

# **Durbin Statement On GAO Report On BOP's Continued Failure To Eliminate Overuse Of Solitary Confinement**

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WASHINGTON – U.S. Senate Majority Whip Dick Durbin (D-IL), Chair of the Senate Judiciary Committee, today released the following statement regarding the U.S. Government Accountability Office's (GAO) [report](#) on the Bureau of Prison's (BOP) use of solitary confinement, also known as restrictive housing, in federal facilities, which Durbin requested:

“Solitary confinement must be a last resort, limited to the briefest term and under the least restrictive conditions possible. We know the overuse of solitary confinement causes lasting, irreparable harm to incarcerated people, threatens public safety, strains prison budgets, and violates fundamental human rights.

“Understanding this, I’m extremely disappointed by the findings in today’s GAO report, which highlights BOP’s failure to reduce its overreliance on restrictive housing.

“As Chair of the Senate Judiciary Committee, I have repeatedly called on BOP to reevaluate and limit the use of solitary confinement, and I’m disheartened they have not implemented multiple recommendations to curb restrictive housing. This issue has been studied extensively, and now is the time for action. BOP must implement the previous and new recommendations laid out by GAO, the 2014 BOP contracted assessment, and the 2016 Justice Department review without further delay.”

Today’s report shows a troubling trajectory for the number of federal prisoners in restrictive housing. According to GAO’s report, as of October 2023, BOP was housing about eight percent of its prison population in restrictive housing, or “solitary confinement.” In some cases, this includes isolating people in cells for up to 23 hours per day. The report also noted BOP has not fully implemented 54 of the 87 recommendations from two prior studies on improving restrictive housing practices. Racial disparities exist in restrictive housing as well. GAO found that while Black individuals were less than half (38 percent) of the total federal prison population, they represented more than half (59 percent) of the population in one restrictive housing type. Durbin was joined in the request for the report by Senators Chris Coons (D-DE) and Brian Schatz (D-HI) and Congressman David Scott (D-GA-13), as well as then-Senator Kamala Harris and the late Senator Dianne Feinstein.

For years, Durbin has sought to address the injustices and challenges that impact the daily lives of incarcerated Americans and their families—along with the staff responsible for protecting both the people incarcerated in our federal prisons and the communities surrounding them. Durbin has previously [introduced](#) the *Solitary Confinement Reform Act*, legislation that limits solitary confinement to the briefest term and under the least restrictive conditions possible, because the overuse of solitary confinement threatens public safety, strains prison budgets, and violates fundamental human rights. He has worked across the aisle to pass bipartisan legislation like the *Fair Sentencing Act* and the *First Step Act*; held hearings on harrowing conditions of confinement, including the treatment of incarcerated individuals with mental illness and the abuse of solitary confinement; and throughout both Republican and Democratic Administrations, has pushed DOJ and BOP to improve our criminal justice system.