

Class Action Suit Seeks to End Solitary Confinement for Hundreds in PA Department of Corrections

*Goal to End Prolonged and Indefinite Solitary Confinement
and Bar all Solitary Confinement of Mentally Ill*

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PITTSBURGH - People incarcerated at six prisons across Pennsylvania have filed a class action lawsuit challenging the constitutionality of solitary confinement in the Pennsylvania Department of Corrections. The suit is the first of its kind that seeks to end prolonged and indefinite solitary confinement and prohibit all solitary confinement for anyone with a mental health diagnosis. The plaintiffs are represented by the Abolitionist Law Center (ALC), the Pennsylvania Institutional Law Project (PILP), and Dechert LLP. The suit was filed in federal court.

Each of the six plaintiffs have documented mental illness diagnoses that have worsened considerably during repeated and prolonged periods of solitary confinement.

“Solitary confinement is killing us. If you didn’t have mental health issues before going in, you do once you’re in the hole. Imagine being locked in a cage for years and years without ever knowing when you’ll get out,” said Khalil Hammond, a 35-year-old plaintiff who has survived solitary for 12 years. “People are screaming at the walls, hearing voices and having hallucinations, trying to take their own lives. Every single day, they see us mentally deteriorating and do nothing — or, even worse, they tell us to kill ourselves. I joined this lawsuit because we need to stop this cruel, endless torture.”

Researchers and impacted people have long confirmed isolation causes severe and permanent damage.

“This is a historic filing that could impact thousands of Pennsylvanians. Ending solitary confinement is necessary on grounds of humanity and as a matter of public health. The damage and devastation incarcerated people experience in solitary confinement has long-term and widespread consequences impacting individuals, families, and the communities those individuals return home to,” said Saleem Holbrook, Executive Director of the Abolitionist Law Center.

“For the first time, we are challenging solitary confinement on constitutional grounds that push to end this torturous practice for every single person with a mental health diagnosis and also end

prolonged and indefinite solitary confinement for everyone incarcerated in the Pennsylvania Department of Corrections.”

The dangers of solitary, including increased instances of self-harm and suicide attempts, are documented by decades of research. There is consensus within the scientific community that the isolating conditions of solitary confinement exacerbate mental health conditions. The lawsuit seeks a prohibition against the placement of any incarcerated person with mental health diagnoses in solitary confinement. It is also well known that solitary confinement causes symptoms of mental illness even in people with no such history, especially when it is imposed for a prolonged period.

“Being in solitary confinement away from your loved ones and family is devastating. Last month, my grandmother passed away and they refused to let me attend her funeral on Zoom. After that, I tried to commit suicide,” said Malika Henderson, a plaintiff who has been incarcerated since age 19 and has been in solitary for 22 months. “I’ve been beat up by guards here. I’ve been diagnosed with PTSD, ADHD, and antisocial personality disorder. I’m suffering but I know with this lawsuit I’m not just fighting for me, I’m fighting for the thousands of men and women who are in solitary just like me and who need to get out.”

Malika Henderson, Khalil Hammond, and the other plaintiffs are seeking relief and damages.

"Our legal claims are straightforward," said PILP supervising attorney Matthew Feldman. "DOC officials are violating the Eighth Amendment by keeping people in conditions that they know are causing them grave psychological and physical harm. They are violating the Fourteenth Amendment because they keep certain people in indefinite solitary confinement without even telling them why, let alone providing them a meaningful opportunity to contest it. And they are violating the Americans with Disabilities Act because they punish people for symptoms of their mental illness and place them in conditions that they know will exacerbate those symptoms. We look forward to working with our brave clients to vindicate their rights and end these unlawful practices."

Nationwide, the number of lawsuits and organizing efforts to address the tortuous conditions of solitary confinement have increased significantly. In Pennsylvania, the House of Representatives will hold the first mandatory House judiciary committee hearing on solitary confinement on Tuesday, March 5, 2024.

The lawsuit, *Hammond v. Pennsylvania Department of Corrections* 2:24-cv-00922, was filed in the United States District Court for the Eastern District of Pennsylvania, seeking injunctive relief and compensatory and punitive damages. The plaintiffs are represented by Alexandra Morgan-Kurtz and Matthew A. Feldman of the Pennsylvania Institutional Law Project; Bret Grote, Jaclyn

Kurin, and Dolly Prabhu of Abolitionist Law Center; Will W. Sachse, Noah Becker, and Stormie Mauck of Dechert LLP.

The Pennsylvania Institutional Law Project and Abolitionist Law Center are committed to supporting incarcerated individuals in their fight for justice and an end to the unconstitutional solitary confinement practices in the Pennsylvania Department of Corrections.

Read the [full complaint](#).

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The [Abolitionist Law Center](#) is a public interest law firm inspired by the struggle of political and politicized prisoners, and organized for the purpose of abolishing class and race based mass incarceration in the United States. Abolitionist Law Center litigates on behalf of people whose human rights have been violated in prison, educates the general public about the evils of mass incarceration, and works to develop a mass movement against the American punishment system by building alliances and nurturing solidarity across social divisions. Follow [Abolitionist Law Center](#) on Facebook, [@AbolitionistLC](#) on Twitter, and [@Abolitionistlc](#) on Instagram.

The Pennsylvania Institutional Law Project (PILP) is a legal aid organization that seeks to advance the constitutional and civil rights of people incarcerated and detained in Pennsylvania's jails, prisons, state hospitals, and immigration detention centers by providing free civil legal assistance, advocacy, and representation.