



SB 65/HB 1428

Sen. Robert Peters/Rep. Kevin Olickal

NELSON MANDELA ACT: LIMIT ISOLATED CONFINEMENT

Nelson Mandela spent most of his 27 years of imprisonment in isolated confinement, which he called “the most forbidding aspect of prison life.”

Problem: Illinois law has no limits on how long a person can be held in isolated confinement, which violates an internationally recognized standard called the Nelson Mandela Rules.

- Under the Nelson Mandela Rules¹, more than 15 days in isolation is considered **torture**.
- A growing body of medical literature² establishes that **isolation can cause permanent damage to people's brains** and that virtually everyone who spends extended time in isolation suffers severe impacts on their mental and physical health.
- Isolated confinement in Illinois can last for a period of weeks, months, years, or even decades. **People can be confined in cells that measure 6 x 9 feet, which is smaller than the average parking space.**
- The Illinois Department of Corrections' **internal policies already require** people in extended isolated confinement to spend **20 hours a week outside their cell**.
- Isolated confinement is generally costlier than housing for the general population. **There is no peer-reviewed study or other evidence that it improves facility safety.**

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The mind begins to turn on itself and one desperately wants something outside of oneself on which to fix one's attention. I have known men who took half a dozen lashes in preference to being locked up alone.

N. Mandela

Solution: SB 65/HB 1428 would create the Nelson Mandela Act, also known as the Isolated Confinement Restriction Act.

This bill would bring Illinois into compliance with the Nelson Mandela Rules by limiting the use of isolated confinement in prisons, jails, and immigration facilities and by requiring:

- Everyone receives basic needs and services and is allowed out of their cells at least four hours a day or,
- When a person needs to be kept in a cell for more than 20 hours a day, that can only last 10 days in any 180-day period.
- People who are under 21, over 55, have a disability (as defined by ADA), or are pregnant or postpartum could not be in isolated confinement.

For more information, contact Lindsey Hammond at 312-900-7686
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Supporting Organizations

Access Living
 ACLU of Illinois
 Cabrini Green Legal Aid
 Chicago Alliance Against Sexual Exploitation (CAASE)
 Chicago Appleseed Center for Fair Courts
 Chicago Books to Women in Prison
 Children's Best Interest Project
 Chicago 400
 Chicago Lawyers' Committee for Civil Rights
 Community Counseling Centers of Chicago
 Cook County Justice Advisory Council
 Illinois Alliance for Reentry and Justice
 Illinois Coalition to End Permanent Punishments
 Illinois Justice Project
 Illinois Latino Reentry Community Collaborative
 Illinois Prison Project
 Impact For Equity
 James B. Moran Center for Youth Advocacy
 John Howard Association
 Law Enforcement Action Partnership
 Law Office of the Cook County Public Defender
 National Lawyers Guild Chicago
 Parole Illinois
 RbrokenSystems
 Restore Justice
 Safer Foundation
 Smart Decarceration Project, University of Chicago
 The People's Lobby
 Unitarian Universalist Advocacy Network of Illinois
 Unitarian Universalist Prison Ministry of Illinois
 Uptown People's Law Center
 WIN Recovery
 The Women's Justice Institute

Notes

1. The United Nations General Assembly adopted The United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) in 2015.
2. Law & Neuroscience: The Case of Solitary Confinement by Jules Lobel & Huda Akil (2018) and A Sourcebook on Solitary Confinement by Sharon Shalev (2008).

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