

American Friends Service Committee
New Jersey Advocates for Immigrant Detainees
New York University School of Law Immigrant Rights Clinic

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Contact: Serges Demefack, American Friends Service Committee, (973) 854-0401
Karina Wilkinson, New Jersey Advocates for Immigrant Detainees, (732) 491-3530
Alina Das, Immigrant Rights Clinic, (347) 693-6485

**New Report Uncovers Abuse of Solitary Confinement against Immigrants in Essex County
As New Jersey Legislature Considers Reforms**

Newark, NJ – With the New Jersey legislature in the process of considering solitary confinement reforms, a new report describes the widespread abuse of solitary confinement against immigrant detainees at Essex County Correctional Facility (ECCF), the largest county jail in the state.

Isolated in Essex: Punishing Immigrants Through Solitary Confinement is the latest report from American Friends Services Committee (AFSC), New Jersey Advocates for Immigrant Detainees (NJAID),¹ and the New York University School of Law Immigrant Rights Clinic (IRC) to shed light on the disturbing practice of isolating immigrant detainees in solitary confinement as punishment while they are being detained for their civil immigration cases.

Obtaining 446 records of disciplinary incidents in which immigrant detainees in ECCF faced the possibility of solitary confinement from 2013-2015, *Isolated in Essex* uncovers a widespread pattern of jail officials' disproportionate and arbitrary imposition of solitary confinement. **Three out of every four immigrants** in ECCF facing charges of jail infractions that could result in solitary confinement – which ranged from allegations of talking back to an officer and minor property damage to physical altercations – were found guilty.

“The disciplinary incident reports from Essex revealed a disturbing pattern of abuse in the imposition of solitary confinement. Immigrant detainees who committed ‘violations’ such as choosing not to eat a meal or asserting their right to speak to jail authorities received up to 30 days in solitary confinement, without any meaningful opportunities to appeal these excessive and arbitrary sentences,” said Sonya Chung, IRC advocate and one of the report’s primary authors.

Extended solitary confinement is considered to be a form of torture, and even short periods of solitary confinement may only be used as a punishment of last resort. Nonetheless, *Isolated in Essex* found that over **ninety-six percent** of disciplinary punishments of immigrants in ECCF resulted in solitary confinement. The use of pre-hearing solitary confinement regardless of whether guilt was ultimately found, the stacking of charges to exceed an otherwise applicable

¹ NJAID is a coalition of organizations including the American Friends Service Committee Immigrant Rights Program; Casa de Esperanza; the Episcopal Immigration Network; First Friends of New Jersey and New York; Lutheran Office of Governmental Ministry in NJ; Middlesex County Coalition for Immigrant Rights; NJ Association on Correction; NJ Forum for Human Rights; Pax Christi NJ; People’s Organization for Progress - Bergen County Branch; the Reformed Church of Highland Park; Sisters of St. Joseph of Chestnut Hill ESL; and Unitarian Universalist Congregation at Montclair.

15-day limit on solitary confinement, and disparate outcomes following similar incidents were also widespread in the data.

“To be in solitary for 23 hours a day, it’s horrible. The sleep deprivation, waiting for your medication, having your food shoved through a slot, your books taken away... it’s all of that and more,” explained Paul King, a former immigrant detainee. “At the hearing, the jail officials sit there to give the appearance of justice. There is no justice in that system.”

Isolated in Essex also found that **over one-third** of the incidents leading to possible solitary confinement appeared to stem from frustrations over conditions in the jail, which underscore longstanding community concerns about ECCF.

“Immigration detention is purportedly civil and non-punitive, yet immigrant detainees are held in penal facilities with extremely harsh conditions and often have no sense of how long they will be there or whether they will prevail in their immigration cases and be reunited with their families. This is an incredibly stressful and traumatic experience for immigrant detainees. The imposition of solitary confinement, while disturbing in any context, is particularly troublesome and excessive in these circumstances,” said Andrea Savdie, IRC advocate and the report’s other primary author.

Community organizations have long been troubled by the use of solitary confinement in New Jersey. “Unless our community takes steps to stop solitary confinement, the people held in ECCF and similar county jails, prisons, and detention centers will continue to face an unjust and arbitrary punishment,” said Sally Pillay of First Friends of New Jersey and New York, a member of NJAID who regularly visits immigrant detainees.

A bill pending in the New Jersey legislature would take significant steps towards curbing some of the abuses described in the report. The **Isolated Confinement Restriction Act (NJ S.51)** scheduled to be heard this Thursday June 23rd in the Senate Budget and Appropriations Committee, would place limits on the circumstances in which solitary confinement may be considered as a punishment and limit the length of time a person could spend in solitary confinement.

“The use of solitary confinement continues to leave a dark spot on the way New Jersey provides rehabilitation to our incarcerated population,” said NJ Assemblywoman Nancy J. Pinkin (D-Middlesex), prime sponsor of the Assembly version of the bill. “Over the past year, many different diverging groups have been working together and coming together to put an end to the improper use of solitary confinement in our facilities. Much still needs to be done, and I am increasingly confident that we will have positive change in the near future. As always, I appreciate and welcome the comments from the different stakeholders working to end the use of this practice.”

The full report is available at <http://afsc.org/document/isolated-essex-new-nj-report-investigates-solitary-confinement-immigrants>

Executive Summary: <http://afsc.org/document/isolated-essex-executive-summary>

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