

SOLITARY, from page 5

after confidential informants indicated he was receiving and selling meth, according to a misconduct report.

Before the 30-day investigation was completed, Staggs received notice that he'd been placed under administrative hold and would continue to stay in solitary confinement for "six months or until the investigation is complete."

Charges weren't issued until January.

He wrote that the investigators "are simply taking the word of other inmates who are under the influence of narcotics, who fail UA testing and then are offered a deal to avoid (segregation) themselves."

He went on to say that his mental and emotional health were affected, and his reputation as a model inmate had been destroyed.

"Every prison official, program facilitator and educational teacher I've had, all the way down to the medication line nurses, keep me in question," he wrote.

When his fiancée called the prison to find out what had happened, she said, the lieutenant told her that there was no physical evidence Staggs was involved but that he had a "hunch" he was going to continue to follow up on.

Meanwhile, Staggs sat in isolation while the investigation continued.

At Staggs' request, fellow inmate Jason Ellis submitted what he called a "declaration of truth." It stated that in January 2017, the lieutenant offered him a "G-Shock watch with large metal buttons" in exchange for testimony that would incriminate Staggs.

Ellis wrote that during the exchange, the lieutenant insisted Staggs had shown Ellis that he had meth.

"I denied this, as it was untrue," Ellis wrote, adding that the lieutenant again told him that if he would just fill out the form saying Staggs showed him drugs, the watch would be his for free.

Ellis did not sign a statement, but others reportedly did.

According to Staggs' disciplinary hearing order, he was found guilty of introduction and distribution of meth into Oregon State Penitentiary because "a large amount of confidential informant testimony was submitted in this case and deemed to be believable."

There was no physical evidence.

Whether any of the testimony is true is questionable, but the result was another long stint in segregation, followed by another move to the IMU at Snake River. This time, however, he was able to participate in the newer program, which got him out of his cell and shackled to a seat in a classroom for about four hours each week.

He found the new program far more beneficial than the packets, and he signed up to be a teacher's aide in future classes.

He was released back into general population this past week. He had just spent another 10 months in segregation.

Sarah Radcliffe, an attorney with Disability Rights Oregon, said her office constantly receives complaints about conditions in Oregon prisons' special segregation units.

"Imagine a hotel bathroom," she said. "That's about the size of an individual cell."

See **SOLITARY**, page 9



FILE PHOTO BY JOSEPH GLODE

The Oregon State Penitentiary in Salem.

Reforms to solitary confinement uncertain

Corrections officials are weighing recommended changes but face barriers

BY EMILY GREEN
STAFF WRITER

Two years ago, Oregon Department of Corrections partnered with the Vera Institute of Justice to examine its use of solitary confinement, or segregated housing, throughout its 14 state correctional institutions.

The first phase was an assessment of solitary confinement use across Oregon's prisons.

The result was an October 2016 report finding six of the state institutions confine the majority of their populations in segregated housing. This accounted for about 8 percent of the state's 14,934 inmates at the time of the assessment.

The institute has worked with 13 states and cities on reforms to solitary confinement because nationwide use of isolation has grown considerably in recent years, even as mounting evidence shows it's detrimental to the health and wellbeing of inmates.

According to the institute, segregation was originally intended to deal with people committing violence within prisons, but now it's relied upon heavily to manage challenging populations, to house vulnerable people and to punish people for all levels of infractions, including minor and nonviolent violations.

In Oregon, solitary confinement has many names under "special housing," but all isolate adults in their utility-shed-sized cells for 22 to 24 hours per day with little human interaction and little or no access to constructive activity, according to the report.

These units range from Disciplinary Segregation Units, where the majority of isolated inmates are housed as a form of punishment, and Death Row, to Intermediate Care Housing and the Behavioral Health Unit, designed for inmates requiring mental health treatment.

Some key changes the Vera Institute recommended included reducing the number of infractions eligible for segregation; reducing the maximum length of stay in disciplinary segregation, which is currently set at six months; allowing more opportunities for inmates to leave their cells and more activities for when they don't; studying and addressing racial disparities in segregation; and increasing staff training on mental health, crisis response, communication and responding to gender differences and identity.

The Vera Institute has continued to work with Oregon's Corrections Department in evaluating the implementation of these recommendations, but according to corrections officials, there is no timeline yet in sight for making any of them a reality.

Joe Etter, head of the workgroup overseeing the process, said the Vera Institute of Justice report was part of an ongoing effort within Oregon Department of Corrections to develop best practices while weighing guidelines from various sources, including the U.S. Department of Justice and its review of the federal prison system.

The workgroup, which meets twice monthly, is still evaluating the many recommendations to see which ones need further review.

"The community, for a number of years, has been tough on crime, and the prisons across the nation have been built as such," Etter said. "They weren't designed for programming. They weren't staffed for programming. So there will be a lot of challenges ahead."

He said the main priority is maintaining safety for staff, inmates and the public.

When asked if reducing the use of segregation was also priority, he said, "We are looking at all of the recommendations."

"Fact of the matter is we are about public safety. We want to do what we can for those folks that are going to return to the community — that they will actually return to the community hopefully better suited. What that's going to look like at the end of the day, I can't tell you."

The Intensive Management Unit, a segregated housing unit at Snake River Correctional Institution in Eastern Oregon, recently implemented new programming that allows inmates to study in a classroom setting outside of their cells for an average of four hours per week.

That prison's institutions administrator, Mark Nooth, said while "it would be nice to do a lot of things" such as expanding that program, "it comes down to staffing, and unfortunately the architecture was not built for a lot of the recommendations. They call for more resources, and at some point if we are able to do that, we will. But it's going to take time."

Two years before the Vera Institute assessment, Disability Rights Oregon released its own report on Oregon State Penitentiary's Behavioral Health Unit.

It found men in this unit spend months, sometimes years, in 6-by-10-foot cells with no natural light or access to outdoors or fresh air and limited opportunities to speak to people.

What was supposed to be mental health care had turned into solitary confinement as the prison shifted away from clinical staff and treatment and toward safety and convenience for correctional staff, the report stated.

The report also found "a culture that promotes unnecessary violence and retaliation."

Disability Rights Oregon also made several recommendations, and Oregon Department of Corrections agreed to improve conditions within four years. In April, Disability Rights Oregon released a progress report.

While the Department of Corrections has made some positive improvements, such as allowing televisions in the cells and decreasing use-of-force incidents, the department has made little progress on what the advocacy group calls "the key indicator of progress:" getting prisoners out of their cells.

"After one year of effort, the current average time out of cell for BHU residents is less than five hours per week," the report said.