



March 3, 2023

The Honorable Reginald Jones-Sawyer
Chair, Assembly Committee on Public Safety
1020 N Street, Room 111
Sacramento, CA 95814

RE: Assembly Bill 280 (Holden) The California Mandela Act - CO-SPONSOR

Dear Chair Jones-Sawyer,

NextGen California is a proud co-sponsor of AB 280 (Holden), the California Mandela Act, and respectfully requests your support for this measure. AB 280 would reform the use of the inhumane practice of solitary confinement in California. Specifically, the bill would end the use of solitary confinement for certain vulnerable populations; limit its use altogether across California’s jails, prisons, and detention facilities; require facilities to keep clear and transparent records on the reasons for their use of solitary confinement; and establish a consistent definition for this practice.

The use of solitary confinement is an outdated and barbaric practice that has become disturbingly pervasive throughout our state's correctional system. Too often, it is used arbitrarily or excessively, and sometimes, expediently as a “fix” or “solution” to the challenge of accommodating individuals with special needs or disabilities. The World Health Organization, United Nations, and National Commission on Collective Health Care have all found solitary confinement to be inhumane, harmful, and, all too frequently, fatal. Contrary to previous beliefs, solitary confinement does not rehabilitate; it simply stands as an ineffective punishment tool.

AB 280 significantly curbs the use of solitary confinement, bringing the state in line with international standards and states like New York and Colorado. The bill aligns the use of solitary confinement with international standards – it cannot be used for more than 15 consecutive days, or 45 days total in any 180-day period. In so doing, AB 280 would increase safety within correctional facilities, provide more conducive conditions for rehabilitation, and reform a fundamentally inhumane practice that yields no empirical benefits.



In the last few years, evidence of solitary confinement's destructive consequences have occurred in California, including an incarcerated pregnant woman giving birth alone in a Dublin, California jail in 2018, to a 74-year old man taking his own life in a private detention facility in 2020 after being placed in solitary confinement for mental health reasons to numerous other examples where this practice has caused significant and irreparable harm to those who have been kept in isolation for long periods of time. Moreover, solitary confinement has a disproportionate impact on people of color – for example, Latino men make up 86 percent of male prisoners in restricted housing, although only constituting 42 percent of the male prison population.

It is clear that maintaining such a cruel and antiquated practice in our jails, prisons, and detention facilities no longer aligns with current legal standards nor our moral values. California must join New York, Colorado, and the larger international community in reforming this inhumane practice and setting clear standards and limits on its use.

NextGen California strongly believes in the need to uphold the fundamental rights and human dignity of every individual who comes into contact with the criminal justice system. For the above reasons, we respectfully request your “Aye” vote on AB 280.

Sincerely,

A handwritten signature in black ink that reads "Arnold Sowell Jr." in a cursive script.

Arnold Sowell Jr.
Executive Director, NextGen California