

May 8, 2018

The Hon. Ralph Northam
Governor of Virginia
Office of the Governor
Patrick Henry Building, Third Floor
1111 E. Broad Street
Richmond, Va. 23219

Dear Governor Northam:

I am writing to provide you an advance copy of the ACLU of Virginia's comprehensive report on solitary confinement in our state prisons, titled, "Silent Injustice."

This report will be published and released to the news media on Thursday, May 10. Concurrent with its release, we ask that you sign an executive order that would significantly limit this practice in Virginia's prisons.

As you may know, the ACLU of Virginia is a committed advocate to end the practice of solitary confinement in the Commonwealth. Through our research and the advocacy of our coalition partners, we have determined that the use of solitary confinement in our prisons is more prevalent and harmful than the state Department of Corrections has admitted. Isolating someone not just from their family and community but placing them in a cell the size of a parking space for 22-24 hours a day and depriving them of human contact, natural light, exercise and other out-of-cell time, and other stimuli causes extreme suffering and mental illness. No one, regardless of their crime, should be tortured and dehumanized in this way.

In fact, even as the U.N. Standard Minimum Rules on the Treatment of Prisons ("Mandela Rules") limit the use of solitary to no more than 15 consecutive days, the average time someone spends in solitary confinement in a Virginia prison is 2.7 years. This includes members of vulnerable populations such as people who have pre-existing mental illness, debilitating physical conditions, are pregnant, disabled, and LGBT. It is not just the "worst of the worst" who are suffering right now in solitary. Hundreds of people are deteriorating mentally and physically in those conditions right now who were placed there for minor infractions, behavioral issues, or "for their own protection. They receive little to no mental health treatment, and are frequently released from solitary confinement back into the public once their sentences are completed, creating a serious public safety issue.

We urge you to read this report carefully and immediately sign an executive order banning solitary confinement for all vulnerable populations, and



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allowing its use for no more than 15 consecutive days only in the most rare, extreme circumstances, among our other recommendations.

If you have questions or would like to meet with our staff and other advocates to discuss this important matter, please let me know. We are ready to engage with you and other state officials today or at any time regarding the need to end solitary confinement in Virginia.

Very truly yours,



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cc: Mr. Clark Mercer, Chief of Staff, Governor's Office
The Hon. Brian Moran, Secretary of Public Safety
Mr. Harold Clarke, Director, Virginia Department of Corrections
Mr. Michael C. Westfall, State Inspector General
The Hon. Justin Fairfax, Lieutenant Governor
The Hon. Daniel Carey, Secretary of Health and Human Resources
The Hon. Creigh Deeds, Senator and Chair, Joint Subcommittee
Studying Mental Health Services in the Commonwealth in the
21st Century
Sen. Mark D. Obenshain, Chair, Senate Courts of Justice Committee
Sen. Bryce E. Reeves, Chair, Senate Rehabilitation and Social
Services Committee
Del. Robert B. Bell, Chair, House of Delegates Courts of Justice
Committee