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(ITEM) A resolution by Supervisors West, Alexander, and Nicholson, opposing the unrestricted use of solitary confinement in Wisconsin under the Department of Corrections Rule 308.04 “Administrative Confinement”, by recommending adoption of the following:

A RESOLUTION

WHEREAS, the use of cruel and unusual punishment is prohibited by the Constitution of the State of Wisconsin and the Constitution of the United States (US); and

WHEREAS, since the 1990’s, the United Nations (U.N.) Committee Against Torture has denounced the US use of solitary confinement, stating that solitary confinement “can amount to torture or cruel, inhuman, or degrading treatment or punishment;” and

WHEREAS, numerous studies have documented the harmful psychological effects of long-term solitary confinement, including:

- Visual and auditory hallucinations
- Hypersensitivity to noise and touch
- Insomnia and paranoia
- Uncontrollable feelings of rage and fear
- Distortions of time and perception
- Increased risk of suicide
- Post-traumatic stress disorder

; and

WHEREAS, the effects of solitary confinement are magnified in vulnerable populations, such as juveniles and people with mental health issues; and

WHEREAS, the Wisconsin Department of Corrections (DOC) reported in 2014 that of its 22,596 inmates, 34 percent of males and 79 percent of females had a mental health condition; and

WHEREAS, DOC Administrative Rule 308.04 allows “Administrative Confinement”, which allows a pattern and practice of forced solitary confinement of citizens of Wisconsin for extended and indefinite periods of time; and

WHEREAS, in one case, a Wisconsin inmate has been in administrative confinement for over 25 years; and

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WHEREAS, the Felmers O. Chaney Advocacy Board, formerly the DOC's Affiliated Citizens Advisory Board before it was unilaterally dissolved by the DOC in 2015, opposes the use of administrative confinement, as it constitutes a form of mental and physical cruelty, counterproductive to meaningful rehabilitative and reintegration goals; and

WHEREAS, several individuals in the DOC's custody and held at the Waupun Correctional Institution began refusing food on June 10, 2016, to protest administrative confinement; and

WHEREAS, the Milwaukee Journal Sentinel reported on June 24, 2016, that three inmates are being force-fed water and a nutritional drink through a nasal tube, a practice criticized by the U.N., the American Medical Association, and the American Civil Liberties Union; and

WHEREAS, Milwaukee County has an interest in ensuring that its citizens are not subjected to unconstitutional, illegal, and torturous actions while in the care of the DOC; and

WHEREAS, the Committee on Intergovernmental Relations, at its meeting of September 16, 2016, recommended adoption of this resolution (vote 3-1); now, therefore,

BE IT RESOLVED, Milwaukee County (the County) opposes the unrestricted and unconstitutional use of solitary confinement allowed under Wisconsin's Administrative Confinement rule; and

BE IT FURTHER RESOLVED, the County urges the Wisconsin Legislature to put an end to the unrestricted use of administrative confinement in Wisconsin; and

BE IT FURTHER RESOLVED, upon adoption, the County Office on Government Affairs is authorized and directed to deliver a copy of this resolution to the Governor of the State of Wisconsin and the County Delegation in the State Legislature.

jmj
09/16/16
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