



# 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.



**SB 65/HB 1428**

**Sen. Robert Peters/Rep. Kevin Olickal**

## Supporting Organizations

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