

Department of Justice
Office of Public Affairs

FOR IMMEDIATE RELEASE

Thursday, April 14, 2016

**Justice Department Closes Investigation After Pennsylvania
Department of Corrections Takes Significant Steps to Reform its Use
of Solitary Confinement**

The Justice Department announced today that it has closed its investigation into the Pennsylvania Department of Corrections (PDOC) following significant improvements made by PDOC to its policies and practices that are intended to protect prisoners with serious mental illness and intellectual disabilities from the harmful effects of solitary confinement.

The department opened its statewide investigation into the use of solitary confinement on prisoners with serious mental illness and intellectual disabilities in May 2013 after finding a pattern of constitutional violations as well as violations of the Americans with Disabilities Act at the State Correctional Institution in Cresson, Pennsylvania. After working in cooperation with PDOC to conduct an intensive review of prisons across the state, on Feb. 24, 2014, the department notified PDOC that the same violations discovered at Cresson were present across the system.

In its closing letter to PDOC, the department noted that PDOC demonstrated its commitment to reforming its use of solitary confinement by working closely with the department and beginning improvements at the outset of the investigation. Since then, PDOC has worked to ensure that prisoners with serious mental illness and/or intellectual disabilities are no longer subjected to solitary confinement and are instead provided with specialized treatment to meet their individualized needs. The closing letter also identifies areas where continued efforts at improvement would be appropriate.

“Solitary confinement should be used only when necessary—never as a default solution,” said Principal Deputy Assistant Attorney General Vanita Gupta, head of the Justice Department’s Civil Rights Division. “Today, Pennsylvania is headed in the right direction. We commend the state for beginning to reform its system to ensure that prisoners with serious mental illness and intellectual disabilities receive care, rather than suffer harm. Those prisoners are in a much better position than they were three years ago to return to the community.”

“Our civil rights enforcement efforts have led the Pennsylvania Department of Corrections to provide effective mental health treatment to all prisoners throughout the Commonwealth so that they can successfully reenter their communities,” said U.S. Attorney David J. Hickton of the Western District of Pennsylvania. “We remain dedicated to vigorously enforcing the civil rights of those who have serious mental illness throughout Pennsylvania, regardless of their situation.”

The department initiated this investigation under the Civil Rights of Institutionalized Persons Act (CRIPA), which prohibits a pattern or practice of deprivation of constitutional rights of individuals confined to state or local government-run correctional facilities. This investigation was conducted by attorneys with the Civil Rights Division’s Special Litigation Section and the U.S. Attorney’s Office of the Western District of Pennsylvania. Additional information about the Civil Rights Division is available on its website at www.justice.gov/crt.

Recently, the department also conducted a broader review of solitary confinement – and other forms of “restrictive housing” – to formulate policy solutions for reducing the use of these practices throughout the nation’s criminal justice system. The department concluded that while there are occasions when correctional officials have no choice but to segregate inmates from the general population, as a matter of policy, this practice should be used rarely, applied fairly and subjected to reasonable constraints. The department’s report, including a series of “Guiding Principles” for limiting the use of restrictive housing, is available on its website at <https://www.justice.gov/restrictivehousing>.

Closing Letter to PDOC

16-450

Civil Rights Division

Civil Rights - Special Litigation

USAO - Pennsylvania, Western

Topic:

Civil Rights

Updated April 14, 2016