

**GENERAL CONVENTION OF THE EPISCOPAL CHURCH 2018
ARCHIVES' RESEARCH REPORT**

RESOLUTION NO.: 2018-D029
TITLE: Condemning Prolonged Solitary Confinement as a Form of Torture
PROPOSER: The Rev. Eric Metoyer
TOPIC: Human Rights

Directly Related: (Attached)

2009-C020 Condemn Torture and Extraordinary Rendition

Indirectly Related: (Available in the [Acts of Convention](#) database, searchable by resolution number)

2015-D062 Investigate Prison Conditions
1994-D010 Request Moratorium on Construction of Maximum Control Prisons

Supplemental Documents: (Linked)

The United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), [United Nations Office on Drugs and Crime](#), December 17th, 2015.

In preparing this report, the Archives researched the resolutions in the Acts of Convention database for the period 1976 through 2015, selecting “direct” resolutions that have a substantive bearing on the proposed legislation. The “direct” resolutions are attached and “indirect” resolutions are available in the Acts of Convention database. Committee members who require other research assistance should contact the Archives at 800-525-9329 before Convention or at Convention in the General Convention Secretariat.

D029 Condemning Prolonged Solitary Confinement as a Form of Torture

Proposer	The Rev. Eric Metoyer
Endorsed by	Moore, Mr. Gary; Varghese, The Rev. Winnie
Sponsored by	Jacobs, The Rev. Canon Gregory
Page numbers	Blue Book: p. N/A; Constitution & Canons: p. N/A
HiA / Leg. Cttee	HB / 08 - Social Justice and United States Policy
Current Status	Pre-Filed Resolution
Version	Original (as filed)
Review Status	Not yet reviewed

RESOLUTION TEXT

- 1 *Resolved*, the House of _____ concurring, That the 79th General Convention of The Episcopal Church reaffirm the statement of the 76th General Convention, in resolution 2009-C020, condemning the use of torture “by the United States and any government, individual, or organization in any location in the world;” and be it further
- 2 *Resolved*, That The Episcopal Church recognize prolonged solitary confinement (defined by the United Nations in its Standard Minimum Rules for the Treatment of Prisoners, as revised in 2015, also known as “The Nelson Mandela Rules,” as the confinement of prisoners for 22 hours or more a day without meaningful human contact, in excess of 15 days) as a form of torture; and be it further
- 3 *Resolved*, That The Episcopal Church condemn the use of prolonged solitary confinement by the United States and any government in the world, including national, state, local, and military jurisdictions, immigration detention centers, and private prisons; and be it further
- 4 *Resolved*, That this General Convention call upon all Episcopalians, recalling the words of Jesus that when we visit those in prison, we are visiting him (Matthew 25:36), and the call of the Apostle Paul to “Remember those in prison, as though you were in prison with them; those who are being tortured, as though you yourselves were being tortured” (Hebrews 13:3), to demand that their governments end any use of prolonged solitary confinement in their prisons, jails, and detention centers, whether publicly run or contracted with private companies.

EXPLANATION

The Episcopal Church has condemned the use of torture, but the General Convention has never passed a resolution addressing the use of prolonged solitary confinement as a form of torture, even as it is commonly used in prison programs throughout the United States, as well as around the world. The use of prolonged solitary confinement, once used sparingly, has become a widespread and integral part of prison administration in the United States in the last thirty-five years; as many as 80,000 people, both adults and youth, are held in solitary confinement in U.S. prisons, jails, and detention centers, many under prolonged and even indefinite terms. United States has become a

world leader in holding prisoners in prolonged solitary confinement, even as other countries have reduced the use of isolation as a prison administration tool. (See: The National Religious Campaign Against Torture, <http://www.nrcat.org/torture-in-us-prisons/learn-more-/faqs> and Committee on International Human Rights of the New York Bar Association, <https://www2.nycbar.org/pdf/report/uploads/20072165-TheBrutalityofSupermaxConfinement.pdf>).

Prolonged solitary confinement destroys lives. Prisoners held in solitary confinement experience hallucinations and delusions, deliberately injure themselves, and lose the ability to relate to other human beings. Prolonged solitary confinement creates mental illness and can be especially harmful to those who are already mentally ill. Prisoners held in prolonged solitary confinement have difficulties in reintegrating into the general prison population and into society. The medical doctor and writer Atul Gawande describes many of these effects in his article “Hellhole” in the New Yorker, published in 2009: <https://www.newyorker.com/magazine/2009/03/30/hellhole>. Former UN Special Rapporteur on Torture Juan Mendez called for an “absolute prohibition” on the use of prolonged solitary confinement in 2011, saying that some studies have shown “lasting mental damage” after just a few days of social isolation (<https://news.un.org/en/story/2011/10/392012-solitary-confinement-should-be-banned-most-cases-un-expert-says>). He noted that solitary confinement is used in many countries around the world, including Argentina, China, and Kazakhstan, and that its use is widespread in the United States.

Studies show racial disparities in the use of prolonged solitary confinement in the United States; it is used more for Black and Latinx prisoners than for white prisoners, relative to their proportion in the general prison population (<https://www.theatlantic.com/politics/archive/2016/12/race-solitary-confinement/509456/>).

The National Religious Campaign Against Torture is active in mobilizing faith communities against the use of solitary confinement. More information about their campaign may be found here: <http://www.nrcat.org/torture-in-us-prisons/together-campaign>. Their 40-minute film, *Breaking Down the Box*, is an informative video on this issue: <http://www.nrcat.org/torture-in-us-prisons/breaking-down-the-box>

i] The United Nations Standard Minimum Rules for the Treatment of Prisoners (The Nelson Mandela Rules), Rule 44. https://www.unodc.org/documents/justice-and-prison-reform/GA-RESOLUTION/E_ebook.pdf.



Resolution Number: 2009-C020
Title: Condemn Torture and Extraordinary Rendition
Legislative Action Taken: Concurred as Amended
Final Text:

Resolved, That the 76th General Convention condemn the use of torture and the practice of extraordinary rendition by the United States and any government, individual or organization in any location in the world; and be it further

Resolved, That Episcopalians shall not engage in, order or assist in the torture of any human being, and shall not counsel the use of torture for intelligence gathering or any other purpose; and be it further

Resolved, That lawyers who are Episcopalians and dioceses are urged to procure or provide pro bono legal counsel to help defend any Episcopalian in military, police, civilian, governmental or contractor service who faces discharge or disciplinary action for refusing to order, engage or assist in torture, or for refusing to approve or to provide counsel justifying the use of torture for any purpose, or who faces discharge or disciplinary action for exposing such practices; and be it further

Resolved, That the General Convention call upon the United States government, and all governments, individuals and organizations in any location in the world to comply with Geneva Conventions and the United Nations' Universal Declaration of Human Rights and the administration of Justice, enacting policies to prevent the use for torture and extraordinary rendition both domestically and abroad; and be it further

Resolved, That the General Convention call upon the President and Congress to devise and implement truth and reconciliation-based methods of accountability to make transparent to the American people governmental practices or torture and extraordinary rendition.

Citation: General Convention, *Journal of the General Convention of...The Episcopal Church, Anaheim, 2009* (New York: General Convention, 2009), p. 361.