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**D.C. Councilmember Mary M. Cheh Announces the Introduction of the Eliminating Restrictive and Segregated Enclosures (ERASE) Solitary Confinement Act in Honor of Nelson Mandela's Birthday**

***National Advocates, Survivors Applaud Bill to Reduce Reliance on Prolonged Isolated Confinement in D.C.***

**WASHINGTON, D.C., July 18, 2022** - Councilmember Mary M. Cheh (D-Ward 3), joined by Councilmembers Brianne Nadeau (D-Ward 1), Janeese Lewis George (D-Ward 4), Kenyan McDuffie (D-Ward 5), Elissa Silverman (I-At Large), and Robert White (D-At Large), announced the introduction of the Eliminating Restrictive and Segregated Enclosures (ERASE) Solitary Confinement Act, which would strictly limit all forms of segregated confinement for individuals incarcerated at penal institutions owned, operated, and controlled by the D.C. Department of Corrections and the Department of Youth Rehabilitation Services.

Informed by the national [Unlock The Box](#) movement to end solitary confinement and legal recommendations by DC Justice Lab, the ERASE Solitary Confinement Act of 2022 would ban torture for any reason, including safe cells, discipline, transgender segregation, room confinement for children, administrative segregation, and restrictive housing. The Act would require the District to find alternatives to isolation as other jurisdictions have done and provides exceptions for safety and public health emergencies.

"Over the years, I have introduced multiple bills to mitigate the harm done by solitary confinement," said Councilmember Cheh. "With this bill, we hope to comprehensively prohibit this dangerous practice in all but the rare instances where it is necessary for an incarcerated person's wellbeing. I'm proud to introduce a bill that would put the District in the vanguard of reform, setting an example for other jurisdictions to do away with solitary confinement once and for all."

"Solitary confinement is a cruel, inhumane, and degrading form of punishment and amounts to torture under international law," said Patrice Amandla Sulton, founder and Executive Director of DC Justice Lab. "Any amount of time in solitary confinement increases the chances of suicide, opioid addiction, death by homicide, and recidivism

upon release. Other institutions have found that reducing the use of solitary reduces incidents of violence and makes communities safer.”

“The Nelson Mandela Foundation welcomes initiatives designed to implement the United Nations Standard Minimum Rules for Prisoners, known as the Nelson Mandela Rules,” said Verne Harris, head of leadership development at The Nelson Mandela Foundation. “These Rules rightly regard solitary confinement as inhumane. Nelson Mandela believed that one of the most important measures of a society is the manner in which it treats those it has incarcerated.”

The [United Nations Standard Minimum Rules for Prisoners \(or the Nelson Mandela Rules\)](#) defines prolonged solitary confinement as torture, as prolonged solitary confinement is isolation for 23 hours a day for 15 days. [Studies](#) show, however, that detrimental and long-lasting effects occur earlier. Over [one-third](#) of people held in solitary confinement became psychotic and/or suicidal before 15 days. Any time in solitary confinement decreases mental and physical health and increases the chances of [suicide, opioid addiction, death by homicide,](#) and [recidivism](#) upon release.

The D.C. Department of Corrections uses solitary confinement more frequently than other jurisdictions. Before the COVID-19 pandemic, [it used solitary confinement three times the national average,](#) as [reported by the Federal Bureau of Prisons.](#) In the most recent performance oversight hearing, Director Thomas Faust [stated that they continue to use solitary confinement at this rate.](#) During the height of the pandemic, the D.C. Department of Corrections held one of the [longest and most isolating lockdowns](#) in the United States, holding 1500 people in prolonged isolation for over 500 days. This lockdown did nothing to stop the spread of COVID-19. In fact, D.C. was rated the [worst](#) in the country for community spread of COVID-19 directly caused by mass incarceration ([526.9 additional cases per 100,000](#)).

In summary, the ERASE Act:

- Defines and draws a distinction between prolonged confinement and isolation.
- Prohibits all forms of solitary confinement including (1) disciplinary segregation, (2) protective custody, (3) transgender segregation, (4) room confinement (for children), (5) administrative segregation, and (6) restrictive housing.
- Limits the use of safe cells;
- In certain circumstances, requires that people with mental health emergencies be treated at local hospitals and institutions if they cannot receive the care they deserve in a secure setting;
- Provides exceptions for emergencies; and
- Requires the Department of Corrections and the Department of Youth

Rehabilitation Services to create a plan to eliminate segregated confinement and report to the Council on the impacts of this legislation.

### **ABOUT DC JUSTICE LAB**

DC Justice Lab is a team of law and policy experts researching, organizing, and advocating for community-rooted reforms to the District's criminal legal system. We develop smarter safety solutions that are evidence-driven, community-rooted, and racially just. We aim to fully transform the District's approach to punishment and public safety and make it a national leader in justice reform.

### **ABOUT UNLOCK THE BOX**

Unlock the Box is a national advocacy campaign aimed at ending solitary confinement in all U.S. prisons, jails, and youth facilities, and bringing the United States into full compliance with the UN's Nelson Mandela Rules within 10 years. The Unlock the Box Campaign is a national coalition of organizations and movement leaders who partner with state and local campaigns across the United States working to end the use of solitary confinement for all people. The national coalition is comprised of a steering committee that includes members from the ACLU's Stop Solitary Campaign, the National Religious Campaign Against Torture, Amend at University of California San Francisco, California Families Against Solitary Confinement, and the Center for Children's Law and Policy. For more information, visit our website at [www.unlocktheboxcampaign.org](http://www.unlocktheboxcampaign.org)

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