



## 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 known as the Nelson Mandela Rules.**

- Under the Nelson Mandela Rules<sup>1</sup>, more than 15 days in isolation is considered **torture**.
- A growing body of medical literature<sup>2</sup> 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 weeks, months, years, or even decades. **People can be confined to cells measuring 6 x 9 feet, which is smaller than the average parking space.**
- People can be placed in **isolated confinement for virtually any reason**, including minor rule infractions.
- 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.**



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.

**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.



## **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).