

Is *Teshuvah* Possible? Convicts, prison, and solitary confinement

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I The criminal in society

1. Deuteronomy 25:2-3

וְהָיָה אִם-בֶּן הַכּוֹת, הַרְשָׁע--וְהַפִּילוּ הַשֹּׁפֵט וְהַכֹּהֵן לְפָנָיו, כְּדִי רִשְׁעוֹ בְּמַסְפָּר . ג. אַרְבָּעִים יַכְנוּ, לֹא יִסִּיף : פָּן-יִסִּיף
לְהַכְתּוֹ עַל-אֵלֶּה מִכָּה רַבָּה, וְנִקְלָה אַחִיד לְעֵינָיִךְ.

If the guilty one is to be flogged, the magistrate shall have him lie down and be given lashes in his presence, by count, as his guilt warrants. He may be given up to forty lashes, but not more, lest being flogged further, to excess, your brother be degraded before your eyes.

2. Sifrei, Ki Tetze Piska 286

וְנִקְלָה אַחִיד לְעֵינָיִךְ, מִשְׁלָקָה הָרִי הוּא אַחִיד מִיֵּכֵן אִמְרוּ כֹל חַיִּיבֵי כְרִיתוֹת שֶׁלְקוֹ נִפְטְרוּ מִיַּד כְּרִיתָם .
רַבִּי חַנְנִיָּה בֶּן גַּמְלִיאֵל אוֹמֵר כֹּל הַיּוֹם הַכְּתוּב קוֹרָא אוֹתוֹ רֹשַׁע שֶׁנֶּאֱמַר וְהָיָה אִם בֶּן הַכּוֹת הַרְשָׁע אֲבָל
מִשְׁלָקָה הַכְּתוּב קוֹרָא אוֹתוֹ אַחִיד שֶׁנֶּאֱמַר וְנִקְלָה אַחִיד.

“Your brother will be degraded before your eyes.” From the moment he is flogged, he is your brother. From this it was said “all who are liable for excommunication and are flogged immediately are exempted from excommunication. Rabbi Chananya ben Gamliel said, “all day, the text calls him ‘wicked,’ as it says ‘if the wicked person is subject to lashes’ (Deuteronomy 25:2). But from the time that he is flogged, the text calls him ‘your brother,’ as it says, ‘your brother is flogged.’”

3. “Boxed In: The True Cost of Extreme Isolation in New York’s Prisons” New York Civil Liberties Union 2012

“I want to interact with others, see others. I want to go to the yard or the shower. I want the liberty of walking down the company [gallery] so that I can feel human.”—Daniel (20 years in and out of isolation)

II Prisons and solitary confinement

1. Talmud, Sanhedrin 81b

משנה. מי שלקה ושנה - בית דין מכניסין אותו לכיפה, ומאכילין אותו שעורין, עד שכריסו מתבקעת .

גמרא. משום דלקה ושנה בית דין כונסין אותו לכיפה? אמר רבי ירמיה אמר רבי שמעון בן לקיש: הכא במלקיות של כריתות עסקינן, דגברא בר קטלא הוא, וקרובי הוא דלא מיקרב קטליה. וכיון דקא מוותר לה נפשיה מקרבינן ליה לקטליה עילויה. אמר ליה רבי יעקב לרבי ירמיה בר תחליפא: תא אסברא לך, במלקיות של כרת אחת, אבל של שנים ושל שלש כריתות – איסורי הוא דקא טעים, ולא מוותר כולי האי. . . ומאי כיפה - ? אמר רב יהודה: מלא קומתו, והיכא רמיזא? אמר ריש לקיש (תהלים ל"ד) תמותת רשע רעה. ואמר ריש לקיש: מאי דכתיב+ (קהלת ט) 'כי' גם [לא ידע האדם את עתו כדגים שנאחזים במצודה רעה, מאי מצודה רעה? אמר ריש לקיש: חכה .

משנה. ההורג נפש שלא בעדים - מכניסין אותו לכיפה, ומאכילין אותו (ישעיהו ל') לחם צר ומים לחץ . גמרא. מנא ידעינן ? אמר רב: בעדות מיוחדת. ושמואל אמר: שלא בהתראה. ורב חסדא אמר אבימי: כגון דיתכחו ש בבדיקות, ולא איתכחוש בחקירות. כדתנן: מעשה ובדק בן זכאי בעוקצי תאנים . ומאכילין אותו לחם צר ומים לחץ. מאי שנא הכא דקתני נותנין לו לחם צר ומים לחץ, ומאי שנא התם דקתי מאכילין אותו שעורין עד שכריסו מתבקעת? אמר רב ששת: אידי ואידי נותנין לו לחם צר ומים לחץ עד שיוטן מעיינו, והדר מאכילין אותו שעורין עד שכריסו מתבקעת .

Mishnah: He who was twice flogged [for two transgressions, and then sinned again,] is placed by the beit din in a cell and fed with barley bread, until his stomach bursts.

Gemara: Because he has been twice flogged the *Beit Din* places him in a *kippah*?!? Rabbi Jeremiah answered in the name of Resh Lakish, "The reference is to flagellation for an offense punishable by excommunication so that he is already liable to death [at the hand of God], but the time of his death has not yet come: since, however, he abandoned himself [to sin], we hasten his death." Rabbi Jacob said to Rabbi Jeremiah bar Tahlifa, "Come, I will interpret it for you. This refers to flagellation for one sin liable for excommunication, but if he committed two or three such sins, he may simply have a taste for sin, and it is not that he has abandoned himself completely" . . .

And what was the form of the *kippah*? — Rab Judah said, "A chamber of his [the transgressor's] full height." And where is it alluded to? Resh Lakish quoted, "Evil shall slay the wicked." (Psalms 34: 21) Resh Lakish also said, "What is meant by, 'For a person does not know his time, as the fishes that are taken in an evil trap' (Ecclesiastes 9:12) "What is 'an evil trap'?" — Resh Lakish said, "A hook."

Mishnah. One who commits murder without witnesses is placed in a *kippah* and [forcibly] fed with bread of adversity and water of affliction'.

Gemara. How do we know [that he committed murder]? — Rav said: On 'disjoined' evidence. Samuel said: Without a warning. Rav Hisda said in Abimi's name: Through witnesses who were disproved as to the minor circumstances [of the crime], but not on the vital points. As we learned: It once happened that Ben Zakkai examined [the witnesses] as to the stalks of the figs.

And fed “bread of adversity and water of affliction”. Why does this mishnah teach, “and fed with bread of adversity and water of affliction,” while the former teaches, he is placed by bet din in a cell and fed with barley bread until his stomach bursts? — Rav Sheshet answered, “in both cases he is fed with ‘bread of adversity and water of affliction’ for his intestines to shrink [thus blocking the passage], and then he is fed with barley bread until his stomach bursts.”

2. Tosefta Sanhedrin 12:7-8

מתרין בו ושותק מתרין בו ומרכין בראשו מתרין בו פעם ראשונה ושנייה ובשלישית כונסין אותו לכיפה אבא שאול אומ' אף בשלישית מתרין אותו וברביעית כונסין אותו לכיפה ומאכילין אותו לחם צר ומים לחץ :

כיוצא בו חייבי מלקיות שלקו ושנו מלקין אותן פעם ראשונה ושנייה ובשלישית כונסין אותן לכיפה אבא שאול או' אף בשלישית מלקין אותן וברביעית כונסין אותן לכיפה ומאכילין אותן עד שכריסו נבקעת :

We warn him once and he is silent; he is warned again and indicates consent. If he is warned a first, then a second time, the third time, we place him in *kippah*. Abba Shaul says, “Even the third time, we warn him, and the fourth time, we place him in *kippah* and feed him minimal bread and water.

This is the rule for those who are liable for lashes and who repeat the crime: We give them lashes a first, then a second time; the third time, they are placed in the *kippah*. Abba Shaul says, “also the third time, we give them lashes, and the fourth time, we place them in the *kippah*.” And we feed him barley until his stomach bursts.

3. Shane Bauer, “Solitary in Iran Nearly Broke Me. Then I Went Inside America's Prisons.” *Mother Jones* November/December 2012

IT'S BEEN SEVEN MONTHS since I've been inside a prison cell. Now I'm back, sort of. The experience is eerily like my dreams, where I am a prisoner in another man's cell. Like the cell I go back to in my sleep, this one is built for solitary confinement. I'm taking intermittent, heaving breaths, like I can't get enough air. This still happens to me from time to time, especially in tight spaces. At a little over 11 by 7 feet, this cell is smaller than any I've ever inhabited. You can't pace in it. . .

"So when you're in Iran and in solitary confinement," asks my guide, Lieutenant Chris Acosta, "was it different?" . . .

What I want to tell Acosta is that no part of my experience—not the uncertainty of when I would be free again, not the tortured screams of other prisoners—was worse than the four months I spent in solitary confinement. What would he say if I told him I needed human contact so badly that I woke every morning hoping to be interrogated? Would he believe that I once yearned to be sat down in a padded, soundproof room, blindfolded, and questioned, just so I could talk to somebody? . . .

I want to answer his question—of course my experience was different from those of the men at California's Pelican Bay State Prison—but I'm not sure how to do it. How do you compare, when the difference between one person's stability and another's insanity is found in tiny details? Do I point out that I had a mattress, and they have thin pieces of foam; that the concrete open-air cell I exercised in was twice the size of the "dog run" at Pelican Bay, which is about 16 by 25 feet; that I

got 15 minutes of phone calls in 26 months, and they get none; that I couldn't write letters, but they can; that we could only talk to nearby prisoners in secret, but they can shout to each other without being punished; that unlike where I was imprisoned, whoever lives here has to shit at the front of his cell, in view of the guards?

"There was a window," I say. I don't quite know how to tell him what I mean by that answer. "Just having that light come in, seeing the light move across the cell, seeing what time of day it was—" Without those windows, I wouldn't have had the sound of ravens, the rare breezes, or the drops of rain that I let wash over my face some nights. My world would have been utterly restricted to my concrete box, to watching the miniature ocean waves I made by sloshing water back and forth in a bottle; to marveling at ants; to calculating the mean, median, and mode of the tick marks on the wall; to talking to myself without realizing it. For hours, days, I fixated on the patch of sunlight cast against my wall through those barred and grated windows. . .

Here, there are no windows

Acosta, Pelican Bay's public information officer, is giving me a tour of the Security Housing Unit. . . The cell I am standing in is one of eight in a "pod," a large concrete room with cells along one side and only one exit, which leads to the guards' control room. A guard watches over us, rifle in hand, through a set of bars in the wall. He can easily shoot into any one of six pods around him. He communicates with prisoners through speakers and opens their steel grated cell doors via remote. That is how they are let out to the dog run, where they exercise for an hour a day, alone. They don't leave the cell to eat. If they ever leave the pod, they have to strip naked, pass their hands through a food slot to be handcuffed, then wait for the door to open and be bellycuffed.

4. "Boxed In: The True Cost of Extreme Isolation in New York's Prisons" New York Civil Liberties Union 2012

Prisoners in the SHU who commit certain disciplinary infractions may be punished with a "restricted diet," or what is commonly known as "the loaf." The loaf is a "football-sized" brick of baked bread-and-vegetable matter, which the prisoner received with a wedge of raw cabbage and water, for every meal over the course of the punishment. Na'im, who received "the loaf" for one week, described it as a "hard, big piece of bread" that "you have to break. . . with your hands." Donell described it as "something you'd feed a bird or dog."

Samuel, who has received the loaf at Upstate, does in fact, "feed it to the birds outside," from his recreation pen. But he doesn't actually eat it. He and others choose to fast because they say eating the loaf results in painful constipation. Tevin, who has received the loaf several times, said that after eating it once, he "never touched it again," living only on "water! Literally for 7 days all 3 meals." . . .

"Sometimes if the guard it is angry with the inmate do not give it the eat and put him under starvation. I personally already suffered those kind of violations and mistreatments. One time some of those guards did not feed me for four days and after a sergeant take care of that matter and made them to feed me those guards depriving me of food two more days."—Hector (quote uncorrected)

5. Meiri on Sanhedrin 81b

ההורג נפשות שלא בעדים פיי בגמי' שלא בעדות המספקת אלא בעדות מיוחדת והוא שראוהו שני העדים אחד מחלון זה ואחד מחלון זה ואין רואין זה את זה שאין עדותן עדות לנפשות מכניסין אותו לכיפה ומאכילים אותו לחם צר ומים לחץ פיי בגמי' עד שיוקטן מעיינו ואח"כ מאכילין אותו שעורים עד שתבקע כריסו על הדרך שביארנו ופיי בגמי' שכך הדין במי שהרג בעדים המספיקים אלא שלא היתה שם התראה או שלא היתה שם התראה המספקת או שהוכחשו העדים בבדיקות ולא בחקירות וי"מ שלא באמר דבר זה אלא בבדיקות שאינן בגוף ההריגה כגון עוקצי תאנים וכלים שחורים ולבנים אבל אותן שבגוף ההריגה כגון סיני וארירן . . . ודבר זה אין עושין אותו אלא לרצחנים אבל לא לשאר חייבי מיתות בית דין .

The gemara explains that “one who kills without witnesses”—that is, without sufficient testimony, but with *edut meyuchedet* (disjoined testimony), such as the case when one witness sees the murder from one window, and the other from another window, and they do not see each other, such that their testimony is not sufficient for capital punishment. In this case, we put the perpetrator in the *kippah*. . . and it is explained in the gemara, that this is also the case when one kills with sufficient testimony, but without being warned, or the warning was insufficient, or the witnesses were disqualified in the *b'dikut* but not in the *hakirut*. Some explain that this statement only refers to evidence that is not central to the murder—for example, the stalks of the figs, or whether the perpetrator's clothes were black or white, but not regarding evidence central to the case—such as a sword or a dagger. . . and we only do this thing to murderers, but not to others liable for capital punishment at the hands of the court.

6. Rambam *Hilkhot Rotzeach Ushmirat Hanefesh 2:5*

הלכה ד
וכל אלו הרצחנים וכיוצא בהן שאינן מחוייבים מיתת בית דין אם רצה מלך ישראל להרגם בדין המלכות ותקנת העולם הרשות בידו, וכן אם ראו בית דין להרוג אותן בהוראת שעה אם היתה השעה צריכה לכך הרי יש להם רשות כפי מה שיראו .

הלכה ה
הרי שלא הרגם המלך ולא היתה השעה צריכה לחזק הדבר הרי בית דין חייבין מכל מקום להכותם מכה רבה הקר ובה למיתה ולאסור אותן במצור ובמצוק שנים רבות ולצערן בכל מיני צער כדי להפחיד ולאיים על שאר הרשעים שלא יהיה להם הדבר לפוקה ולמכשול לבב ויאמר הריני מסבב להרוג אויבי כדרך שעשה פלוני ואפטר .

In the case of all of these murderers and such, who are not liable for death at the hands of the *beit din*—if a king of Israel wants to kill them, per royal law and *takanat ha'olam*, he is permitted to do so. Similarly, if the *beit din* thought it appropriate to carry out capital punishment on an emergency basis, if the hour demands it, they have permission according to what they see fit.

But if the king did not kill them, and the hour did not demand this, the court is obligated, in any case, to punish them with a serious punishment, close to death, and to confine them in a small and narrow place for many years, and to afflict them with all sorts of afflictions in order to instill fear in other wicked people, so that the incident will not become an obstacle or a stumbling block, such that another person will say “I will bring about the death of my enemy as so-and-so did, and I will go free.”

7. Meshulam Rath *Kol Mevasser* 1:83 (Poland/Israel 1875-1963)

ובדרך כלל לבי מהסס נגד חוק בהסכמת הרבנים למאסר קצוב של חמש או שלש שנים בתור עונש על חטא שעבר שלא נמצא כזה בחוקי ההלכה שלנו, רק מאסר זמני בתור אמצעי שלכפייה או שמירה כמ"ש רש"י בפסחים דף צ"א ע"א ד"ה בית האסורין של ישראל) ובכתובות דף ל"ג כשהכהו ולא מת ונפל למשכב חובשין אותו עד שימות או יבריא, ובירושלמי סנהדרין פ"ז ה"ח איתא דכל נידון חובשין אותו בבית האסורים עד שיגמר דינו ועי' חידושי הר"ן לסנהדרין דף נ"ו, (או כניסה לכיפה בהורג נפש שלא בהתראה וזו הלכה למשה מסיני היא כמ"ש רש"י בסנהדרין דף פ"א ע"ב ד"ה והיכא רמיזא, ואין עושין דבר זה אלא להורג נפש ולא לשאר מחוייבי מיתת בי"ד

In general, I am hesitant about the agreement of the rabbis regarding imprisonment of five or three years as punishment for sin, for nothing like this is present in our *halakhah*—rather, we have only temporary imprisonment in order to force compliance, or to hold a person [until the trial is completed]. . . or in the case where someone struck a person who didn't die, but was in critical condition, we lock up the perpetrator until the victim either dies or heals. (Ketubot 33b) or according to Yerushalmi Sanhedrin 7:8 we keep someone accused of a crime in prison until the trial has ended. . . or placement in a *kippah* for someone who murders without being warned. And this is *halakha l'moshe misinai*. . . and we do not do this thing except in the case of a murderer, and not for other crimes liable for capital punishment at the hands of the *beit din*.

8. Ritva 159 (Rabbi Yom Tov Ishbili, Spain c. 1250-1330)

וכי בביטולה יחזור למוטב ויקבל עליו עונש כפרה כראוי, שיכולים אתם להתיר הגזרה אשר גזרתם עליו כדי שיחזור בתשובה ושלא יצא לתרבות רעה לא הוא ולא אחרים בשבילו, דכל הפושעים שפשעו שחזרו בהם מקבלין אותם עולמית כדכתי' שובו בנים שובבים

[On whether to shorten the sentence of someone who has been excommunicated for a crime, but seems ready to do *teshuvah*] If by cancelling it, he will return to being good, and will accept the punishment of *kaparah* as is appropriate, you may lift the decree which you have decreed upon him so that he may do *teshuvah*, and so he will not go astray to a life of evil—neither him nor others on his behalf. For in the case of all sinners who sinned and then repented, we accept them forever, as it says “Return my backsliding children.”

9. Michelle Alexander, *The New Jim Crow* (New York: The New Press, 2012) 94

Once a person has been labeled a felon, he or she is ushered into a parallel universe in which discrimination, stigma, and exclusion are perfectly legal, and privileges of citizenship such as voting and jury service are off-limits. It does not matter whether you have actually spent time in prison; your second-class citizenship begins the moment you are branded a felon. Most people branded felons, in fact, are not sentenced to prison. As of 2008, there were approximately 2.3 million people in prisons and jails, and a staggering 5.1 million people under “community correctional supervision”—i.e., on probation or parole. . . For drug felons, there is little chance of escape. Barred from public housing by law, discriminated against by private landlords, ineligible for food stamps, forced to “check the box” indicating a felony conviction on employment applications for nearly every job, and denied licenses for a wide range of professions, people whose only crime is drug

addiction or possession of a small amount of drugs for recreational use find themselves locked out of the mainstream society and economy—permanently.

No wonder, then, that most people labeled felons find their way back into prison. According to a Bureau of Justice Statistics study, about 30 percent of released prisoners in its sample were rearrested within six months of release. Within three years, nearly 68 percent were rearrested at least once for a new offense. Only a small minority are rearrested for violent crimes; the vast majority are rearrested for property offenses, drug offenses, and offenses against the public order. .

Probationers and parolees are at increased risk of arrest because their lives are governed by additional rules that do not apply to everyone else. Myriad restrictions on their travel and behavior (such as a prohibition on associating with other felons), as well as various requirements of probation and parole (such as paying fines and meeting with probation officers), create opportunities for arrest. . . *About as many people were returned to prison for parole violations in 2000 as were admitted to prison in 1980 for all reasons. . .* If you fail, after being released from prison with a criminal record—your personal badge of inferiority—to remain drug free, or if you fail to get a job against all the odds, or if you get depressed and miss an appointment with your parole officer (or if you cannot afford the bus fare to take you there), you can be sent right back to prison.

10. Rabbi Judah ben Asher, *Zichron Yehuda* 79 (Germany/Spain 1270-1349)

כל דין ועונש שעושים ב"ד לצורך השעה כאשר יתאמת יענישוהו עונש שיראה לב"ד ובלבד שתהיה כוונתם לרדוף הצדק והאמת בלבד בלא שתוף כוונה אחרת

With every ruling and punishment that the *Beit Din* carries out according to the needs of the hour, they may punish him appropriately, as they see fit as long as their intention is only to pursue justice and truth, without any other additional intention.

III Does a prison cell need a *mezuzah*?

1. Rabbi Isaac Jacob Weiss, *Minchat Yitzchak* (Poland/Israel, 1902-1989)

ובס' ברכי יוסף) סי' רפ"ו אות ג, ('הביא מחלוקת השער אפרים עם הבית הלל לגבי בית האסורים, אם פטור ממזוזה, דב"ה כתב הטעם דבית אסורים פטור, משום שאינו דירת כבוד, וברכ"י דחה טעם זה, וכתב לצדד דפטור, הגם שיושבין שם כמה חדשים בקביעות, וליכא סכנה ולא ביזוי, מטעם שמקומות אלו נעשו לדירת ארעי, ולא לדירת קבע, והוי כמו בית שבספינה

(Referring to discussion in *Birkei Yosef* [Haim David Azulai, Jerusalem 1724-1806]) Beit Hillel wrote that a prison is exempt from *mezuzah* because it is not an honorable place. And the *Birkei Yosef* rejected this reason, and wrote also that it's exempt, that even though people stay there steadily for months, and even though there is no danger or disgrace there, since these places are made to be temporary dwellings, and not permanent ones, and therefore are like a house built on a ship.

2. R. Ben Zion Meir Chai Uzziel, *Piskei Uzziel B'she'elot haZman* 30 (Palestine/Israel 1880-1953)

ולא היא לע"ד, דבאמת גם בבתי האסורים שעושים צרכיהם בתוך התאים חייבים במזוזה וכמו שהוכחתי מדברי הטור ובית יוסף, וכן פסק מרן ז"ל בש"ע: מקום שיש שם טינוף כגון שהתינוקות שם, טוב לכסות המזוזה) שם סעיף ה.

[Rejecting suggestion that prison be considered not *dirat kavod*] It is not so in my opinion, for in reality, even prisons where the prisoners carry out their bodily needs inside their cells, are obligated for *mezuzah*, and as I have proven from the words of the *Tur* and *Beit Yosef* (and also the *Shulchan Arukh* ruled), in a place where there is filth, such as when there are babies present, it is good to cover the *mezuzah*.

מכל האמור ומדובר התקיימו דברי מרן החיד"א לפטור בית האסורים מחובת מזוזה משום דהויא דירת עראי, והס בר דבריו הוא דבית האסורים לא נקבע לדירה אלא לזמן מסויים. כל זמן שהיושב בו נמצא בבית האסורין ושניהם בעל בית האסורים והאסיר מצפים לשעה שיותר אסיר זה ממאסרו לפנות את החדר, הלכך חשוב כבית שלא הוקבע לדירה דומיא דבתים שבספינה שאינם אלא לזמן הנסיעה.

Based on [prison being *dirat arai*], the *Birkei Yosef* exempted the prison from the obligation of *mezuzah* since it is a temporary dwelling. The explanation for his words is that a prison is only established as a dwelling for a certain period of time. The entire time that the one dwelling there is in prison, both the person in charge of the prison and the prisoner are awaiting the moment when the prisoner will be released from his prison and will vacate the cell. For this reason, it is thought of as a house that is not established as a dwelling place, similar to houses on boats, which are only for the duration of the journey.

ולע"ד נראה שאין כאן מחלוקת, שאם אמנם האסירים פטורים מטעמים דכתבנו לעיל, אבל המדינה עצמה חייבת לקבוע מזוזה כיון שהיא משכינה בבתים אלו ישראלים, והרי זה דומה לרפת בקר ולולין ואוצרות יין ושמן שחייבים במזוזה משום שכל מה שבעל הבית משתמש בבתים אלה לצרכו והנא תו הרי הוא כדייר וחייב במזוזה לדברי הכל מדין תורה, משום שהוא קנינו ומקום דירה להנאתו וצרכי חייו, וה"ה וכ"ש הוא כשמשמש בבתים אלה לצורך אדם אף לדירה שאינו קבוע ה, מ"מ בשביל בעל הבית הרי זה בית עשוי לדירה, היום איש זה למחר איש אחר, ואפילו אם הם גוים הרי אינם גרועים מבקר ותרנגולים ואוצרות יין ושמן שהוא חייב לקבוע בה מזוזה בברכה כדינה, שגדולה מצות מזוזה שכל הזהיר בה יאריכו ימיו וימי בניו) שם סי' רפ"ח.

In my opinion, it seems that there is no debate (about whether there should be *mezuzot* in Israeli prisons). For even if the prisoners are exempt from *mezuzah* for the reasons stated above, the state itself is obligated to put up a *mezuzah* since it places Jews to dwell in these places. This is similar to a barn or chicken coop, or wine or oil cellars, which require a *mezuzah* since the owner uses these properties for his/her needs and benefit, and for that reason, s/he is like the resident, and therefore is obligated in *mezuzah* according to all opinions per Torah law, since they are one's property and dwelling place for the purpose of benefit and basic needs. This is the law even the more so when these properties are used for the needs of human beings, even for dwelling places that are not permanent. Regardless, as far as the owner is concerned, this is a building created as a dwelling place. Today, one person is there, tomorrow another. And even if they are non-Jews, they are no worse than cattle or chickens or stores of wine or oil, which require placing a *mezuzah*, with a *brakha*, according to the law. For great is the *mitzvah* of *mezuzah* that all who are careful about it will see their days and the days of their children lengthened.