

ICE Used Solitary Confinement More Than 14,000 Times Since 2018: Report

“Endless Nightmare” Experienced by People Subjected to Solitary Confinement by ICE Meets UN Criteria for Torture

U.S. Immigration and Customs Enforcement (ICE) used solitary confinement at least 14,264 times from 2018 to 2023, according to a new [report](#) issued by experts at Physicians for Human Rights, Harvard Law School, and Harvard Medical School.

The report, [“Endless Nightmare”: Torture and Inhuman Treatment in Solitary Confinement in U.S. Immigration Detention](#), documents that people placed in ICE solitary confinement spent a staggering 27 days in isolation on average, exceeding the 15-day period that constitutes torture as currently [defined](#) by United Nations experts.

“Our investigation shines light into the ‘black box’ of solitary confinement in immigration detention, documenting how excessive, cruel, and arbitrary the use of solitary confinement has been – in some cases even meeting UN criteria for torture,” said [Phil Torrey, JD](#), report co-author and assistant clinical professor of law at Harvard Law School.

“ICE’s solitary confinement practices inflict unacceptable and, in some cases, lifelong physical and mental health consequences. Many people seeking asylum and other immigrants come to the United States seeking safety only to be forced into a claustrophobic cell for weeks, months, or even years,” said [Katherine Peeler, MD](#), report co-author, PHR medical expert, and assistant professor of pediatrics at Harvard Medical School. “ICE must end its use of solitary confinement.”

The report is co-authored by Physicians for Human Rights (PHR), researchers at Harvard Medical School (HMS), and faculty and students at Harvard Immigration and Refugee Clinical Program (HIRCP) at Harvard Law School. It is one of the most expansive investigations into the use of solitary confinement in U.S. immigration detention to date.

The new study is based on internal ICE documents obtained after six years of Freedom of Information Act (FOIA) requests [and subsequent litigation](#) pursued by the HIRCP. Researchers at HMS also conducted in-depth interviews with 26 people who were held in solitary confinement in immigration detention facilities in recent years. The study is the first to report on data about solitary confinement in 125 detention facilities across the United States from September 2018 to September 2023, covering both Trump and Biden administrations.

Key findings include:

- At least **14,264 solitary confinement placements in the past five years (2018-2023)** alone, according to internal ICE records – likely an undercount due to ICE’s documented underreporting and misrepresentation of its use of solitary.
- Solitary placements lasted **27 days on average**, well in excess of the 15-day period that constitutes torture as defined by the UN Special Rapporteur on Torture.
- **Nearly half the recorded placements exceeded 15 days** and many lasted far longer.
 - **682 solitary confinement placements lasted at least 90 days while 42 lasted over a year.**
 - One person at Otay Mesa Detention Center in California was held in solitary confinement for **759 consecutive days**.
- Among the 8,788 records for this period where ICE reported the mental health status of immigrants in solitary confinement, over **40 percent had documented mental health conditions**.
- The total number of solitary confinement placements and the average length of stay in 2023 appears on track to be greater than in previous years, suggesting a **recent and ongoing increase in the use and duration of solitary confinement in ICE detention**.
- ICE uses solitary confinement **arbitrarily** and as **punishment**, with FOIA records showing how immigrants were placed in solitary for infractions such as “using profanity” or a “consensual kiss.”
- Immigrants in detention receive **substandard medical care**, and solitary confinement both **creates and exacerbates** physical and mental health conditions.
- Solitary confinement’s **health effects persist** well beyond the isolation period, often resulting in **enduring psychological and physical disabilities**.
- ICE’s solitary confinement **disproportionately harms people with vulnerabilities**, particularly **transgender people** and those with **mental health and medical conditions**.

“Being in solitary, that is like a whole other level of playing with your mind. To bother you, to hurt you, to offend you, to make you feel like less than nothing. Even your biology changes, how you view the world changes ... your mind and your body break into little pieces,” a 50-year-old man who was held in solitary confinement at the Northwest ICE Processing Center in Washington told researchers.

[ICE](#) is currently detaining more than [37,000 people](#), including long-term U.S. residents, people seeking asylum, and survivors of trafficking, torture, and other human rights abuses.

“The agonizing, inhuman treatment exposed in this study is likely only the tip of the iceberg,” said [Arevik Avedian, PhD](#), report co-author, lecturer on law, and director of the Empirical Research Group at Harvard Law School. “As past research has shown, ICE routinely underreports and misrepresents its use of solitary confinement. The figures in our study are likely a bare minimum estimate of the number and duration of solitary confinement placements. The situation in ICE facilities across the country is likely far more dire than what our data shows.”

*****TEXT-LOCKED / EMBARGOED UNTIL FEBRUARY 6 AT 9AM ET*****

The report spotlights how ICE consistently violates its own policies, guidelines, and directives on solitary confinement. A detailed legal analysis also shows how ICE falls short of both U.S. and international laws and standards.

“President Biden [pledged](#) to end solitary confinement during his 2020 campaign – yet the egregious use of solitary confinement is on the rise in immigration detention facilities overseen by Biden officials,” said [Tessa Wilson](#), report co-author and senior program officer of the Asylum Program at PHR. “Despite years of whistleblower reports, oversight investigations, and courageous activism by affected people and advocates, our report makes it clear that there has been no meaningful progress or reform over the past decade. The White House and Congress must act now to safeguard the health and rights of those in its custody by ending this barbaric practice for good.”

The FOIA data that informs this report is available open-access on the [Harvard Dataverse](#).