

John Paterson
Freeport
LD 696

I write to express my support for LD 696. During my years in private legal practice I had an opportunity to represent a prisoner incarcerated in solitary confinement in the Maine State Prison. I had occasion to meet with him a number of times and to observe first hand the living conditions in solitary. He was imprisoned 23 hours a day. His one hour out of his cell was his only opportunity to take a shower or make a phone call or play a game of checkers with another human or take a walk in the narrow razor wire "dog walk" provided for exercise. He was enduring those conditions even though he had broken no prison rules. Rather, his confinement was classified as "administrative segregation," an arbitrary category created by prison officials to escape any kind of judicial review. Courts have historically been unwilling to review such "classification" decisions out of a fear that they would be interfering in the operation of the prisons. Such reluctance by the courts makes such confinement virtually unreviewable. Had he been confined because he broke a prison rule he would have been entitled to some, albeit highly limited, court review. Because his confinement was called "administrative" he had no recourse.

Solitary confinement is solitary confinement, no matter what clever administrative name is applied to it. It is, simply stated, inhuman and barbaric torture. In 2009 Dr. Atul Gawande, a widely respected physician at Harvard Medical School, wrote a powerful article detailing the inhumanity of solitary confinement. <https://www.newyorker.com/magazine/2009/03/30/hellhole> I commend the article to you.

I respect Commissioner Liberty. But I disagree with his judgment on this matter. I urge you to take action to prohibit this practice in Maine prisons.

Respectfully

John Paterson