

Commission on Crime Prevention and Criminal Justice

Mistreatment of Prisoners



JACKRABBIT MUN VII

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HEAD CHAIR LETTER

Salutations Delegates!

My name is Janelle Rodgers, and I am so excited to say that I will be your Head Chair for your CCPCJ committee! I am currently a senior at Long Beach Polytechnic High School, and this is my second year in MUN. Model UN has allowed me to open my perspectives to new and varying opinions, which I now believe is an essential skill for success. I truly do love MUN, and hope after being a part of this CCPCJ room, you do too!

Some of my favorite hobbies of mine include photography. I have a love of being behind the camera (don't get me wrong, I have a soft spot for being in front of it too), but something about controlling the look, vibe, and feel of a photo is everything! In addition, I love fashion and claim to have a diverse sense of style. I've been styling my friends and peers ever since I was little, and like to say that I have an eye for pieces with such potential!

I hope you found some joy in reading a little about me, and I can't wait to hear all of your bright and inspiring ideas. I can't contain my excitement regarding meeting you all, and being your Head Chair! If you have any questions, comments, or concerns, feel free to contact me!

With much joy,

Janelle Rodgers

CCPCJ | Head Chair

nellierodgers345@gmail.com



POSITION PAPER GUIDELINES

- Position Papers are due at 11:59 PM on **Sunday, May 18th**.
- Delegates **must** submit position papers to be eligible for **research AND committee awards**.
- Position Papers will be submitted through a Google form:
 - <https://forms.gle/jkenWafGEAL6hJay9>
- At the top of each paper, include your character/country name, first and last name, school name, and appropriate committee.
 - United States
 - First Last
 - School Name
 - CCPCJ
- Papers should be submitted as a PDF file
 - Please name the file [Committee_Country]
 - Ex. **CCPCJ_United States**
- Papers should be minimum 1-2 pages in length with an additional Works Cited page in MLA format
- Papers should be single-spaced in Times New Roman 12 pt. font and include no pictures or graphics
- Please include the following sections for each committee topic:
 - Background & UN Involvement
 - Position of your Country
 - Possible Solutions

If you have any questions or concerns, please email one of your chairs.



TOPIC SYNOPSIS

The mistreatment of prisoners is a complex and pressing issue that requires reform, awareness, and immediate action. Mistreatment of prisoners can take many forms but is most prominent through physical and psychological abuse, neglect, and denial of basic human rights. This issue has had a devastating impact on people and society, and the dehumanization that prisoners often face is out of step with much of contemporary society. For imprisoned people, this often leads to mental and physical trauma, a lack of faith in the justice system and difficulties in the rehabilitation process. There are a number of factors that contribute to this issue, such as overcrowding, understaffing, lack of training, a culture of impunity, and more. Addressing this topic will require an intersectional approach through multifaceted, multidisciplinary solutions. This includes addressing prison conditions and improving quality of life, increasing accountability for both guards and prisoners, combatting discrimination, particularly on the basis of racial, gender or sexual identity within the criminal justice process, and providing support systems for prisoners who face all forms of abuse and mistreatment.



COMMITTEE DESCRIPTION

The United Nations Commission on Crime Prevention and Criminal Justice is the primary United Nations policy-making body in crime prevention and criminal justice. CCPCJ aims to address the topic of global crime by tackling a large range of crime-related issues, such as improving criminal justice systems, providing guidance and support to all those affected, and being held responsible for creating policies that improve the criminal justice system.

The CCPCJ's work covers a wide variety of issues, including transnational organized crime, corruption, terrorism, cybercrime, human trafficking, and violence against women. The Commission also addresses matters related to criminal justice systems, such as prison reform, access to justice, and the prevention of recidivism. The CCPCJ promotes this effort through discussion, research, and best practices, which are important building blocks for the entire world's progress toward safer, just societies.



BACKGROUND

PHYSICAL ABUSE

Physical abuse of prisoners is a serious violation of human rights that intentionally causes pain and suffering. It manifests in multiple different ways and has several harmful effects on prisoners. Beatings from guards to prisoners, or prisoners beating other prisoners is one of the most common forms of abuse. It involves the use of fists, batons, or other objects to strike prisoners. These beatings can result in a wide variety of injuries, ranging from bruises and cuts to broken bones and internal injuries. In addition to beatings, torture is also common. Torture refers to causing intentional pain or suffering among prisoners. Whether physical or psychological, torture is used to extract information or confessions, or even used as punishment and intimidation among prisoners. Some ways prisoners are tortured are through electric shocks, waterboarding, stress positions, and mock executions. In addition, corporal punishment involves physically harming or inducing physical pain on prisoners as a form of punishment. Corporal punishment is widely seen as an inhumane practice, and many argue that there are better ways to enforce punishment on prisoners. These methods of abuse are the most intentional, meaning that these methods are used to deliberately and directly harm prisoners.

Another form of physical abuse is the use of restraints. While restraints may be necessary in certain circumstances, restraints used in situations where they are not necessary can be considered abusive. Restraints are especially abusive when used for excessive and unnecessary amounts of time. This includes handcuffing prisoners in uncomfortable positions for long durations or using restraints as a punitive measure.



Withholding essential medical treatment for prisoners can have dire physical impacts on prisoners, especially those with serious and pre-existing health problems. This can also serve as a form of psychological abuse, leaving prisoners feeling helpless and neglected. For example, Palestinian prisoners in Israeli jails and prisoners have faced extreme mistreatment during the war, and currently during the ceasefire. Organizations like the Palestinian Prisoners' Society, Euro-Med Human Rights Monitor, and B'Tselem have documented numerous accounts of physical abuse, including beatings, forced stress positions, and other forms of violence.

PSYCHOLOGICAL ABUSE

Psychological abuse can have long-lasting, negative effects on a prisoner's mental health. Specifically, psychological abuse on prisoners can lead to conditions like post-traumatic stress disorder (PTSD), depression, high levels of anxiety, and even thoughts of suicide. Psychological abuse can also make it difficult for prisoners to adapt back into everyday life and society once they are released.

International human rights laws understand and recognize psychological abuse as a form of inhuman or degrading treatment, and is prohibited. However, most forms of abuse go unreported and unpunished due to their subjective nature, as well as the power imbalance from guards to prisoners.

Verbal abuse is a form of abuse that falls under the psychological category, which includes multiple insults, threats, humiliation, and derogatory statements that specifically targets a prisoner's identity, beliefs, or personal regards. The purpose of this is to degrade the prisoner, which ultimately erodes one's self-worth.

Prolonged isolation through solitary confinement from human contact can have profound psychological effects, leading to depression, anxiety, paranoia, and even



psychosis. Solitary confinement is often used as a form of punishment, but excessive use of it can contribute to psychological symptoms and forms of abuse.

SEXUAL ABUSE

Sexual abuse of prisoners is a pervasive and abhorrent violation of human rights, perpetrated using rape, assault, coercion, harassment, forced nudity, and trafficking. Inmates are subjected to it through guards, other staff, and other inmates. The inherent vulnerability of incarceration is dramatically manipulated by perpetrators of sexual abuse. The reporting of such abuse by victims is prevented due to fear of retaliation, distrust of authorities, and even feelings of shame because of the internal dynamics in jails. CEPA, an organization that interviews men and women about their stories about sexual assault in wars, interviewed Viktoriia Bilyk. Viktoriia says, “First of all, we were stripped, and the woman inserted her fingers into my vagina. After that, they led us, girls, to the other colony workers, who also forced us to undress.” She continues by explaining, “We could hear the men being raped in the corridor of the isolator. They were raped in unnatural ways.” These have disastrous consequences, such as bodily harm, acute psychological trauma including PTSD, vulnerability to STIs, and difficulties in readjustment upon release.

This abuse is unequivocally proscribed under international human rights law, yet worldwide, it continues. These one-sided, non-consensual, coerced, forced, and involuntary sexual acts will take a multi-faceted approach to eradicate. Preventative measures comprising staff training and zero-tolerance policies, accessible and confidential means of reporting by prisoners, investigation and prosecution of perpetrators, and comprehensive support services for survivors. The need to eliminate prison sexual assault is combined with the basic rights and dignity of all inmates.



DENIAL OF BASIC NECESSITIES

One of the most fundamental denials of necessities is adequate nutrition. Reports from organizations like Human Rights Watch and the Prison Policy Initiative consistently document the prevalence of insufficient and low-quality food in correctional facilities. For example, a 2018 report by the Prison Policy Initiative, "Starving Prisoners: A Look at Food in the U.S. Correctional System," detailed how many prisons serve meals that lack essential nutrients and are often composed of processed, unhealthy foods. This deficiency not only leads to physical health problems but also contributes to psychological distress, as documented in numerous prisoner testimonies and legal cases. Furthermore, punitive measures like "nutritional loaf," a dense, unpalatable food substitute, are often used, raising serious ethical concerns.

The denial of basic medical care is another critical issue. A study published in the American Journal of Public Health in 2019, "Mortality Rates in US State Prisons," found that mortality rates for certain diseases, such as heart disease and cancer, were significantly higher among incarcerated individuals compared to the general population. This disparity reflects the inadequate access to preventive care and timely treatment within prison systems. Furthermore, mental health care is often severely lacking, despite the high prevalence of mental health issues among incarcerated individuals. A 2017 report by the National Alliance on Mental Illness (NAMI) highlighted the severe shortage of mental health professionals in prisons and the resulting neglect of individuals with mental health conditions.

The deprivation of social contact and communication inflicts profound psychological harm. Studies published in journals like the Lancet and the Journal of the American Academy of Psychiatry and the Law have consistently demonstrated the



detrimental effects of solitary confinement on mental health, including increased rates of anxiety, depression, and psychosis. Reports from the United Nations Human Rights Office of the High Commissioner have condemned the use of prolonged solitary confinement as a form of torture. Furthermore, the limited access to phone calls and visitation—as documented by organizations like the Sentencing Project—isolates incarcerated individuals from their families and support networks, hindering their ability to reintegrate into society.

The root causes of these denials are multifaceted. Budgetary constraints, as documented in reports by the Vera Institute of Justice, contribute to underfunding of prison systems. Overcrowding, driven by punitive sentencing policies, exacerbates existing problems. Moreover, a lack of oversight and accountability, as highlighted by investigations by the Department of Justice, allows for abuses to occur unchecked.

OVERCROWDING

Sanitary conditions and hygiene are similarly compromised. Overcrowding, a pervasive issue in many prison systems, exacerbates this problem. A 2016 report by the U.S. Commission on Civil Rights, "Solitary Confinement," highlighted the unsanitary conditions prevalent in solitary confinement units, where individuals often lack access to basic hygiene products and are confined to cells with inadequate plumbing. Reports from organizations such as the ACLU, specifically concerning women's prisons, have shown a lack of access to feminine hygiene products. This is a clear violation of basic human dignity.

Overcrowding grossly inhibits attempts at rehabilitation efforts since limited space and staff make running effective programs difficult. This undermines the goal of



reintegration of the prisoners back into society and often increases recidivism. It constitutes a situation of violation of human rights because of gross overcrowding, which prevents the institutions from maintaining basic standards for humane treatment and decent living conditions. For that to be achieved, many things would have to happen, such as reform in sentencing, alternatives to being incarcerated, funding of infrastructure, and serious rehabilitation programs.

CULTURE

Cultural attitudes significantly influence prisoner mistreatment globally. Societies with a strong retributive justice focus, where punishment is prioritized over rehabilitation, often exhibit harsher prison conditions. For instance, in some countries, corporal punishment remains legal, and overcrowding is rampant, reflecting a cultural acceptance of severe punitive measures. Reports from organizations like Amnesty International document instances of torture and inhumane treatment in prisons across various regions, often linked to societal views that dehumanize prisoners, particularly those from marginalized groups. This is further evidenced by the disproportionate incarceration of ethnic minorities and indigenous populations in many countries, highlighting how cultural biases translate into systematic mistreatment.

The institutional culture within prisons also plays a pivotal role. A "culture of silence" can prevail, where staff members are reluctant to report abuses, allowing mistreatment to persist. The United Nations Office on Drugs and Crime (UNODC) has highlighted the prevalence of corruption and lack of accountability within prison systems globally, contributing to a climate where abuse is tolerated. In some regions, violence is normalized as a means of control, leading to a brutal prison environment.



Reports from the International Committee of the Red Cross (ICRC) detail the challenges of maintaining humane conditions in conflict zones and countries with weak governance, where a breakdown of law and order can lead to severe prisoner mistreatment. Furthermore, cultural biases held by prison staff can influence the way they treat different prisoners, contributing to discriminatory practices.

Cultural differences and misunderstandings exacerbate the problem. Language barriers, differing cultural norms, and a lack of respect for religious practices can lead to conflict and mistreatment. The World Prison Brief provides data on prison populations and conditions worldwide, revealing disparities in access to necessities and humane treatment across different cultural contexts. In some countries, religious minorities face discrimination and mistreatment within prisons, reflecting broader societal prejudices. Reports from human rights organizations detail instances where cultural or religious practices are not accommodated, leading to further marginalization and abuse. Ultimately, addressing prisoner mistreatment requires a multifaceted approach that tackles both societal attitudes and institutional practices, while also promoting cultural sensitivity and respect for human rights.



UNITED NATIONS INVOLVEMENT

The Standard Minimum Rules for the Treatment of Prisoners, first adopted in 1955 and revised in 2015, are universally accepted as the minimum standards for prison management and prisoner treatment. These rules cover a wide range of issues, including accommodation, hygiene, medical services, discipline, and contact with the outside world. Beyond providing guidelines for governments in creating prison laws and policies, they also serve as a benchmark for monitoring prison conditions and humane treatment.

Several international human rights instruments developed by the UN, such as the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the Convention against Torture, legally obligate states to respect the dignity and fundamental rights of all individuals, including prisoners. These instruments prohibit torture, ill-treatment, arbitrary detention, and other forms of abuse.

The UN employs various mechanisms to monitor prisoner treatment and investigate abuse allegations. These include the Subcommittee on Prevention of Torture, which conducts detention facility visits and makes recommendations; special rapporteurs on torture and country-specific human rights situations, who gather information and report on violations; and treaty bodies that monitor human rights treaty implementation and receive individual complaints.

To help countries improve their prison systems and implement international standards, the UN provides technical assistance and capacity building. This



encompasses training for prison staff, support for prison reforms, and assistance in developing human rights-compliant legislation and policies. The UN also plays a crucial role in raising awareness about prisoner mistreatment and advocating for prisoners' rights through campaigns like Nelson Mandela International Day.

Finally, the UN collaborates with other international organizations, such as the International Red Cross, and civil society groups to address prisoner mistreatment. These partnerships bolster monitoring efforts, provide victim support, and promote prison reforms.



BLOC POSITIONS

African Bloc

The African Bloc advocates against abuses of prisoners through the consolidation of legal tools and regional coordination. For instance, the African Charter on Human and Peoples' Rights bars torture and treatment that is degrading explicitly and is employed to frame national constitutions and laws. The Ouagadougou Declaration and Plan of Action added firmer commitments to humane treatment and rehabilitation of prisoners. Institutions like the African Commission on Human and Peoples' Rights monitor compliance, and technical help and assistance arise from collaborative efforts with international entities like the ICRC and UNODC. The ICRC, for example, has played an active role in numerous African countries with efforts to upgrade sanitation and medicine in prisons through reports released for the public record, demonstrating specific efforts to make improvements. Peer review processes in the African Union also help to foster accountability among member states.

Nonetheless, major challenges remain, including overcrowding and resource shortages. Most African prisons are plagued by extreme overcrowding, resulting in unsanitary conditions and heightened risk of disease. Statistics from the World Prison Brief illustrate the disproportionate occupancy rates of prisons on the continent, where facilities frequently fail to meet the needs of the imprisoned population. Fiscal constraints hinder reform adoption, in that the majority of prisons are not equipped with adequate facilities and services. Human Rights Watch and other similar organizations regularly document overcrowding and unsanitary conditions, presenting evidence of the gap between legal theory and practice on the ground. Finally, a Transparency International report in 2019 indicated that this corruption within prison



systems is a significant issue in the majority of African countries, stymying attempts at reform, diverting funds and enabling further abuse.

Asia-Pacific Bloc

In this bloc, Asia's approach to ending the ill-treatment of prisoners is multicultural, keeping with the continent's political and cultural diversity. Human rights norms have been incorporated into law by most countries, including prohibitions on torture, and others have enacted formal prison reform legislation. For example, Japan's Act on Penal Detention Facilities and Treatment of Inmates is designed to ensure humane treatment, though prolonged detention and poor lawyer access remain issues, as Human Rights Watch has documented. Some Asian countries also are signatories to the UN Convention against Torture, which obligates them to prohibit and penalize the acts. National Human Rights Institutions (NHRIs) in countries like India and the Philippines play crucial roles, carrying out inquiries on allegations and insisting on improved standards, evident through their released reports and submissions to governments.

Collaboration is also a regional and international staple. Asian governments collaborate with regional and international organs like OHCHR and UNODC, to enhance prisons' standards of living, largely through technical schemes and training initiatives. The ICRC has representation in Asia, evaluating prison conditions and reporting secretly to governments. For instance, the ICRC has been quite active in Myanmar to improve prison health care and sanitation, as documented in its yearly reports. While there is no pan-Asian group devoted solely to prison reform, other smaller regional associations exist to spread information and best practices.



Transparency, however, is problematic. Access to prisons by free monitors is, in some nations, restricted, which makes it hard to assess and act on abuse appropriately.

Many of these issues persist, such as overcrowding leading to unhygienic conditions and increased disease risks. Data from the World Prison Brief are uniform in demonstrating high occupancy levels in most Asian prisons. Political repression in some countries results in harsh treatment of political prisoners, as documented by Amnesty International in cases in nations like China and Vietnam. Cultural and religious contexts also influence attitudes towards punishment, sometimes hindering progress. Implementation gaps remain even when progressive laws exist; an Asian Human Rights Commission report documented several discrepancies between legal provisions and prison conditions in several countries. Therefore, while legal frameworks and international cooperation provide a foundation, ongoing monitoring, citizen advocacy, and devotion to transparency are required to ensure humane treatment for every prisoner in Asia.

Western European and Others Bloc

Europe's commitment to put an end to the abuse of prisoners lies in the European Convention on Human Rights (ECHR), Article 3 in particular, which prohibits torture and inhuman or degrading treatment. The European Court of Human Rights (ECtHR) has been instrumental in issuing landmark judgments that have pushed member states to improve prison life. For instance, the *Torregiani and Others v. Italy* case put in the limelight the issue of overcrowding, leading to systematic changes in Italian prisons. The Council of Europe's Committee for the Prevention of Torture (CPT) also conducts regular visits to places of detention and publishes detailed reports with recommendations. These reports, such as those regarding the conditions in Greek



prisons, tend to provide specific examples of inadequate healthcare or living standards, which compel governments to make changes.

European countries have also established national legislation and mechanisms for monitoring in order to ensure compliance with human rights standards. The majority have incorporated the ECHR into national legislation and established independent institutions, such as ombudsman bodies, to monitor prison life. National prison reform strategies, like those of the Scandinavian countries, emphasize rehabilitation and reintegration through education, vocational training, and social services. For example, Norway's emphasis on reintegration and restorative justice, according to Norwegian Correctional Service research, has resulted in significantly lower recidivism rates compared to the remainder of European nations. On top of this, rigorous guidelines concerning the application of force and restraint, as well as independent investigations into allegations of abuse, try to prevent maltreatment.

Also assisting in raising prison standards internationally is cooperation among countries and knowledge sharing of what works best. The Council of Europe sets unified standards, while organizations like the Association for the Prevention of Torture (APT) and Amnesty International monitor conditions and report back. For example, Amnesty International prison reports in East European countries documented issues like unsatisfactory medical care and cell overcrowding and brought about global pressure and transformation. Free collaboration of experience between workshops and conventions encourages the operation of effective reintegration and rehabilitation systems. While issues of overcrowding and the specific requirements of vulnerable populations remain, the robust legal instruments, independent oversight, and multilateral cooperation have assisted significantly in ensuring human rights levels in European prisons.



Middle Eastern Bloc

In this bloc, The Middle East's struggle to cope with prisoner abuse is undermined by complex interactions between unstable legal frameworks, political instability, and social traditions. Although a number of nations have incorporated human rights standards into local laws, implementation remains uneven. For example, Saudi Arabia and Egypt, who both have anti-torture legislation, have been under perpetual criticism from human rights groups like Amnesty International and Human Rights Watch for alleged cases of torture and arbitrary detention. The lack of independent oversight and limited access for human rights monitors only exacerbate the problem, so it is difficult to hold the authorities to account. In addition, the different interpretations of Islamic law prevailing in the area, which tend to be applied as a rationale for legislation, account for variability in prisoner treatment standards, sometimes failing to be aligned with international human rights norms.

Political arrest and arbitrary detention are prevalent, particularly in conflict or politically disturbed countries. UN reports by bodies such as the Office of the High Commissioner for Human Rights (OHCHR) have recorded extensive human rights violations in detention facilities in Syria, Yemen, and Libya where conflict has created fertile soil for abuse. Inadequate transparency within prison systems, coupled with restrictions on civil society organizations, keeps monitoring and reporting at bay. For instance, in Iran, human rights organizations are severely restricted, and this makes it hard for them to document and reveal cases of prisoner abuse. Transparency does not occur, and the abuses thus occur without anyone being held accountable.

Global organizations like the International Committee of the Red Cross (ICRC) are tasked with providing humanitarian assistance and visiting prison conditions. Their function, however, is normally curbed by political intervention and access



restriction. The ICRC, while submitting confidential reports to states, typically faces problems in gaining access to detention centers, particularly in times of conflict. Secondly, the lack of robust regional cooperative frameworks on prison reform is also a barrier to collective action for these concerns. Organizations like Human Rights Watch and Amnesty International consistently document disparities between prison life and legal norms, showing that there are international agreements, but there is a lack of implementation and enforcement.

Latin American and Caribbean Bloc

In this bloc, The Caribbean and Latin America have also established regional systems for human rights in their area to cover maltreatment of prisoners, such as the Inter-American Commission on Human Rights (IACHR) and the Inter-American Court of Human Rights. These entities have issued a range of judgments against governments for violations, creating valuable precedents. For instance, the IACHR prison reports in countries like Brazil and Venezuela have described drastic overcrowding and ill-treatment, causing calls for reform. A number of states have also incorporated international human rights standards into domestic law and, in a few instances, established National Preventive Mechanisms (NPMs) under the Optional Protocol to the Convention against Torture (OPCAT), which allows for independent monitoring. However, gaps in implementation remain, as evidenced by the ongoing reports of torture and ill-treatment, particularly in overcrowded environments.

Overcrowding and violence are the key concerns. World Prison Brief statistics still indicate high rates of incarceration and severe overcrowding across the region. This overcrowding in countries like Haiti and El Salvador, for example, leads to unsanitary conditions and widespread violence. Testimony from human rights



organizations like Human Rights Watch and Amnesty International document widespread cases of torture, ill-treatment, and gang violence within prisons. The lack of funds and corruption in prison facilities worsens the above problems further, making it more difficult to improve facilities and provide proper services. Impunity for the violation of human rights is also a common issue, as explained in IACHR reports, which find many cases perpetrators of abuse are not punished.

The ICRC works in the area to provide humanitarian assistance and monitor detention centers, regularly publishing reports on their work. Non-governmental organizations, like Argentina's Center for Legal and Social Studies (CELS), document abuses and provide legal assistance to detainees, publishing their activities and pushing for reforms. Despite these measures, challenges still exist, and continuous monitoring and lobbying are required in order to ensure that human rights levels are upheld. The IACHR's continuous monitoring and activities of local NGOs play an important role in holding states accountable and working towards actual change.



QUESTIONS TO CONSIDER

1. What are the international and national legal standards for the treatment of prisoners?
2. How widespread is the mistreatment of prisoners?
3. What are the short-term and long-term effects of mistreatment on prisoners' physical and mental health?
4. What mechanisms are in place to hold perpetrators of mistreatment accountable?
5. How does the mistreatment of prisoners in different countries or jurisdictions compare?
6. How do cultural and legal definitions of mistreatment vary across different countries and regions?
7. Are there specific groups of prisoners who are disproportionately targeted for mistreatment globally?
8. How do political and economic systems influence the treatment of prisoners?



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