

Official Testimony of Sammie Werkheiser

Senate Standing Committee on Crime Victims, Crime and Corrections and Senate Standing
Committee on Health

Joint Public Hearing: To discuss the impact of COVID-19 on prisons and jails
Tuesday, September 22nd, 2020

The following is my testimony before the New York State Senate. My name is Sammie Werkheiser. I am a 41 years old LGBTQ Activist, and an Advocate for Pregnant Women who are incarcerated in New York State. I speak today for the pregnant women on the inside who have had to grow a human being, while also serving jail time or a prison sentence. I proudly advocate for women who are justice impacted with our Team at A Little Piece of Light and Donna Hylton in Brooklyn, NY. I am a member of the Justice for Women Task Force, and a speaker for the National Action Network for #Halt Solitary and the National Religious Campaign Against Torture. I advocate in Binghamton, NY for incarcerated men and women with the Citizen Action of New York's Southern Tier Chapter.

I am calling for the immediate end to solitary confinement being used for medical quarantine during the COVID-19 pandemic. The practice of solitary confinement itself is inhumane and unfair, and constitutes cruel and unusual punishment, a violation of our Constitutional rights.

Three women I am friends with from Bedford Hills Correctional Facility were diagnosed with COVID-19. Darlene Benson-Seay, also known as "Lulu," was diagnosed with COVID-19.

Lulu and I both entered prison in 2013. It was the other women on 113 C/D that got the officers' attention to ensure that Lulu got to the hospital. Lulu passed away while serving her sentence. She was a woman of color and an elder. She was a friend, mother, sister, daughter, aunt, and grandmother. She applied for Clemency last year but was denied, even after a heart operation.

When I was in solitary confinement while serving a 12 Years to Life prison sentence, my water broke while I was only five months pregnant with twins. My son Julius Kingston survived, and his twin sister, Jacinta Rain, was born alive, but lived only twenty two minutes on my chest.

The effects of solitary confinement are real. Thousands of men and women incarcerated in New York have been placed in solitary as a means of medical quarantine. Other reasons for solitary can be protective custody, temporary custody, or for disciplinary reasons. There is no good reason to throw a woman or man, and certainly not a pregnant mother, in the hole.

If you are unsure if solitary confinement should be eradicated or not, I propose and experiment for you to do at home. You will need a stranger. Have the stranger lock you in your bathroom. Have them lock it from the outside and open it when they feel like it, about three times a week. Consider them what it is truly like to live like us, human beings just like you. . . Think then of the thousands of men and women, specifically pregnant women, in protective custody just as I was. Think of the unborn babies squirming in utero dealing with their mother's daily stressors from jail life and just surviving on the inside. It is unspeakable.

Stay in the bathroom now, for days, weeks, or one year. Just. stay. there. (Blink.) You will come out of the bathroom a different person than you were at the beginning of our experiment. If you are lucky, you will even come out alive. Lucky you.

Darlene "Lulu" Benson-Seay and Jacinta Rain Werkheiser, who were not as lucky, would want me to plead with you to end solitary confinement for all people of New York City and across the State of New York; it is especially despicable and harmful to human life as a means for medical quarantine during the COVID-19 pandemic.

This concludes my testimony today. Thank you for your compassion and consideration for radical change and human decency.

Respectfully submitted,

Mrs. Sammie Werkheiser