavior, offers out-of-cell programming tailored to the person's needs, and establishes alternative sanctions for behavior that violates nonviolent disciplinary rules.
6. Before a person can be placed in solitary confinement, there should be a hearing by non-DOC staff at which the accused person has representation and an opportunity to present evidence and to call and cross-examine witnesses. There should also be clear procedures through which a person can be released from solitary confinement and returned to the general population.
7. Correction staff should receive anti-violence, dispute resolution and communication skills training, as well as training in recognizing signs of psychiatric distress.

Thank you for giving us the opportunity to give testimony on this important issue which impacts not only those in our prisons but all of society - for when one person suffers injustice all people are affected.

The Rev. Dr. Paula J. Gravelle, Executive Director The Rev. Brooke Newell, Director of Social Witness