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FEATURED CASE

First Circuit Allows Eighth Amendment Solitary Confinement Claim to Proceed Against Rhode Island Prison Officials

***Cintron v. Bibeault,* No. 22-1716 (1st Cir. August 5, 2025)**

In February 2016, Jerry Cintron began serving a ten-year sentence in the Rhode Island Department of Corrections ("RIDOC") for possession of cocaine with intent to distribute, with a projected release in September 2025. While incarcerated, Cintron, who suffers from opioid use disorder, sought participation in RIDOC's Medication Assisted Treatment ("MAT") program but was denied admission. In July 2019, he relapsed, overdosed on what he believed to be Percocet but which was in fact a fentanyl-laced pill, prompting disciplinary sanctions. RIDOC officials imposed a cumulative 450-day solitary confinement sentence on Cintron for infractions related to possessing, acquiring, and consuming the intoxicant.

During his confinement, Cintron suffered pronounced mental and physical decline, including significant weight loss, self-injurious behavior such as pulling out his own hair, and psychiatric symptoms. Cintron was not allowed more than 5 hours out of his cell per week, only allowed one 10-minute phone call with a family member per month, and was not allowed a TV, radio, MP3 player, desk, newspaper or any other reading material, or mirror. The lights in his cell were also kept on 24 hours a day and loud banging of other cells could be heard once an hour, causing Cintron to develop sleep deprivation symptoms. Cintron persistently appealed to numerous officials, including Deputy Warden Jeffrey Aceto and Warden Lynne Corry, for relief, conveying his rapidly deteriorating condition in letters and through intermediaries. Each official responded dismissively, with Corry advising him to "occupy your time by writing letters, journal things," rather than alleviating his isolation. This mental deterioration led Cintron to relapse again, this time abusing his prescription pain medication, for which he was given additional time in solitary.

After exhausting internal remedies, Cintron brought suit in February 2021 under 42 U.S.C. § 1983, alleging that, through deliberate indifference, RIDOC officials violated his Eighth Amendment right to be free from cruel and unusual punishment by maintaining him in extreme isolation while fully aware

of his substantial risk of serious harm. In August 2022, the district court denied the defendants' motion for judgment on the pleadings as to the Eighth Amendment claim, and they appealed.

Legal Questions:

1. Whether the alleged conditions of social isolation, sensory deprivation, and lack of medical intervention posed a substantial risk of serious harm under the objective prong of the deliberate indifference analysis.
2. Whether at the time of the events, clearly established law put reasonable prison officials on notice that the prolonged isolation of a mentally and physically deteriorating inmate could violate the Eighth Amendment.

Holdings:

The First Circuit held that an inmate plausibly alleged an Eighth Amendment violation based on prolonged solitary confinement while suffering serious mental and physical deterioration, warranting denial of qualified immunity for certain prison officials, but reversed as to others lacking sufficient personal involvement.

Analysis:

The court began by laying out the basic test for a prison official to be held liable for an Eighth Amendment violation. First, under the "objective" requirement, "the deprivation alleged must be, objectively, sufficiently serious; a prison official's act or omission must result in the denial of the minimal civilized measure of life's necessities" such that the plaintiff "is incarcerated under conditions posing a substantial risk of serious harm." *Farmer v. Brennan*, 511 U.S. 825, 834 (1994). Second, under the "subjective" requirement, a prison official must have a sufficiently culpable state of mind, meaning a state of mind of deliberate indifference to inmate health or safety. Id. It also made sure to note that Cintron was not arguing the constitutionality of solitary confinement, but rather that the specific conditions he was kept in caused him harm and continued to caused him harm after he made the defendants aware of his deteriorating condition. The court referenced scientific studies as well as opinions from the Third and Fourth Circuits all noting that at around the 10-day mark of solitary confinement a person will begin to show signs of significant mental deterioration. This, coupled with his allegations of sleep deprivation, was enough to prove the objective requirement necessary for Cintron's claim to move forward.

As for the subjective requirement, Cintron would have to show "evidence that [a given defendant] had actual knowledge of impending harm, easily preventable, and yet failed to take the steps that would have easily prevented that harm." *Zingg v. Groblewski*, 907 F.3d 630, 635 (1st Cir. 2018). The court found that three different prison officials in supervisory roles knew or should have known of Cintron's deteriorating condition within solitary confinement. Both Cintron and his social worker had brought his condition to the attention of these officials, and they were clearly aware of his situation because they followed up with lower-level staff as to his status. Once they had become aware of Cintron's condition, they did not make any meaningful changes to his conferment nor did they suspend his confinement, in fact they added more time to it. While the court acknowledged the deference given to prison officials to remove an inmate from the general population for safety reasons, it made clear that in doing that they may not cause the harm they are seeking to prevent by removing them.

The court also denied qualified immunity to the prison officials, relying on a mountain of established case law holding that the type of sensory deprivation done to Cintron had been held to be an Eighth Amendment violation which should have put the officials on notice that their actions clearly violated Cintron's rights.

This case is interesting, because it is careful to conclude that the use of solitary confinement is not itself a violation of the Eighth Amendment, but cites to scientific articles and case law that compare it to torture. It could be a good idea for attorneys that defend these kinds of cases to review the policies of their local jail as it relates to solitary confinement to make sure that the length and manner of the confinement is in line with the Eighth Amendment, especially as the scientific data and case law mount against the employment of the practice.

Cintron v. Bibeault

SHORT SUMMARIES:

6th Circuit – Inspection of Property

A Michigan landlord, Brain Herschfus, challenged a city ordinance on constitutional grounds, alleging that the city's requirement that he allow an initial inspection and subsequent re-inspections of his properties he intended to rent out before being granted a license were a violation of his fourth amendment rights. The district court found that he lacked standing and granted summary judgement in favor of the city.

On appeal the court found that Herschfus did have standing, as the denial of a license for refusing to consent to inspections constituted a cognizable injury. However, the court concluded that the city's requirement of consent to an initial inspection as a condition of licensing was reasonable and did not violate the Fourth Amendment as it was a reasonable condition for a public benefit and not a coercive mandate.

Herschfus v. City of Oak Park

6th Circuit – Illegal Search

Plaintiffs, Michael and Susan Mockeridge owned property in a remote area of Michigan where they built 5 cabins for family use. Neighbors reported concerns that they were using the property as a public campground, and local officials began an investigation into the matter. Three government officials entered the property through adjacent private land and inspected the property while the plaintiffs were not present. The plaintiffs later received a letter from the county informing them that the county was classifying their property as a campground, that they would need to apply for the appropriate permits, and that they owed fines for unpermitted work.

Plaintiffs filed suit alleging a violation of their Fourth Amendment rights under 42 U.S.C. § 1983, and the District Court denied qualified immunity to the officials. On appeal, the court held that the officials' warrantless entry into the curtilage of the plaintiffs' mini-cabins for the purpose of gathering information about code compliance constituted an unreasonable search under the Fourth Amendment. The court further held that the right to be free from such a warrantless search was clearly established at the time of the officials' conduct.

Mockeridge v. Harvey

7th Circuit – High Speed Chase

In December 2020, Indianapolis Metropolitan Police Department officers initiated a high-speed chase of a fleeing suspect, James Shirley, who had allegedly backed into a patrol car and fled the scene. During the pursuit, Shirley's vehicle crashed into Edward Louis Flynn's car as Flynn was lawfully waiting to make a left turn, and Flynn died as a result. Flynn's widow, Gayl A. Flynn, sued the five involved officers under 42 U.S.C. § 1983, asserting that their conduct violated her husband's Fourteenth Amendment substantive due process rights. She also brought a Monell claim against the City of Indianapolis and Marion County, alleging that inadequate training permitted unconstitutional policing practices. The district court granted summary judgment in favor of the defendants on both the individual and municipal claims.

On appeal, the Seventh Circuit affirmed the district court's judgment in full. The court held that, even viewing the facts in the light most favorable to Flynn, the officers' actions in the face of an emergency, and without any deliberate intent to harm a bystander, did not amount to a violation of substantive due process under the Fourteenth Amendment. Accordingly, the failure-to-train claim under Monell also failed, because there was no underlying constitutional violation by the officers. The Seventh Circuit emphasized the emergency context and applied an "intent-to-harm" standard, finding no such intent, and thus affirmed summary judgment for both the officers and the City. This case provides a nice contrast to another eNews case from a few months ago *Estate of Soakai v. Abdelaziz,* No. 23-4466 (9th Cir. 2025).

Flynn v. Consolidated City of Indianapolis and Marion County