

# US federal prisoner dies after more than 35 years in solitary confinement

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The US Federal Bureau of Prisons has announced that Thomas Silverstein, an inmate at a maximum-security prison in Florence, Colorado, died on May 11. Silverstein served the longest term in solitary confinement of any prisoner at the federal super-maximum security prison in Colorado. His wife, Renee Silverstein, said he died as result of complications during heart surgery. He was 67 years old.

Silverstein was sent to prison in Kansas in 1977 after a robbery conviction. While at the facility, he was accused of killing an inmate and moved to a maximum-security prison in Marion, Illinois. He was convicted of four separate murders while incarcerated, one of which was overturned. He was placed in solitary confinement in 1983 after he fatally stabbed a guard.

After prison authorities deemed him to be a hazard, he was transferred to federal prison in Atlanta, where he was confined in a 6-by-7-foot cell, subjected to bright lights that were never turned off and continuous monitoring by surveillance cameras.

According to his former attorney Daniel Manville, Silverstein was rumored to be part of the Aryan Brotherhood prison gang and was targeted by other inmates. Silverstein maintained that the dehumanizing conditions inside the prison system contributed to the three murders he committed.

Silverstein spent some time at Leavenworth in Kansas before moving to the ADX (Administrative Maximum) federal penitentiary in Florence, Colorado, a “Supermax” facility. He was held “in a specially designed cell” in what is called “Range 13” at the ADX, where there is virtually no contact with any other human being, then finally to the facility’s D-Unit, where he could hear the cries and shouts of other prisoners living in neighboring cells, though still never seeing them.

He wrote in a letter to a friend in 2007: “It’s almost more humane to kill someone immediately than it is to intentionally bury a man alive.”

According to reports, he spent his time watching television, writing letters, drawing, crocheting and practicing yoga and meditation. His official website has published many of his drawings, which are both haunting and insightful.

Silverstein’s death has found some coverage in the media due to the longevity of his solitary confinement term. What goes unmentioned, however, are the tens of thousands of men, women and children who are in solitary confinement in prisons across the country. Although there is no federal tracking system for prisoners held in isolation, according to a decade-old estimate from the Bureau of Judicial Statistics there are 80,000 such prisoners.

This figure does not include people in jail or juvenile prisoners subjected to segregation. Nor does it include people placed in solitary confinement in immigration detention centers, which are undoubtedly stepping up the practice as immigrants crossing the southern border are being held in horrific conditions in detention centers, under tents and behind barbed wire fences.

## Solitary: The SHU, “the hole,” administrative segregation

Solitary confinement goes by a number of names—isolation, SHU (special housing units), administrative segregation, supermax prisons, the hole, MCU (management control units), CMU (communications management units), STGMU (security threat group management units), voluntary or involuntary protective custody, special needs units, or permanent lockdown. No matter the name or acronym, prisoners caught up in this barbaric practice are living a hell on earth.

There is no one definition of solitary confinement, varying from state to state and among correctional facilities, but the American Friends Service Committee (AFSC) says the practice’s systematic policies and conditions include:

- Confinement behind a solid steel door for 22 to 24 hours a day
- Severely limited contact with other human beings
- Infrequent phone calls and rare non-contact family visits
- Extremely limited access to rehabilitative or educational programming
- Grossly inadequate medical and mental health treatment
- Restricted reading material and personal property
- Physical torture such as hog-tying, restraint chairs, forced cell extraction
- “No-touch torture,” such as sensory deprivation, permanent bright lighting, extreme temperatures, and forced insomnia
- Chemical torture, such as stun grenades and stun guns
- Sexual intimidation and other forms of brutality and humiliation

Prison wardens assume virtually unquestioned authority over who will be thrown in the SHU. There are no federal agencies presiding over these decisions and no open access to the public and the media of the conditions of prisoners. The different mechanisms for placing individuals in solitary confinement are explained in the introduction to *Hell Is a Very Small Place: Voices from Solitary Confinement* (Jean Casella, James Ridgeway, Sarah Shourd, eds.).

Many inmates are sent down due to gang-related issues, or for throwing urine or feces at guards. Some, like Silverstein, have harmed or killed guards or other prisoners. Prisoners can also be sent to the SHU for such arbitrary reasons as refusing to speak English when asked, watching Spanish-language television, or playing cards instead of attending church services.

Under “disciplinary segregation” or “punitive segregation,” prisoners are placed in solitary confinement for violating prison rules, for periods lasting from several weeks to several years. “Administrative segregation,” relying on a system of classification, often constitutes a permanent

placement extending from years to decades. “Involuntary protective custody” is utilized to supposedly provide protection for juveniles in adult prisons, LGBTQ individuals, and others deemed at risk of victimization.

### **The physical and psychological effects of solitary confinement**

The physical and psychological effects of being placed in solitary confinement are devastating and most likely permanent. In an August 2001 report, the United Nations Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment of Punishment, Juan E. Mendez, produced a comprehensive report on solitary confinement that defined “prolonged” solitary as lasting beyond 15 days.

Long-term solitary confinement can produce debilitating psychological effects, including hallucinations, hypersensitivity to noise and touch, insomnia, paranoia, feelings of rage and fear, distorted perceptions of time, increased risk of suicide, and post-traumatic stress disorder (PTSD). For juveniles whose brains are still developing, these effects are magnified, as well as for people with mental health issues, who are estimated to make up one-third of all prisoners in isolation.

Prisoners have been known to attempt suicide by throwing themselves off a bed or banging their heads on the wall, to gouge their eyes out or inflict other bodily self-injury. Inmates will scream day-in and day-out or assume the fetal position for prolonged periods. Even if a prisoner is eventually released—into the general prison population or into society—the mental anguish persists.

### **Born in the USA**

As noted in *Hell Is a Very Small Place*: “Accounts of people confined alone in dungeons or towers abound in stories dating back to ancient times. But solitary confinement as a self-conscious, organized, and widespread prison practice originated in the United States, and was born soon after the nation itself.”

In 1790, Philadelphia’s Walnut Street Jail was expanded to include the addition of a new kind of cellblock to hold 16 prisoners in single cells, constructed so that they could not communicate with one another. When removed from their cells for any reason, prisoners were forced to wear hoods so no other prisoner could see them.

The concept had a clearly religious basis. Prisoners were meant to contemplate their crimes and become “penitent” within the new block, called Penitentiary House. The Philadelphia Society for Alleviating the Miseries of Public Prisons believed that as all human beings were capable of redemption, this new form of imprisonment was a more civilized alternative to flogging, the pillory, and overcrowded, violent jails.

In their 1833 treatise on US penitentiaries, French prison reformer Gustave de Beaumont and writer Alexis de Tocqueville wrote after visiting US prisons where inmates were held in solitary confinement:

In order to reform them, [the prisoners] had been submitted to complete isolation; but this absolute solitude, if nothing interrupts it, is beyond the strength of man; it destroys the criminal without intermission and without pity; it does not reform, it kills.

The unfortunates on whom this experiment was made fell into a state of depression so manifest that their keepers were struck with it; their lives seemed in danger if they remained longer in this

situation; five of them had already succumbed during a single year; their moral state was not less alarming ...

Despite such criticisms, the “Pennsylvania System,” as it became known, served as a model for many US prison facilities. The Pennsylvania System gradually gave way to the Auburn System of communal hard labor in the second half of the 19th century. While prisons maintained some version of “the hole”, it was mostly for short-term use. Solitary confinement was largely abandoned in the late 19th and early 20th centuries, when the Progressive movement sought reform of the prison system to one of rehabilitation, not retribution, especially for juveniles.

### **Birth of the maximum-security prison**

Prisons began to reintroduce more widespread solitary confinement in the 1970s and 1980s for a number of reasons. A significant factor was the deinstitutionalization of people with mental illness, with many of these individuals ending up on the streets or in the prison system. Another crucial factor was the “tough on crime” crusade of the ruling elite and “three strikes” laws, which led to lengthening of sentences and the elimination or reduction of parole for many.

Mass incarceration called for an uptick in the use of solitary confinement and the expansion of maximum-security prisons. The Violent Crime Control and Law Enforcement Act of 1994, originally written by then-senator and now-Democratic presidential hopeful Joe Biden, was passed by Congress and signed into law by Bill Clinton. It provided \$9.7 billion in funding to build new prisons.

By 1999, the United States operated at least 57 maximum-security facilities, spread across dozens of states. Nearly 2.2 million adults were held in US prisons and jails at the end of 2016, the highest incarceration rate in the world, according to a 2018 report from the Bureau of Justice Statistics.

### **Dickens on solitary confinement**

Charles Dickens visited the Eastern State prison in Philadelphia in 1842 as part of his tour of America and described several of the men he met in solitary confinement as “buried alive.” He wrote in *American Notes for General Circulation*:

I believe that very few men are capable of estimating the immense amount of torture and agony which this dreadful punishment, prolonged for years, inflicts upon the sufferers; and in guessing at it myself, and in reasoning from what I have seen written upon their faces, and what to my certain knowledge they feel within, I am only the more convinced that there is a depth of terrible endurance which none but the sufferers themselves can fathom, and which no man has a right to inflict upon his fellow creature.

I hold this slow and daily tampering with the mysteries of the brain to be immeasurably worse than any torture of the body; and because its ghastly signs and tokens are not so palpable to the eye and sense of touch as scars upon the flesh; because its wounds are not upon the surface, and it extorts few cries that human ears can

hear; therefore the more I denounce it, as a secret punishment which slumbering humanity is not roused up to stay.

The already dehumanizing conditions at Eastern State described by Dickens 175 years ago have been replaced in 21st century America with its “modern” version, in the form of the maximum-security and Supermax prison. These are slicker, higher-tech versions of a barbarous practice, which inflicts punishment on its victims through isolation and sensory deprivation.

Solitary confinement is being used today for political retribution, both in the US and internationally. Chelsea Manning, the former US soldier and whistleblower, spent seven years in prison, one of those in solitary confinement, for the crime of revealing the war crimes of US imperialism in Iraq and Afghanistan. She is now back in prison for the second time for refusing on principle to testify to a secret grand jury convened to bring trumped-up criminal charges against Julian Assange and WikiLeaks.

Assange is currently being held in Britain’s notorious Belmarsh prison in conditions of virtual isolation in the maximum-security prison after being convicted of trumped-up bail charges shortly after his April 11 arrest. He is allowed only two visitors a month, must compete with other prisoners to make phone calls in a 30-minute daily window, and can receive no incoming calls.

His incarceration follows his confinement for nearly seven years in prison-like conditions in the Ecuadorian Embassy in London, where he was granted political asylum against US extradition threats for espionage. There he was denied medical care, access to sunlight and cut off from the internet and contact with his defense consul.

In a powerful statement released to journalist Gordon Dimmack last week, Assange wrote from Belmarsh, “I am defenceless and am counting on you and others of good character to save my life.” He added, “The days when I could read and speak and organise to defend myself, my ideals and my people are over until I am free. Everyone else must take my place.”

Assange’s life and freedom, and the freedom of Manning, depend on the intervention of the working class. The struggle for their freedom must be linked to a fight in defense of democratic rights, as the political persecution by the state of these courageous individuals is ultimately aimed at the working class as a whole.



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