Interview Guide – Talking to Youth About Solitary Confinement

Your Stop Solitary campaign should draw from the personal experiences of young people who were subjected to solitary confinement and other forms of extreme isolation while they were children—to understand the problem, to describe the harm isolation practices can cause, and to help advocate for reform. Advocates should meet with young people—while they are in custody as well as after they are released—to find out about their experiences and conditions of confinement when subjected to solitary at a given facility, and the impact isolation had on them. Advocates should also talk to family and community members about the impact of isolation/solitary confinement on youth.

In this guide we set forth a comprehensive set of questions designed to elicit important facts about the experience of youth in isolation. In addition to the sample questions suggested below, there are four vitally important elements that a prospective interviewer should consider before and after interviewing a youth: (1) establishing whether the youth is currently represented by an attorney and/or has an ongoing delinquency or criminal case(s); (2) being sensitive to trauma, substance abuse, cognitive or developmental issues, and/or mental health problems; (3) establishing informed consent; and (4) discussing confidentiality and its limits.

Establish Whether the Youth is Represented by an Attorney
The first thing any prospective interviewer needs to know is whether or not the youth s/he wants to interview is currently represented by an attorney. Before conducting the interview, make efforts to find this out by asking the youth directly, checking court and facility records, and reaching out to local public defenders and advocates if that is appropriate. If the young person is currently represented, reach out to his/her attorney to discuss the possibility of doing an interview and get the attorney’s permission to speak with the youth before scheduling the interview. Be sure to discuss confidentiality of your notes and discovery issues. If the youth has pending delinquency or criminal charges, the attorney may not want an outside agency or individual to interview him or her, or will need to be assured the delinquency or criminal case and relevant information will not be discussed. The attorney may also want to be present during any interview.

Be Sensitive to the Trauma of Solitary Confinement
Before interviewing someone about their experiences, it is important to understand that solitary confinement is a devastating practice and can traumatize youth. Therefore, speaking with young people about their experience can be re-traumatizing and cause or exacerbate serious psychological harm. This is important to weigh before deciding to interview a young person about their experience. During the course of an interview, it is also important to consider trauma issues before continuing with difficult questions. It is equally important to ensure that you schedule enough time for your interview to accommodate sensitivity to these issues—and to end the conversation with topics unrelated to incarceration and solitary confinement and the trauma it may have caused the youth. While preparations may differ depending on whether the interviewee is in custody, it can be useful to research and contact service-providers to whom you can refer the interviewee if you have concerns about his/her health and well-being during or after the interview.
Additionally, many youth in custody suffer from past trauma, substance abuse issues as well as cognitive, developmental and/or mental health problems that impact their ability to remember, articulate, and understand many of their experiences. An interviewer must be sensitive to these issues and accommodate them.

It is strongly recommended that an interviewer who is new to this work with youth review current resources and materials that address the nuances and considerations of effective and undamaging interview techniques.

**Establish Informed Consent**

At the outset, during, and at the close of any interview, it is important to get the informed consent of the youth. Informed consent means that the interviewee understands and evaluates the risks and benefits of an interview and agrees to proceed with the interview. In order to establish informed consent, you should explain why you are doing the interview, what you will be asking about, how you will use the information the youth gives you, and that, given this understanding, the youth freely agrees to speak with you. A good way to do this is by asking the youth directly, “Do you understand?” and “Do you have any questions?” But this should not be the only way you evaluate this understanding. Make sure to let the youth know that s/he can ask you questions at any time during the interview. It is also always important to give the interviewee multiple opportunities to decline or revoke consent, or limit its scope.

Particularly if the interviewee is in a custodial setting, it is important to describe and directly discuss the possible risks involved, which can include retaliation or mistreatment from staff or other inmates.

If the youth is still under the age of 18, you should research the law of capacity to consent before conducting an interview. It may be necessary to contact a parent or guardian prior to interviewing a youth under the age of majority.

If you plan on using a youth’s story or testimony in your public education work and in advocacy, or if you want permission to use the youth’s name, you should make sure to secure the necessary releases from the youth and/or guardian (and evaluate and discuss all risks involved). It is a good practice to use consent and release forms to memorialize your discussion and agreement on these issues.

You should also be sure the youth understands that the interview is not to address the crime(s), conviction(s) or sentence(s) and related matters, and that you are not assisting in his/her delinquency or criminal case(s).

**Discuss Confidentiality and Its Limits**

Before you begin or take any notes, and before you end the interview, it is important that you discuss the confidentiality of the interview, whether and with whom you will share the information you were given – including identifying information. You should also discuss under what circumstances you might be forced to disclose information and to whom. These circumstances will vary depending upon whether you are an attorney interviewing the youth in a legal capacity; whether there is a civil or criminal action pending for or against the youth; and whether you suspect child abuse has occurred and you or your organization are subject to a mandatory child abuse reporting statute.
There is extensive literature on the ethics, risks and best-practices for fact-finding interviews (and various training opportunities) that may be helpful to consider before undertaking an interview. Some resources that provide guidance on effective techniques for interviewing youth are:


- The American Bar Association (ABA) also has a number of other training resources available on its website, including a valuable training video entitled, Interviewing the Child Client: Approaches and Techniques for a Successful Interview, available at [http://apps.americanbar.org/litigation/committees/childrights/video/1006-interviewing-childclient.html](http://apps.americanbar.org/litigation/committees/childrights/video/1006-interviewing-childclient.html).

**SAMPLE INTERVIEW QUESTIONS**

*Below are some interview questions to consider in preparing for an interview with a youth who has been subjected to solitary confinement.*

**Biographic/Background Questions**

The best interviews are conversational and comfortable—be sure to review these questions before the interview so that you can insert them as needed rather than interrupt an informative flow of conversation. You should also consider asking explicitly whether you can take notes—this might be a good way to discuss some of the issues regarding consent discussed above.

Consider starting the interview with something light to break the ice, reduce the youth’s anxiety, and begin building a rapport. This is a general rule for any interview, but is especially important when interviewing youth, who are often nervous and confused. The simplest way to help children feel at ease is to ask them about themselves: Do they have any siblings? Where did they grow up? Do they enjoy sports? What music do they like?

- Full name?
- Date of birth? Age?
- Where did you grow up?
- Where do your parents live?
- What are their names? Contact information?
- Tell me what you were like when you were younger—describe your personality?

[Transition: “Now I’d like to talk about what might be difficult topics regarding your time since you were incarcerated. Remember you don’t have to answer any questions and can end the interview at any time.”] You may also want to explain exactly what you mean when you say “solitary confinement.” Most systems and facilities do not use that term (for instance, many use the term “room confinement”), so the youth may not understand exactly what you are talking about unless you give them a definition. For instance, you could say: “When I say solitary confinement, I mean when a person is placed alone in a cell for several hours or the entire day and not allowed out for meals, for programs, or for other typical out-of-cell time, except maybe an hour or so for exercise or a shower. It doesn’t matter if the person is there for discipline, medical, administrative
segregation, or for protection. I'm just concerned that they are mostly left alone in their cells for days, weeks, months or longer. It doesn’t matter why.

Juvenile Justice System Experience
- What date did you enter this facility?
- How old were you?
- Did you know what to expect? How?
- How were you transported?
- Did you get an initial screening? [You may have to describe what this is.]
- What do you remember about any discussion facility staff had with you about where you would be housed?
- Where were you placed?
- What was the inside of your cell/dorm like?
- Did you have cell mates?
- What were they like?
- How old were they?
- What were your thoughts and feelings when you first entered the facility?

Conditions Generally
[Skip if youth was placed directly into isolation/solitary confinement]
- What was an average day like in the juvenile justice facility?
- How were you treated generally?
- How did the staff treat you?
- How did the other residents treat you?
- Did you feel safe? Why/why not?

If the youth was never placed in isolation/room confinement/solitary confinement
- Did you know of other youth who were placed in isolation/room confinement/solitary confinement?
- Do you know why they were placed in isolation?
- Why do you think you weren’t placed in isolation?
- Do you know how isolation impacted them? Did it change them? How?

Placement in Isolation
- What date did you enter room confinement cell/isolation cell/etc.?
- How old were you?
- How long were you in isolation/solitary confinement? Multiple times? Do you know the dates?
- Were you told why you were placed in isolation? What were you told? Discipline reasons/punishment? Protection? Medical reasons?
If the youth was placed in protective custody:

- Were you given the choice of whether to be placed in isolation or not?
  - If the youth asked to be placed in protective custody ask:
    - Why did you request to be placed in isolation?
    - When did you make the request?
    - What were you told about isolation before you were placed in the cell?
    - How long did you stay in protective isolation?
    - Did you ever change your mind?
    - Were you ever given the option to return to your previous housing arrangement?
    - Did you ever request to be taken out of isolation?
    - Did you ever discuss this with facility officials?
  - If the youth did not ask to be placed in protective custody ask:
    - What were you told about the reason for your placement?
    - Did you ever ask to be taken out of solitary confinement/protective custody?
    - Were you ever told how you might get out of solitary confinement/protective custody?

If the youth was placed in disciplinary isolation:

- Were you notified of the facility rules when you arrived there?
- Did you understand them?
- Why were you placed in isolation?
- Were you given a description of the violation/ticket in writing?
- Was there a hearing? Did you get to attend?
- Were you allowed to have witnesses? Did you have a lawyer or someone to represent you?
- Were you given the chance to appeal?
- Were your parents/guardians notified?
- How long were you placed in isolation initially?
- Was your time in disciplinary isolation extended for any reason?
- Why? What happened?

If the youth was placed in medical isolation:

- Why were you told you were being placed in isolation?
- Were you given a description of the need in writing?
- Did you discuss this with a medical doctor, nurse, or other medical practitioner?
- Did you understand all this at the time?
- Did you agree to be placed there?
- Were your parents/guardians notified?
• How long were you placed in medical isolation?
• Did you ever ask to be taken out of isolation?
• Was there a way for you to make a request to be taken out of isolation?
• Did you ever discuss this with any facility official?

General Conditions in Isolation/Solitary Confinement
• Describe the inside of the cell?
• How big was it?
• What did it smell like?
• Was it hot/cold (summer/winter)?
• Were there windows? How many?
• Could you see the sky?
• What were the walls and door made out of?
• Could you see anything from the inside of the cell?
• What was inside the cell (bed, desk, toilet, etc.)?
• Did you have water and hygiene supplies in the isolation room/cell?
• [If the youth did not have a toilet] What happened if you needed to use the bathroom when you were in isolation?
• What noises could you hear from inside your cell?
• What did you think when you were first put there?
• If you spent longer than a day in isolation, what was a typical day like? What did you do all day?
• How much did you sleep while you were in isolation?
• How often did you see or talk to other people when you were in isolation?
• What made a day in isolation “good”? What made a day in isolation “bad” for you?
• What were you allowed to have inside the cell (radio, tv, reading materials, educational materials)?
• Did these things change? Were such privileges ever taken away?
• Were the lights ever turned out in isolation? Was there enough light in your cell to read by?
• When were the lights turned on every day? Could you turn them on or off?
• Did facility officials look in on you regularly?
• How often?
• Was it a guard who looked in on you? Mental health staff? Religious officials? Others?
• Did they talk to you when doing their rounds or checks?
• What did they say to you?
• Could they see inside your cell clearly from outside the door?
• Was there a video camera in the cell?
• Could you hear or talk to other young people from your cell?
Were they all adults or were some of them youth?
What were your interactions with the guards like?
How many times a day did you receive food in isolation? What time of day?
Was it enough food? What were you served? How did it taste?
Did you get to leave the cell—for what? (recreation, visits, phone, etc.)

Medical/Mental Health Treatment in Isolation

- While you were in isolation, did you have sick call or were you able to make a medical request easily? What was the process for asking to see medical staff? How often could you ask/receive medical attention?
- While in isolation did you request to see medical staff? Mental health staff?
- How many times?
- What were their names? Were they nurses or doctors?
- Were you ever physically injured in the juvenile justice facility? When you were in isolation?
- Were you ever prescribed medication in the facility? When you were in isolation? Which medication(s)?
- When you were in isolation, would health care staff treat you in your cell or in the clinic/medical unit?
- How do you think the medical/psychological staff treated you?
- Did you ever talk to someone about your emotions or psychological/mental health while you were in the facility? While you were in isolation? How many times? What were their names? Were your conversations private/confidential?
- Were you ever diagnosed with a mental illness before or during time in the juvenile justice system? What diagnosis?
- Were there medications you took outside of the facility that you weren’t allowed to take once you started living there?
- Were you ever placed on suicide watch or taken to a medical unit for suicide watch? More than once? Why?
- What happened to you on suicide watch? Were you placed in a different cell? Given different clothes?
- How often did you see medical staff while you were on suicide watch?
- Were you ever taken to a hospital while you were in isolation? Why? When?

Transition: “These next questions may be hard to talk about but are important. Remember, you can end the interview at any time—or tell me you would rather not answer a hard question. I don’t want answering these questions to make you end up feeling worse.”

Impact of Isolation/Solitary Confinement

- How did being in isolation/solitary confinement make you feel?
• What was the feeling you had most often?
• Were you angry or afraid?
• How would you describe how you felt or acted while in isolation?
• Did you have any strategies for making the time pass or making it easier to be in isolation?
• Do you remember the hardest thing about being in isolation—or the most difficult moment?
• Did you feel like you were a different person when you left solitary?
• What did you want or need most when you were in isolation?
• Did you have dreams or nightmares?
• Did you ever try to hurt yourself? If so, did you ever talk about that with anyone?
• Did it feel like you were being punished?
• What advice would you give someone who was going into isolation at the age you were?

**Visits/Telephone Calls**
• Could your family or friends visit you while you were in isolation?
• How often were visits allowed?
• What are their names? Can we contact them? Contact information?
• Did religious clergy ever visit you in solitary?
• Any other community group or mentoring visits?
• What were their names? Contact information?
• Where did the visits take place?
• Could you touch or hug them? Were there limits (e.g. one hug at start/end of visit)?
• Was it hard to get these visits?
• How about telephone calls? Were you able to call your family while in isolation? How often?
• How long were these calls?
• Were there any restrictions on who you could call while you were in isolation?

**Attorney/Client Relationship**
• Did you have an attorney for your case while you were in the custody of the juvenile justice system?
• Did you meet with that attorney?
• When? How many times?
• Did you ever come directly from isolation to meet with your attorney? Were you strip searched before/after attorney visits?

**Behavioral Difficulties in Isolation**
• While in isolation did you ever misbehave? What happened?
• Were you ever disciplined while in isolation? What happened?
• Were you ever denied privileges while in isolation?
Abuse in Isolation
- Were you ever hurt or mistreated by security officers or other staff or facility officials? While in isolation? What happened?
- Were you ever mistreated by other residents in the facility? While in isolation? What happened?
- Were you ever placed in restraints while in isolation/solitary? What happened? When did this occur?
- Were you ever forcibly given medication you didn’t want to take? When did this happen? Do you remember the medication?
- Are there other ways you have been hurt or abused while in this facility?

Recreation & Out-of-Cell Time
- Did you get time out of your cell for recreation while you were in isolation?
- Were you alone during recreation? With other residents?
- How long did recreation last? How often did you get to go? If you were in solitary confinement for more than one day, which days were you allowed to go to recreation?
- Where did recreation take place? Inside? Outside?
- How big was the recreation space? How else would you describe the recreation space? Could you see the sky?
- Was there any recreation equipment? A ball? Weights? A pull-up bar?
- Were you allowed out of your cell for other reasons?
- How about showers?
- Were you alone for hygiene/showers?

Educational & Other Programming in Isolation
- Did you get out-of-cell time for education? If not, describe in-cell education programming.
- How many times per day or week?
- For how long each time?
- How many times per week?
- How many other people were in the class?
- Was the same material taught to all of you?
- How many teachers?
- Did you get to keep the books in the cell?
- Did you ever work outside of class, take tests, do worksheets?
- Did you feel like you learned anything?
- How did school compare to what you were used to before you entered the juvenile justice system?
- What did you like or dislike about it?
- Are you taking high school classes? Are you in a GED program?
• Have you ever been diagnosed with a learning disability or another disability?
• Do you have an “individual education plan” (IEP) (where your school, teachers and parent/guardians discuss how you learn best)?
• Did the facility ever discuss your IEP with you—or make changes to it?
• Were your parents/guardians notified?
• Did you get out-of-cell time for other programming?
• Which programs?
• How often? (Every day?)
• How much each time?
• Were these activities with other youth?
• Were there things you would have liked to do but couldn’t?

Further Research
• Do you have any documents related to your time in isolation/solitary confinement (hearing documents, violations notices/tickets, findings letters, medical records, evaluations, grievances, etc.)?
• Do you have any documents related to mistreatment you experienced while in custody of the juvenile justice system (grievance, etc.)?
• Have you heard of someone being placed in isolation for a long time, or longer than you? What is the longest time you have heard of? Do you know the reason/s that person was placed in isolation? Can you give me that person’s contact information?
• Is there anyone else in the facility (teacher, mentor, social worker, doctor, pastor, priest) who would know about youth in isolation and who we could contact?

If the Youth Has Been Released
• When were you released?
• Were you in solitary confinement up until you were released?
• What did you first feel when you were released?
• What did you most want to do or where did you most want to go when you got out? Did you do it?
• Did you ever think about your time in isolation after you were released?
• Did you ever have dreams or nightmares about the facility after you were released?

Youth’s Thoughts on Isolation/Solitary and Solutions
• Do you think people your age should be in isolation or solitary confinement?
• How would you describe the experience of being in isolation or solitary confinement to your brother/sister/cousin/friend?
• What would you tell a state legislator or a judge about putting youth in isolation/solitary confinement?
• What do you want to do when you get out?
• What advice would you give to someone who was entering the juvenile justice system at your age?
• I’ve asked you a lot of questions, but I don’t always ask the right ones. Is there anything I didn’t ask about that you think is important for people to know?