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The Social History of Crime and Punishment in America: An Encyclopedia

Supermax Prisons

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Supermax prisons are highly automated institutions, designed to maintain prisoners in long-term solitary confinement, with minimal sensory stimulation. Supermax prisoners spend 23 or more hours per day alone in their cells. Three or four times per week, a prison officer pushes a button in a central control tower, which opens one cell door at a time, allowing each prisoner, in turn, to shower, or go out alone to the caged yard area, usually a concrete area the size of a prison cell, with a roof partially exposed to the sky. Individual supermax cells usually have no windows exposed to natural light and only fluorescent lighting. Supermax prisoners have no physical contact with other human beings. Meals are pushed through small slots in the cell door. No provisions are made for educational or therapeutic programming; visits take place through Plexiglas shields, or by videoconference. During medical appointments, prisoners are locked into upright cages on wheels, often called therapeutic treatment modules.

Supermax prisons, also known as Security Housing Units, Control Units, or Departmental Disciplinary Units, are different from administrative segregation, a correctional term that references shorter-term isolation, of a month or two, within a given prison facility. By contrast, supermaxes are often freestanding facilities, or isolated wings of a given prison, where prisoners are sent for months or years at a time, following an administrative disciplinary process. Correctional administrators assign prisoners to supermaxes after determining that the prisoner presents a threat to institutional security, either because he has broken a prison rule, such as participating in a riot or destroying state property or [p. 1730 ↓] because he is identified as a gang leader. (The vast majority of supermax prisoners are men.) Usually, if a prisoner breaks a prison rule, he is sent to a supermax for a fixed period of months or years. On the other hand, if a prisoner is identified as a gang leader, he might be sent to a supermax for an indefinite term. In sum, supermax assignment is an administrative process, independent from both the initial security classification of prisoners entering prison and from the judge-imposed criminal sentence.

The nation's most dangerous criminals, those who are seen as serious physical threats or at high risk for escape, are sent to supermax prisons. At these super-maximum security facilities, they are kept in solitary confinement in darkened cells for more than 22 hours a day and have no access to social contact or environmental stimuli.



Arizona opened the first of these modern supermaxes in 1986 (the Special Management Unit); California opened the second in 1989 (Pelican Bay). In 1994, the Federal Bureau of Prisons opened its supermax (the Administrative Maximum) in Colorado; now almost every state has some form of supermax facility. Estimates of the number of U.S. supermaxes range from 20 to 57. Estimates of the total population of U.S. supermax prisoners range from 5,000 to 100,000. This variation stems from state-based differences in definitions of which conditions constitute supermax confinement.

Supermaxes developed as a way to institutionalize long-term lockdowns, during which prisoners were not allowed to leave their cells for any reason, commonly implemented in U.S. prisons following riots and gang violence in the 1970s. For instance, the maximum-security federal prison in Marion, Illinois, was locked down from 1983 until 1994, when the federal supermax opened. Similarly, California's San Quentin and Folsom State Prisons had certain wings locked down from the mid-1970s until the late 1980s, when California opened its first supermax. In the 1970s and 1980s, federal district courts found many of the conditions in these locked-down, older prison facilities to be unconstitutional.

However, supermax prisons have been more resistant to litigation. According to the U.S. Supreme Court, these institutions are basically constitutional, as long as certain, minimal procedural safeguards are in place: a prisoner must have notice of why he is being placed in a supermax, and he must have some minimal opportunity to respond to the claims against him, either in writing or through some kind of administrative [p. 1731 ↓] hearing (*Austin v. Wilkinson*). One federal district court recently agreed to hear an Eighth Amendment challenge to supermax prison conditions (*Silverstein v. Federal Bureau of Prisons*); the challenge alleges specifically that the plaintiff's length

of confinement (27 years) is so long as to be cruel and unusual. Other lower federal courts have held that severely mentally ill prisoners may not be placed in supermaxes, because long-term solitary confinement might potentially exacerbate pre-existing mental health problems.

International legal bodies are more skeptical of the use of long-term solitary confinement than U.S. courts. In 2010, the European Court of Human Rights refused to extradite two alleged terrorists to the United States until the court further investigated the conditions in the federal supermax in Colorado, where the terrorists were likely to be sentenced to spend the rest of their lives (*Ahmad v. the United Kingdom*). Similarly, in reports on Guantanamo, the United Nations has interpreted the International Covenant on Civil and Political Rights to prohibit the use of long-term solitary confinement for specifically punitive purposes.

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See Also

- [Arizona](#)
- [California](#)
- [Prison Riots](#)
- Prisoners' Rights

Further Readings

Rhodes, Lorna R. *Total Confinement: Madness and Reason in the Maximum Security Prison*. Berkeley: University of California Press, 2004.

Shalev, Sharon. *Supermax: Controlling Risk Through Solitary Confinement*. Portland, OR: Willan Publishing, 2009.