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Human Rights Index

University of Iowa Center for Human Rights

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HUMAN RIGHTS INDEX

Prepared by the University of Iowa Center for Human Rights (UICHR)*

In 1955, the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders adopted the Standard Minimum Rules for the Treatment of Prisoners. While theoretically non-binding, the Rules detail what is “generally accepted as being good principle and practice in the treatment of prisoners and the management of institutions,” prisoner rights concerns included (e.g., a clean room, bathing facilities, windows for fresh air, medical services, and at least one hour of exercise daily). The international community addressed prisoner treatment also in the legally binding 1976 International Covenant on Civil and Political Rights (ICCPR), providing that “all persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person.” Notwithstanding, many nations, including parties to the ICCPR, frequently fail to meet these standards. The United States is no exception. Conditions in U.S. prisons often fall below the Minimum Rules and ICCPR requirements, violating basic human rights—as confirmed by, among others, the Commission on Safety and Abuse in America’s Prisons (“Prison Commission”), a U.S.-based bipartisan, non-profit organization that monitors U.S. correctional facilities.

- 7.3 Millions of Americans in U.S. correctional facilities or on supervised release as of 2009 (at a cost of \$68 billion annually), the highest prison population worldwide (25% of the world’s prisoners out of 5% of the world’s population)—minorities predominantly, including 1 in 9 African-American men age 20 to 34 (National Prison Rape Elimination Commission, 2009; *Newsweek*, 2009; Pew Center, 2009; *The New Yorker*, 2008; *Washington Post*, 2008)
- 10–15 Percentage by which recidivism among U.S. prisoners subjected to harsh conditions exceeds the recidivist percentage among prisoners treated humanely, e.g., given access to drug treatment (20%–25% of prisoners are nonviolent drug offenders), job training, air-conditioning, and well-stocked libraries (*The Economist*, 2007)
- 130 Number of imprisoned youth out of 645 in a 2007 sexual assault study who “reported at least one nonconsensual sexual contact during the preceding twelve months or since they had arrived at the facility”—supplementing a finding that 4.5% of 63,817 surveyed imprisoned adults reported some sexual abuse within the preceding year; extrapolated to the national prison population, this translates to an estimated 60,500 federal and

state prisoners sexually abused during the same twelve months (National Prison Rape Elimination Commission Report, 2009)

- 170** Age of Iowa's only maximum security prison, which, though slated for replacement because of legislative action taken in 2008, was found in federal court rulings as much as two decades earlier to provide inadequate care for mentally ill inmates and conditions deemed "cruel and unusual" (Corrections.com, 2009)
- 832** Percentage increase in rate of incarceration of women from 1997 to 2007, an estimated 25% of whom were sexually abused while incarcerated; and, except in nine U.S. prisons with in-house nurseries, all women inmates giving birth while incarcerated, whether pregnant upon incarceration or following abuse during incarceration, were forced to relinquish their babies to family members or state foster care systems (Women's Prison Association, 2009; Reproductive Health Reality Check, 2007)
- 25,000** U.S. inmates in solitary confinement, frequently under conditions described as "torturous" and resulting in profound psychological harm (at a "supermax" prison in California 90% of isolated inmates exhibited traits of irrational anger in contrast to only 3% of the general prison population) (*The New Yorker*, 2009; Prison Commission, 2006)
- 37,000–58,000** California inmates that, in February 2009, the U.S. Court of Appeals for the Ninth Circuit ordered released to local custody or parole within three years to remedy unconstitutional confinement caused by overcrowding, including inadequate health care leading to deaths (*San Francisco Chronicle*, 2009)
- 350,000** Estimated U.S. prisoners suffering serious mental illness, three times the population of state mental hospitals (higher if anxiety disorders are included), the consequence largely of insufficient health care—as evidenced when, in 2000, correctional facilities nationwide estimated that just 1.6% of prison inmates were receiving twenty-four-hour mental health care despite some 6% to 20% of them having severe mental illness (Prison Commission, 2006)
- 1,500,000** Estimated persons released from U.S. prisons each year infected with life-threatening disease—medical facilities being vastly understaffed (e.g., instances of only two or three doctors per 4,000–5,000 inmates) and many prisoners consequently going untreated (Black Press U.S.A., 2009; Prison Commission, 2006)
- 20,500,000** Dollars Nevada collected in 1999 from prisoner phone call charges—a common practice among states, limiting the ability of inmates to maintain family relationships and contributing to higher levels of prison violence (Prison Commission, 2006)

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