

# ¡BASTA YA!

★ Working to Extend Democracy to All ★

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## PELICAN BAY IS NOT ENOUGH!!

### Continuing the Struggle Against Extreme Isolation and Sensory Deprivation

By Victoria Law

Last month, prisoners across California ended a nearly three-week hunger strike. The strikers, who numbered 12,000 at the strike's peak, had five core demands:

- Eliminate group punishments for individual rules violations;
- Abolish the debriefing policy and modify active/inactive gang status criteria;
- Comply with the recommendations of the US Commission on Safety and Abuse in Prisons (2006) regarding an end to long term solitary confinement;
- Provide adequate food;
- Expand and provide constructive programs and privileges for indefinite SHU inmates.

The strike, the second three-week hunger strike to rock California's prison system this year alone, was called by men in the Security Housing Unit (SHU) of California's Pelican Bay State Prison. The SHU is explicitly designed to keep prisoners in long-term solitary confinement under conditions of extreme sensory deprivation. Men are locked into their cells for at least 22 hours a day. Food is delivered twice a day through a slot in the cell door.

Prison administrators place men in the SHU either for a fixed term for violating a prison rule or for an indeterminate term because they were "validated" as prison gang members. Prisoners who have been "validated" as gang members are released from the SHU into the general prison population only if they "debrief" or provide information incriminating other prisoners. Debriefing can be dangerous to both the prisoner who debriefs and his family on the outside. In addition, prisoners are often falsely identified as gang members by others who de-

brief in order to escape the SHU. One does not necessarily need to be a gang member to be sent to the SHU: jailhouse lawyers and others who challenge inhumane prison conditions are disproportionately sent to the SHU.

Nearly three weeks after the strike began, the CDCR promised both the hunger strikers and members of the outside mediation team to review every single SHU placement under new criteria. In response, the hunger strikers at Pelican Bay ended their strike on October 13th. Two days later, hunger strikers at Calipatria State Prison halted their strike, stating that they were enabling prisoners to regain their strength.

But the struggle over the SHU is only the beginning.

Laura Magnani is the regional director of the American Friends Service Committee and served as a mediator during negotiations between the hunger strikers and the CDCR. She points out that, in 2008, 14,500 people in California's state prisons were held in some form of solitary confinement. Of those, only 3,500 were in Security Housing Units. The remaining 11,000 are held in other forms of isolation, such as Administrative Segregation. The promised changes to SHU policy will do little to ameliorate their own torture. Once the changes have been drafted, reviewed and approved, she said, advocates and supporters need to work to expand these new policies to non-SHU isolation units. (1)

Conditions of extreme isolation and sensory deprivation are not unique to California. Over the last 25 to 30 years, the use of extended solitary confinement has become more routine in U.S. prisons.

In 1986, the federal prison at Lexington, Kentucky, opened a control unit specifical-

ly for women political prisoners in 1986. It was built underground and entirely white. Women were prohibited from hanging anything on the white walls, causing them to begin hallucinating black spots and strings on the walls and floors. Their sole contact with prison staff came in the form of voices addressing them over loudspeakers. The unit was shut down in 1988 after an outside campaign and a court decision that determined their placement unconstitutional. The practice of solitary confinement continues today, however, with jailhouse lawyers and other incarcerated activists often targeted. (2)

Today, there are 20,000 people held in supermax prisons, institutions designed to permanently isolate each prisoner for the duration of his or her sentence. Supermax prisoners are confined to small cells 24 hours a day. Many of the cells have no windows and are soundproof. Visits, phone calls and mail from family and friends are severely restricted; reading material is censored. Exercise is a solitary pursuit in a small cage in a yard. (3)

Approximately 80,000 people are in some form of solitary confinement across the United States.

In 1996, the U.S. Bureau of Prisons, which manages the federal prison system, created the Special Administrative Measures (SAMS). Under SAMS, a prisoner is held in 23 to 24 hour solitary confinement. All of his mail is monitored and censored. He is only allowed contact with immediate family members. Under SAMS, they are not allowed to reveal their loved one's condition or the conditions of his confinement. SAMS, which are considered "administrative," not punitive, can be imposed on a prisoner who had been classified as

violent for a maximum of four months. After September 11th, the time limit was expanded. The Attorney General can now place a person under SAMS for an entire year. When that year is over, he can renew the prisoner’s SAMS status. Prisoners can be and have been placed under SAMs during their pre-trial detention. Fahad Hashmi, a U.S. citizen accused of providing material support to terrorists, spent three years under SAMs before he even went to trial. At his sentencing, his speech was rapid. When asked to slow down, he apologized, noting that, because of his three years under SAMS, he has not had many occasions to talk to other people.(4)

The impact of extreme solitary confinement is not limited to Fahad Hashmi. Darnion Echols was exonerated after spending 18 years in solitary confinement. During those 18 years, he had only walked in full restraints. Upon his release, he had to relearn how to walk. He also had to relearn how to see past a few feet; after 18 years, his eyes had become unused to seeing past the few feet inside his cell.(5)

Even a few weeks in solitary confinement can have drastic repercussions. Sarah Pender, held in solitary confinement in Indiana for three years, recently wrote about another woman on the solitary housing unit: “Just yesterday [she] was writing on the walls with her own blood. Before she cut her arms, she strangled herself with a shoestring until the guards found her purple. Before that, she used her fingernails to rip chunks of flesh out of her face. She had been held here for two months after essentially sassing a guard.” (6)

People in the U.S. are increasingly recognizing the use of solitary as a means of legalized torture. In 1988, continued public pressure and advocacy led to the shutting down of the control unit at FCI Lexington. Today, activists, advocates, family members and community members are fighting to draw attention to these atrocities and publicly pressure authorities to either release individual prisoners into general population or to drastically change procedures around solitary confinement.

The ACLU and Indiana Protection Services Agency filed a class-action lawsuit against the Indiana Department of Corrections on behalf of all prisoners held in solitary housing units that suffered from mental illness. The Federal District Court for Southern Indiana heard the case over the summer and is expected to make a decision at the end of this year.(7) Pender, who

notes that her three-year stay in isolation is “one of the longest periods a woman has ever been held in isolation for a single, non-violent act in Indiana history,” filed a civil suit in April 2011 against specific prison officials raising similar claims regarding SHU conditions, lack of appropriate mental health care, and the mental health effects of solitary confinement.

Other tactics have also been used to raise awareness and outrage around solitary confinement: In October 2009, Theaters Against the War, Educators for Civil Liberties and the Muslim Justice Initiative, along with individuals concerned about the human rights atrocities inflicted upon Fahad Hashmi by the SAMs, began holding weekly vigils outside the Metropolitan Correctional Center in New York. For seven months, these vigils continued with opera singers, theater artists, human rights and social justice activists supporting Hashmi’s friends, family and immediate community. As Hashmi’s trial neared, a call went out to fill the courtroom with supporters. The government responded by first asking for anonymity and extra security for the jury, thus implying that the jurors had reason to fear Hashmi’s supporters. It then dropped three of its charges, offering a 10 to 15 year sentence instead of a potential 70 year sentence if Hashmi pled guilty to the last remaining count of material support. The number of friends and supporters filled not only the courtroom but three overflow courtrooms on the day of Hashmi’s sentencing.(8)

During the hunger strike started at Pelican Bay, family members, advocates, and concerned community members across the country acted to draw attention to the hunger strike. In Oakland, supporters held a weekly vigil on Thursday evenings. On July 9, 2011, supporters organized demonstrations in cities throughout the U.S. and Canada. Nine days later, 200 family members, lawyers, and outside supporters from across California converged upon CDCR headquarters in Sacramento, delivered a petition of over 7,500 signatures in support of the hunger strikers, and then marched to Governor Brown’s office to demand answers. That same day, supporters in Los Angeles, Las Vegas, New York City, and Philadelphia also held solidarity rallies.

Compelled by the hunger strike, its ensuing publicity, and community pressure on legislators, the California Assembly’s Public Safety Commission held a hearing on SHU conditions on August 23. Former

SHU prisoners, family members, attorneys, advocates, and psychiatrists testified about the need for substantial changes to SHU policies and practices. When the hunger strike resumed again in September, so too did the actions to keep the strike—and the conditions prompting it—in public consciousness.

On October 13, 2011, the day that the hunger strike ended at Pelican Bay, students, attorneys, civil rights activists, and family members convened at Brooklyn College for a one-day conference that connected the human rights atrocities in the federal prison system with the struggles of the prison justice movement. Attendees learned from each other’s struggles and experiences and built bridges between movements that often work separately.

In Raleigh, North Carolina, 60 people braved the November rain to rally outside the NC Division of Prisons. The protest was co-organized by anti-prison activists and members of the Almighty Latin King and Queen Nation, a group whose imprisoned members have been harassed and segregated within the NC prison system. Outraged by this harassment, the continued targeting of politically-active North Carolina prisoners, and the recent hunger strike in California, the rally focused on solitary confinement with banners stating, “Against Solitary—Love for All Prison Rebels,” “Solitary is Torture” and “Against Prisons.”

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Protesters marched from the Division of Prisons to the rear of the men's Central Prison. Although police prevented the march from reaching the prison fence, the prisoners could see the protest from the windows and, in response, banged on the glass.

Concerns about solitary confinement are not limited to activists, advocates and family members. The European Convention on Human Rights holds that the extreme isolation in ADX Florence amounts to torture, stating that "complete sensory isolation, coupled with total social isolation, can destroy the personality and constitutes a form of inhuman treatment which cannot be justified by the requirements of security or any other reason." On October 18, 2011, Juan Mendez, the UN's Special Rapporteur on Torture, presented a written report on solitary confinement in the U.S. to the UN General Assembly's Human Rights Committee. He stated that solitary confinement "can amount to torture or cruel, inhuman and degrading treatment or punishment when used as a punishment, during pretrial detention, indefinitely or for a prolonged period, for persons with mental disabilities or juveniles. Segregation, isolation, separation, cellular, lockdown, supermax, the hole, secure housing unit...whatever the name, solitary confinement should be banned by states as a punishment or extortion (of information) technique." He called for a ban on any type of solitary confinement exceeding 15 days.

What does all this mean for the 80,000 people isolated in extreme solitary confinement right now?

"It's nearing the end of 2011," wrote Todd Ashker, one of the hunger strikers at Pelican Bay. "How is it that thousands of prisoners in SHU-type units across the country are being subject to conditions the International Courts have condemned as torture?" (10)

On the day that the Pelican Bay hunger strike ended, Pardiss Kebriyai of the Center for Constitutional Rights exhorted the audience at Brooklyn College: "We need to build on the momentum of Pelican Bay, Bradley Manning and other cases." (11)

Let us take these words—and the organizing of those both in and out of prison—as a call to action. ●

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## End Notes

(1) Laura Magnani, telephone interview with author, October 14, 2011.

(2) Cassandra Shaylor, " 'It's Like Living in a Black Hole': Women of Color and Solitary Confinement in the Prison-Industrial Complex" in *Feminist Legal Theory: An Anti-Essentialist Reader*, ed. Nancy E. Dowd and Michelle S. Jacobs (New York: NYU Press, 2003), 320. The court determined the women's placement unconstitutional since they were housed in the control unit because of their political beliefs. It did NOT rule that control units constituted cruel and unusual punishment. The U.S. Court of Appeals then ruled that prisons are free to use political associations and beliefs to justify different and harsher treatment.

(3) Rachael Kamel and Bonnie Kerne, *The Prison Inside the Prison: Control Units, Supermax Prisons, and Devices of Torture: A Justice Visions Briefing Paper*. Philadelphia, PA: American Friends Service Committee, 2003. 2.

(4) Fahad Hashmi allowed a visiting acquaintance to store waterproof socks, ponchos and raincoats in his London apartment. Prosecutors argued that these socks, ponchos and raincoats later ended up in the hands of Al-Qaeda. Hashmi was sentenced to 15 years in ADX Florence. His SAMS status remains.

(5) David Fathi, Roundtable: Conditions of Confinement, The Civil Rights Crisis in the Federal System Post 9/11, Brooklyn College, October 13, 2011.

(6) Sarah Jo Pender, "The Annals of Solitary Confinement," *Tenacious: Art and Writings from Women in Prison* 24, Fall/Winter 2011.

(7) Pender, "The Annals of Solitary Confinement." <http://chronicle.com/article/My-Student-the-Terrorist/126937/>

(8) Fahad Hashmi was an undergraduate at Brooklyn College. Only weeks before the conference, it was revealed that the NYPD had been monitoring Muslim students and student groups at Brooklyn College.

(9) Letter from Todd Ashker to author, dated September 25, 2011.

(10) Pardiss Kebriyai, Roundtable: Conditions of Confinement. The Civil Rights Crisis in the Federal System Post 9/11, Brooklyn College, October 13, 2011. For more about Bradley Manning's case, see [www.bradleymanning.org](http://www.bradleymanning.org)

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## Pelican Bay SHU Hunger Strike Support Committee Meeting, 11/28/11

*Minutes of Meeting*

*Present: [Names omitted]*

1) **Updates from prisoners:** there are many requests for Prison Focus Newsletter (CPF will publish the next one, #38, as soon as it can). Prisoners from PB SHU say not much has changed: the food is bad, the guards are abusive... Bay View hunger strike special issue was banned from North Kern State Prison. Perhaps ACLU can help with a lawsuit against the bans of papers?

Report from the weekend visit: PBSP is moving many of the prisoners they accuse of taking part in the riot on A yard. A guard in the visiting room was saying that prisoners he knows do not deserve to be treated this badly. He felt sympathetic, but said he can't do much without endangering his job. Over the Thanksgiving weekend there were a LOT of families, since the prison allowed 3-day visits. Many family members wanted to know what it would mean to sign on to the Peter Schey lawsuit. (A discussion of this followed, most likely if there were to be retaliation, it would be against the few named plaintiffs, not all those who signed, especially if there are a lot of signatures.) PB refused to send out Peter Schey's lawsuit responses, saying it is not legal mail.

Our newsletter to the prisoners was well received on the inside. CR would be willing to send in more copies with their mailing—a few hundred a month.

CDC is laying off guards, but not at PB, guards want to transfer up there, because it is the most secure job.

2) **Legal updates:** legal visits have slowed down. There are lawyers going in for litigation preparation and bringing some info out. [Name omitted] is organizing a visit to Corcoran for January. Are legal visits being organized to go to Calipatria? (LA folks were going to try to do that, but none were on the phone at this meeting.) The mediation team lawyers have not yet been officially "un-banned." There is an expectation that those bans will be lifted.

**Lawsuits news:** There are three lawsuits, all in preparatory stages. These are:

- a prisoner-led lawsuit on long term SHU confinement.
- Center for Constitutional Rights' (from NY) lawsuit.
- Center for Human Rights and Constitutional Law (Peter Schey, LA) is submit-

ting a petition to the UN and preparing for litigation by filing requests for information. The UN petition documents abuses for which (hopefully) CDCR will be held accountable at least in the public eye.

3) **Media update:** Jay said we need more info: from families of the “suicides” for example, to give to the media. We are also looking for more correspondence from the hunger strikers to put up on the blog. There is a huge discrepancy in what the prison reports: there is no info on the “suicides”, but a lot of info immediately on the riot.

4) **Suicides:** A family member said the markings around the neck made them think it was not a suicide. Other evidence was the letters he sent out recently and his state of mind, which all make suicide unlikely. He was looking forward to a parole hearing, getting ready for it. The family members think he was most likely drugged (by the prison) because he was helping other prisoners. They may get an investigator in Oakland to pursue it further.

Jay received letters from prisoners in one of the “suicide” units. This prisoner was being heavily retaliated against by the guards, who accused him of all kinds of untrue stuff, moved him to a corner cell, which makes it harder to communicate with anyone, etc. This prisoner filed an emergency petition asking to be transferred, fearing he will be harmed a few weeks before he died.

5) **Legislative update:** [Name omitted], director of CURB did a great job presenting at the conference call. Her notes are available. On Dec. 12 CURB is sponsoring a lobby day to talk to legislators about various bills. They committed to assist us with whatever we want to push.

[Name omitted] obtained contact information for Tom Ammiano’s office to have legislators go up to PB.

Another round of legislative hearings? Loni Hancock to hold senate hearings? In addition to whatever other hearings Tom Ammiano promised?

6) **Mediation team:** it is time to find out what CDCR is doing with their promised revisions. Laura volunteered to call and check on status.

They are supposed to present their findings to the “stakeholders.” Who are the stakeholders? How will they be informed? How much time will be allowed for comments?

7) **Announcements:** East Bay Social Forum will happen in the summer. Wed. Dec. 7 there is a planning meeting. [Name omitted]

ted] volunteered to go and propose at least a workshop on PB, on SHU, on ??? (suggestions, anyone?)

[Name omitted] contacted the Indian Prison Project who acknowledged the Hunger Strikers during their dawn “un”-thanksgiving ceremony on Alcatraz. •

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## Editorial Notes

**T**he *Basta Ya* newsletter is a publication of the Prisoner Hunger Strike Solidarity coalition, a group of prison-related activist organizations in the community family members and loved ones of prisoners. The purpose of the Coalition is to amplify the collective voice of SHU prisoners peacefully struggling for constructive change. This publication is mailed to just under a hundred SHU prisoners across California, and an electronic version is sent to members of the Coalition’s mailing list. My name is Ed and I am currently your editor. The Coalition has authorized me to send this document out twice a month; at the very least it will be mailed out once a month. While the masthead says issue two, the first issue had no name and was a mailing of information (Coalition meeting minutes, prison-related articles, etc.) without the current newsletter format.

The names of publications often overlap or are reused. *The Abolitionist* published by Critical Resistance, for example, follows a newsletter I published by the same name back in the 1980s, and I’m sure my use of that name was preceded by several other publications. The same is true for *Basta Ya*, which I recently discovered was a newspaper printed in the Bay Area during the 1960s. You can see a copy of the cover of issue nine of that publication in the graphic on page six.

SHU Prisoners are invited to submit articles for publication in *Basta Ya*, although it is likely that only those that touch upon general conditions or practices, as opposed to individual or personal experiences, will be printed. In other words, “they did this to me” will probably fail to make the cut, whereas “they did this to us” would qualify for publication. Inspirational art and poetry are graciously accepted, although with the same stipulations as applied to articles.

Since the number of copies of this newsletter I can mail out is currently limited, if your cellie or neighbor is receiving a copy you can share, one of you should write and ask to get off the mailing list.

Until next time. •

## Office of the Inspector General

*Outside Readers, Call Toll Free:  
(800) 700-5952*

*Prisoners, Write a letter:  
Office of the Inspector General  
P.O. Box 348780  
Sacramento, California 95834-8780*

## Before You Make a Complaint

**B**efore making a complaint to the Office of the Inspector General concerning misconduct by employees of correctional agencies, you should attempt to complete the agency’s standard investigative, appeals, or grievance procedure. If you think an investigation has been improperly conducted, however, you may call the Office of the Inspector General.

You should provide as much evidence as you can to support your complaint, including letters, memos, copies of complaint forms and responses, notes from conversations, names of witnesses, a journal describing the history of the situation, and any other information you may have that could validate your claim.

By law, all complaints must be submitted in writing. If you make your complaint by telephone, you will eventually be asked to send a written complaint. Additional supporting materials or other information also may be requested. Any information you provide to the Office of the Inspector General will be kept confidential.

The Office of the Inspector General is not authorized to provide legal advice. If you need legal advice, you should contact a private attorney or your local Legal Aid office.

## How the Office of the Inspector General will Handle Your Complaint.

The Office of the Inspector General will review your complaint and take one of the following actions:

- **Refer the complaint to the internal affairs office of the agency in question for an initial investigation.** In most cases an initial investigation will be required before the Inspector General can take action.
- **Refer the complaint to the internal affairs office of the agency in question for further investigation.** If an initial investigation has been done, the Office of the Inspector General will review the case to determine whether the investigation was done properly. If the Inspect-

tor General finds that the investigation was not done properly, we will note the problems and instruct the agency to re-investigate the case.

- **In-vestigate the case.** If the complaint falls outside of the agency's jurisdiction, there is a conflict of interest involving the agency, or if the Office of the Inspector General determines that an independent review is necessary, the Office of the Inspector General will investigate the case.
- **Refer criminal misconduct to law enforcement authorities.** At any point in the investigation, the Office of the Inspector General can refer cases of criminal misconduct to the proper law enforcement authorities.
- **Close the inquiry.** If the Office of the Inspector General finds after a preliminary review that there is insufficient evidence to support your claim, your inquiry may be closed without further action. •

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## Message From A Mentor

[Name Withheld]

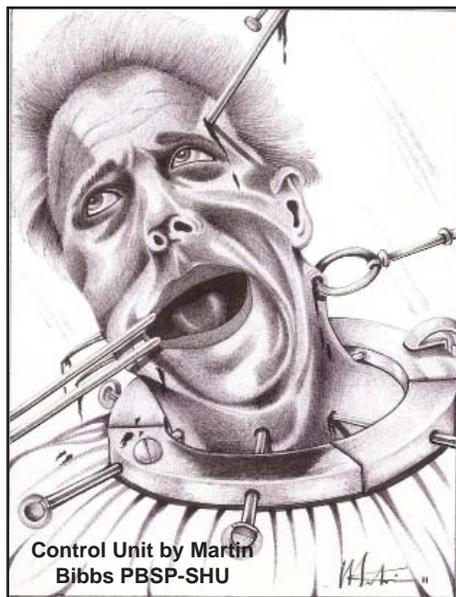
I just got off the phone with Pelican Bay State Prison Ombudsman, Sara Molina. She said I was a terrible prison mentor for not encouraging my beautiful friend to provide information and to debrief. She said it didn't matter how well he was doing on the mainline, or that he had been disciplinary free for many years or that he was selected among hundreds to be a mentor himself with the ROCK program to mentor at risk youths or that he had been working for 3 years straight 7 days a week for 5 hours a day for that prison at the low rate of .45 an hour.

Furthermore, she stated to me if IGI officers felt he has information that the prison needs then it is within policy for IGI to have come during our visiting time Sept 26, while my son and I were on a bathroom break. She feels that was probably planned with the intention that I would have encouraged him to provide information that they were seeking, and placing him in isolation was right since he had an ample opportunity to provide information they needed and he refused to do so. She felt that it was not harassment that they trash his cell several times and cornered him for two months, his refusal to provide information left staff no other choice but to place him in Ad Seg pending gang validation charges.

She told me that this situation with my

friend was very sad indeed and the department is working towards a new policy that will be finalized by February 2012 and would be provide to California Prison Focus and she hopes cases like his do not make it in because there are a lot of cases similar to his where non-violent offenders are permanently placed in the SHU. She could not tell me what the new policy will be but that they are all looking forward to it but that they are on a hiring freeze and that it will take some time and hopefully by February.

She also feels it does not place prisoners in danger to provide information to IGI, and that the department plans to keep this method of basically forcing prisoners to provide information or to land themselves in the SHU. She said whatever the new policy is it will continue to encourage prisoners to debrief, basically to snitch on the activities of other prisoners. •



Control Unit by Martin  
Bibbs PBSP-SHU

## Letter From Chad

In the last issue I posted a quote from a letter by Chad Landrum, which he made during HS #2. Here is a quote from another letter by Chad, who is a SHU hunger striker. As you may recall, Chad suffers from end stage liver disease and hepatitis C, and the Chief Medical Officer at PBSP has listed him as "totally disabled." He has nonetheless participated in both HS #1 and HS #2. Here are some quotes from one of his letters:

"In an effort to break my [hunger] strike they began withholding my pain medication as leverage. At first cold turkey until I reminded them of the Plata and the federal judge's ruling that it is criminal to cold turkey a long-time recipient of medications

for chronic pain. So they issued just enough to clear them, but so minute and ineffective to cause extraordinary pain, from both disease and withdrawal symptoms. When that failed they came to my cell and said I need to go to the CTC [infirmary] because I'm so sick and totally disabled. It's very, very worse than SHU conditions. It freezes 24 hours a day and you are entitled only to the linen on your bed, what's on your back, and a towel.

"Well, in an effort to 'help me' and ensure my dire health needs are met, when I refused to go they extracted me. A very brutal act. They did not enter as I prepared for, but instead, with three types of 'toys', an overwhelmingly suffocating gas, or like an impenetrable cloud or fog, filled my cell. Then they tossed in a type of gas bomb. Then hit me with a direct spray of another gas. On the verge of passing out I left the cell. Interestingly, all the taunting and provoking challenges [by guards] abruptly ended when the video camera arrived. What happened to me was wrong on so many levels."

Chad is currently in the prison's infirmary at Corcoran. •

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## Jessica's Speech at United San Francisco Rally

Today marks the 9th day of the Pelican Bay Hunger Strike [HS #1], as we strive to bring media and national attention to this hunger strike, many families members of SHU prisoners as well as members of our communities have expressed to me that they are learning for the first time the cruelty, the inhumanity and indignities of the incarceration of their loved ones at Pelican Bay State Prison, as well as other prisons throughout the State of California. Prisoners have often told their family members thru letters that they were okay, and not to worry and often times even telling them not to visit. They know now the reason that their loved ones skin has faded from brown to pale, and often times yellow from the lack of sunlight and years of isolation, why the brightness in their eyes have dimmed, and their weight has pum-mel from normal weight levels as a result of the lack of food being provided to them. Many family members have expressed to me that they would like to remain anonymous for fear of retaliation of their loved ones on the inside. They have state to me that they feel powerless to help, and often suffer from long periods of depression, and

feelings of being imprisoned themselves.

I first became familiar with this prison after I reach out to a prisoner there thru correspondence, and we have formed a beautiful friendship, in fact, I consider him to be my best friend. I later reached out to 2 other prisoners in the State of California who have also experienced solidarity confinement or are currently on SHU status.

I arrived at Pelican Bay State Prison for the 1st time on April 2, 2011 where I witnessed a father who was pleading in Spanish for the CO working there to please allow him to see his son, they make no effort to explain the procedure to him and he refused to leave. He finally broke down crying, pleading with them in Spanish "please, I have traveled far to get there, why you won't let me see my son?" They walked passed him, barely acknowledging his presence, deeming him undeserving of their compassion because his son was a SHU prisoner. Until, finally a female correctional officer explained the paperwork that was necessary in order for him to be granted admission into their prison. The second time I went to Pelican Bay State Prison, a mother's daughter was also refused admission as a result of another administrative paperwork mishap, and she was forced to take her 8 year old crying daughter, who didn't understand why she couldn't visit her brother, and leave her alone at the hotel room while she came back for her two hour visit behind glass. SHU visits consist of two hours at most, often times less in the presences of guards who often times paced behind, often intimidating the visitors, and scaring the children.

What most people don't understand about Pelican Bay is that the vast majority of the prisoners that are being held are people of color, more then half are of Latino descent, mi gente, they don't have the verbal skills to understand the policy and procedure set forth of CDC, and often times don't comprehend the language adequately enough to protect their loved ones. Many have entered the system as teenagers who were charged as adults and given lengthy sentences, and even life sentences, not giving them another opportunity to set things right, deeming their lives as unworthy of second chances. These people are oppression members of our communities and they continue to further to be oppressed in these solidarity confinements they call the security housing units.

SHU prisoners are placed in a 6 by 10 windowless cell for 23 hours a day, their

rec area consist of a small cage area or another small windowless cell for 45 minutes at most. They have no contact with other prisoners, and are not allowed to use the phones. Their only form of outside communication is thru the use of correspondences and letters that are monitor by correctional officers; Getting a letter to your loved one inside these SHU's takes an average of two to three weeks and sometimes even longer.

Every Latino prisoner that I have been in contact with has experience long periods of isolation. When I met the prisoner who I was mentoring at Pelican Bay State Prison, I was the 1st person to have a contact visit with him in 11 years, having entered the prison at the age of 18, he is now 30 years old. Early into his incarceration, prison guards told him if he did not conform to prison rules he would be sent to Pelican Bay State Prison. A week later without notice, they sent him packing thru 7 days of layovers at various prisons and long drives in the hot heat shackled on a bus without food or water.

I told him prior to our visit that I would hug him in the spirit of his family, his sister, his brothers, aunts and uncles, and everyone else that was rob of the opportunity to feel his embraced, and spend time in his presence. It has been 7 years since he has last seen his family aside from the pictures that they send him because they are unable to make the 14 hour drive to Pelican Bay. I can promise you he is not a murderer, rapist or pedophile but a good person at heart who cares about the well being of others and enjoys learning from others.

The demands of these SHU prisoners are simple, and not outrageous, in fact their demands are all reasonable.

- They are asking to end the use of group punishment, as they are routinely punished for the actions of others.

- To abolish the debriefing policy which endangers their lives and the lives of their loved ones, and to modify Active/Inactive Gang Criteria.

- To Comply with 2006 Commission on Safety and Abuse Recommendations against solidarity confinement.

- To provide them with adequate food, and the ability for family to sent

more food packages to them.

- To grant them an opportunity to better themselves by allowing them the chance to enroll in correspondence courses, and provide them with productive programming. Currently they are not allowed to take college courses even if they pay for them.

All of these demands are feasible, including allowing them the human decencies to be able to hold their families and to call home once a week. They are also asking to be allowed to send home pictures of themselves to their loved ones once a year, especially for those members of their families who are unable to make the 14 hour drive into the redwoods.

A few days ago I received a letter from a prisoner who has been under SHU status for most of his incarceration. He has experienced long periods of isolation, sensory deprivation, often he went long periods of non speaking to the point where when he finally began speaking again, he didn't recognized the sound of his own voice. He stated to me that at one point during his incarceration he was taken into a downstairs room, strapped into a chair and choked repeatedly by three guards. He wrote to me "Every time they let go I cussed them all out, never giving into their assault. I remember feeling like I was prepared to die, and that I would die with dignity."

There is nothing rehabilitating in torturing prisoners and keeping them in solidarity confinement. This behavior is unacceptable and we should expect more, we should demand more from CDC officials. They must answer for this type of cruelty and the violence they create, by taking away the dignities of the prisoners they are entrusted



The front page of an issue of the original *Basta Ya!* from back in the 1960s.

to care for, demeaning and degrading them as human beings, and breaking their spirits and that of their loved ones.

CDC calls these men shot caller, worst of the worst, but what they don't tell you about the faulty system that often places innocence inactive gang members due to the tattoos on their bodies, as well as political prisoners, jail house lawyers and what they consider to be non conformist. Malcolm X, Martin Luther King, Rosa Parks, Che Guevara, and Cesar Chavez, were all non conformist. Just because the Department of Corrections has allowed this doesn't make it right. I urge you to be the voice to the voiceless, and stand up as community members, leaders and prison activist and protest the brutal, tortuous conditions at Pelican Bay State Prison, in addition to the other prisons similar, by calling CDC representative and urging them to put an end to the hunger strike by meeting the demands of the prisoners. •

## Monkey Business

Five monkeys are locked in a cage, a banana was hung from the ceiling and a ladder was placed right underneath it. As predicted, immediately, one of the monkeys would race towards the ladder, to grab the banana. However, as soon as he would start to climb, the researcher would spray the monkey with ice-cold water. In addition, he would also spray the other four monkeys.

When a second monkey tried to climb the ladder, the researcher would, again, spray the monkey with ice-cold water, as well as the other four watching monkeys. This was repeated again and again until they learned their lesson: Climbing equals scary cold water for everyone so no one climbs the ladder.

Once the 5 monkeys knew the drill, the researcher replaced one of the monkeys with a new inexperienced one. As predicted, the new monkey spots the banana, and goes for the ladder. BUT, the other four monkeys, knowing the drill, jumped on the new monkey and beat him up.

The beat up new guy thus Learns—no going for the ladder and no banana period—without even knowing why, and also without ever being sprayed with water. These actions get repeated with 3 more times, with a new monkey each time and each new monkey—who had never received the cold—water Spray himself (and didn't even know anything about it), would

Join the beating up of the new guy.

When the researcher replaced a third monkey, the same thing happened; likewise for the fourth until, eventually, all the monkeys had been replaced and none of the original ones are left in the cage (that had been sprayed by water).

Again, a new monkey was introduced into the cage. It ran toward the ladder only to get beaten up by the others. None of them had been sprayed and so they really had no clue why the new guy can't get the banana but it didn't matter, it was too late, the rules had been set.

Although they didn't know why, they beat up the monkey just because "that's the way we do things around here." •

*Sources: Stephenson, G. R. (1967).*

*Cultural acquisition of a specific learned response among rhesus monkeys. In: Starek, D., Schneider, R., and Kuhn, H. J. (eds.), Progress in Primatology, Stuttgart: Fischer, pp. 279-288.*

## A SHU prisoner writes:

“I found a memo mixed in with my paperwork entitled ‘the function of the control unit’. It outlined a plan of attack for administrators to follow. Cited was ‘the function is to reduce prisoners to the state of submission essential for their ideological conversion ... that failing, the next step is to reduce them to a state of psychological incompetence sufficient to neutralize them as efficient self-directed antagonists ... that failing the only alternative is to destroy them. Preferably by making them desperate enough to destroy themselves.’” Attorney Carol Strickman correctly notes that the process CDC uses to reduce prisoners to a state of submission, psychological incompetence or self-destruction is in fact torture. •

### Quote Box

“A true revolution of values will soon cause us to question the fairness and justice of many of our past and present policies. On the one hand, we are called to play the Good Samaritan on life's roadside, but that will be only an initial act. One day we must come to see that the whole Jericho Road must be transformed so that men and women will not be constantly beaten and robbed as they make their journey on life's highway. True compassion is more than flinging a coin to a beggar. It comes to see that an edifice which produces beggars needs restructuring.”

*Dr. Martin Luther King, Jr.*

## Minutes of PHSS Meeting 12/5/11

At AFSC office, SF

Attending in person: [Names Omitted]

[Names of Chair and Note taker omitted]

### Prisoner Updates

[Attorney name] talked with father of Hoziel Blanchard (one of the men who allegedly committed suicide). The father said an autopsy was done, but they're still waiting for the toxicology results. CDCR issues a long report about every suicide, but it is highly confidential, so even the family probably cannot see it. There is also a report each year on all suicides of the year, which will be public, but redacted.

Should the family sue? [Attorney name] spoke about how difficult it is to get the facts of a prison suicide, which means lots of attorney time, so attorneys are not eager for such cases and even if money was won in the end, most of it would likely go to pay the attorney for all that time. Also, high standard of negligence you have to show, and higher standard to show a civil rights violation.

There was some confusion between the last two alleged suicides. Hoziel was the prisoner at Calipatria who felt he was being harassed by guards and had even applied for an emergency transfer for safety reasons. He also had been slapped with lots of false accusations by guards. Alex Machado was the one at Pelican Bay who was heard screaming for hours and no staff came to help him. When they finally went to his cell, he was dead. He was a jailhouse lawyer doing work for other prisoners and no one thinks he would have killed himself. (There was also an earlier suicide, of Johnny Vick.)

[Name omitted] informed Tom Ammianno's office about the three suicides.

A family member heard a rumor from guards that CDCR plans to release some gang associates from C side first (to general population) and “see how they do” before releasing anyone else from SHU. CDCR may be counting on these guys getting into trouble on the yard, then using that as a reason not to release anyone else from SHU. It is important to get word to all those who may be released from SHU to not get in trouble once in general population.

Corcoran and Tehachapi have much longer canteen lists than PBSP. PB prisoners want us to get the Corcoran list.

[Name omitted] talked with the Ombudsman, Sarah Malone, who told her that the purpose of validating [Name omitted]'s friend (we'll call him "F") was "to impel him to give information" and that they want to monitor [Name omitted] and her kids, too: "I have the impression you have information too." Ombudsman Malone also said that it's unimportant that F had been working, was discipline-free, and was programming. Malone said to [Name omitted] that she *hopes* F is validated and that [Name omitted] should encourage him to debrief.

Also, F is not getting any access to the law library, nor the assistance of a staff person with his validation case that the prison is required to give him.

About our updates to prisoners: Thanks to Ed for doing the new newsletter every two weeks to update prisoners. [Attorney Name] gave him some new names to spread coverage to more prisons and units, and also eliminated duplicates (and cellmates). The list increased to 77 names, but Ed agreed to send out that many (though originally committing to just 50!). We don't have any names of women in SHU, but Marilyn will try to find one letter to CPF and add this name. Please send her any names of women SHU prisoners you may have.

We will post the newsletter on the blog. We will encourage family members to print it out and send it inside to get wider distribution.

### Legislative Update

Our Legislative Committee meets every week. They're almost ready to start talking to legislators about what bills they'd be willing to sponsor. Next Monday, 12/12, is CURB's Lobby Day, when lots of people will go to Sacramento to talk with legislators.

Tom Ammiano is seriously thinking about sponsoring a bill to lift the media ban.

Mid-February is the absolute deadline for legislators to agree to sponsor a bill (but only the vaguest description of a bill is needed at this time, and it can be completely changed later).

We must keep urging legislators to go up to PBSP themselves. And when they do visit, we should encourage visiting legislators or their aides to insist on seeing the people and places that they came to see—which they have the right to do.

### Legal Update

[Attorney Name] is up at PBSP this week, doing interviews for one of the lawsuits.

[Names Omitted] of mediation team is going to contact George Giurbino or Terri McDonald about the status of the promised SHU policy/regulation changes. We need to keep on them. We know that Terri McDonald was not eager to change the regulations, and Giurbino will be replaced as he is retiring soon, so we could have a less sympathetic person in his post too. We have to keep the pressure on CDCR to keep its promises.

[Name omitted] related that High Desert was on lockdown for over a year, and then it went to a "rolling" lockdown (3 weeks on lockdown, 3 days off, then 3 wks on again...). CDCR reprimanded HDSP administration for this. [Attorney Name] may have documents.

After the Prison Law Office filed suit over race-based lockdowns, CDCR said they would change lockdown policy—giving a warden only 30 days (or 15?) to keep a prison locked down without telling CDCR bosses, instead of the current 60 days.

When is the public hearing about this reg. change? Eric pointed out that it's a good opportunity for a media event.

### Sayre

[Name omitted] has sent info she got from [Attorney Name] about Dr. Sayre to the Receiver, the Cal. Medical Board, and Judge T. Henderson. [Name omitted] will do the same with info [Attorney Name] plans to send her. It was suggested that we could still do something to get media attention around the delivery of these documents. [Name omitted] will talk with [Name omitted] about it.

### Attrition

We discussed the shrinking attendance of coalition meetings. We shared any information we had about why particular individuals were not present at this meeting. Most of the reasons were not related to whether we met in the East Bay or San Francisco (busy with Occupy; busy with other things; family emergency; transportation problems; medical reasons, etc.). Also, most people seemed likely to attend again in the future. And either side of the Bay is inconvenient for some people.

(Anyone who did not attend because of location, please post to the group so we get your input.)

Still, we decided to try going back to the East Bay for the next meeting. To get a building with an elevator, close to BART, and a good conference phone, we decided on CPF's office, with [Name omitted] bringing AFSC's conference phone. [Attorney Name] will also look into changes in CPF phone service that will improve conference call quality there.

We discussed whether PHSS should buy a conference phone that we'd take wherever we meet. We will wait till we research prices. [Name Omitted] will do that research. Then we took up a collection and raised \$90 toward a conference phone. ●

### Future Meetings

12/12 No meeting. (It's both CURB Lobby Day and day of Port Shutdown called by Occupy)

12/19 Meet at CPF office: 1904 Franklin St., #507. One block from 19<sup>th</sup> St. BART.

12/26 No meeting.

1/2 Meeting. (Location TBD)

## NOTICE

Amnesty International wants to hear of any incidents where (a) improper pressure to debrief was exerted on a validated prisoner, or (b) a medical transfer was approved, then reversed by or due to pressure from gang investigation staff. If you have information of this sort, please send it to:

North America Research Team  
Amnesty International  
1 Easton Street  
London WC1X 0DW  
UNITED KINGDOM

### Occupy A Private Prison

Correction Corporation of America's Stewart facility in Lumpkin, Georgia is the largest private detention center in the nation. Stewart currently profits close to \$50 million a year. As if that weren't enough, CCA often cuts costs by denying basic services to its inmates and by limiting access to their family members.

CCA charges inmates close to \$5 a minute to make a phone call. To pay for this, inmates work in the facility and earn a whopping \$1 a day. Five days of hard work gives them just enough time for a one minute phone call.

CCA's greed knows no boundaries. In the past few years they have spent \$14.8 million lobbying for anti-immigration

*Occupy.....Continued on page 10*

## A Statement and Call for Mutual Support in Unity

It is essential to our struggle that the prison masses and our supporters recognize the objective reality that our existence as prisoners is an economic phenomenon erected upon a process of “social production” driven by a “profit first” incentive and the “private accumulation” of it in the hands of a select few.

“Social need” is secondary and only so long as it develops within the context of an available “demand”, i.e. within the context of the gente’s ability to pay. This form of a profit economy inevitably results in irreconcilable class divisions, social inequalities and disparities, a lopsided distribution of socially created wealth (value), and capitalism’s historically unique phenomenon of “unemployment” that stems from the “over-production” of the “supplies” of a particular commodity or service within a given sector, that exceeds the purchasing-power of the gente. This production and those industries that are inter-dependent on this production either to buy, or sell to, will become no longer profitable, and result in the hoarding and warehousing of those extra goods, or their destruction, a tremendous decrease in production, or a total halt in this production and those inter-dependent industries, all in an effort to drive prices back up and make them profitable once again, by decreasing the supplies so that the “demand” of peoples purchasing power is greater than supplies available.

This massive decrease in social production likewise results in massive “unemployment” and “lay offs”. The capitalist definition of “over-production” is conveniently deceptive, for it is “over-production” only relative to the “demand” – what the gente are capable of paying. This over-production, also labelled a “recession”, fails to factor into the equation those concrete and real needs of those who are unemployed, or lowly paid. In a capitalist economy, these economically oppressed gente are not worthy enough to be factored into the equation of “demand”, despite having real concrete needs. And in more severe “recessions”, this is followed up with pro-bourgeois ruling class legislation and reforms that further serve to protect and preserve ruling and upper-class financial interests while simultaneously as a part of this legislation and reform, we gente are further “criminalized” as both a class and oppressed nationalities.

It must be comprehended for the purpose of formulating a correct political line and means of struggle, that the prison system is nothing but a “concentrated expression”, a “condensed manifestation” of the class, racial, and gender contradictions inherent within class divided society as a whole. We must see beyond the guards’ smiles and their daily “buenos dias”, irregardless of any sincerity. This psychological individualizing what is objectively a “social-issue” only distracts us by limiting our perceptions, artificially, to seeing trees and not the forest. In spite of these subversive perceptions, it is an issue of class struggle, in prison, as well as within the existing internal semi-colonies on the U.S. settler-imperialist empire.

We are truly social-animals, the essence of our existence. For as a species of homo sapiens, we must feed, clothe, shelter ourselves, if we are to procreate and perpetuate the species as the driving force of our DNA compels us to. But significantly greater to the point at hand is the fact that in order to meet these needs, we must “cooperate” with one another and “coordinate” our productive labor and it is within the process of this context of social-intercourse, we not only develop social consciousness (ideas, ways of thinking, etc.), and language as a means to express this consciousness, but only within this social intercourse do we develop our unique “personalities” and “who” we are as individuals.

The years and decades of solitary confinement and the effects of “sensory deprivation” deprive us of the social connections and relationships necessary for the development of our personal identities as individuals. This subtle process of oppression amounts to nothing less than “social extermination”, while preserving life biologically. The assassination of ones personality, the identity which defines who we are, is to reduce us to “dehumanized animals”, a total destruction of the human-being.

This is not only a call for all Californian prisoners who can be mobilized to participate in this second round of hunger strike and future resistance in an effort to alleviate the state’s trend of perpetual oppression and its current systematic and arbitrary social-extermination of both SHU prisoners and those within G.P. alike who are the initial victims of the validation process.

This is likewise a call for the unity and mutual cooperation and support between the undocumented community and ourselves, as well, the supporters of both who

have given life and voice to our struggles.

It must be comprehended that the bridge linking our struggles, is the same profit driven economic system and its inherently parasitical laws necessitating expansion, has not only created and perpetuated the massive poverty and misery abroad through imperialist expansionist policies, driving so many gente north to the U.S. in search of economic stability, but this same economic system has resulted in the class divisions and social inequalities that both created the conditions necessitating a prison system, but has also resulted in the so-called “immigration dilemma” and the exploitation of undocumented laborers.

We are the product of the same economic practices. We are, in “essence”, identical. It is only in “form” that we are distinct, which sets us apart as “prisoners” or “undocumented laborers”, the form in which our oppression manifests itself. Therefore, to continue our isolation from one another is to do so artificially for in reality we are connected by that which oppresses despite “formal” differences.

In regards to all objective reality and all that exists, F. Engels said that it,

“... is in a constant state of coming into being and going out of being, in a constant flux, in a ceaseless state of movement and change...”

“Rights” are likewise in continuous motion. Rights are relative; they are in a constant state of transformation and change, of perpetual transition. There is no such thing as rights; there are only power-struggles. The moment we cease to struggle, we cease our claim to rights. All who can be mobilized stand up! Unite! ●

*Landrum, C. #J-53474*



Blind Justice by Joshua Whitehurst

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**Occupy .....** *Continued from page 8*  
laws, like HB87 in Georgia, to ensure they have continuous access to fresh inmates and keep their money racket going. It's time to put an end to it.

On November 18th, Brave New Foundation partnered with a coalition of immigrant and civil rights organizations in a powerful vigil and occupation outside the Stewart facility in Georgia. The demand: Shut down Stewart Detention Center now. ●

[www.informationclearinghouse.info](http://www.informationclearinghouse.info)

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## **CA Cons In Private Prison Riot**

Inmates from California held in a pri-

vate prison in western Oklahoma rioted on Tuesday in a melee that injured dozens of prisoners, some of them critically, authorities said.

Fights broke out in several parts of the North Fork Correctional Facility in Sayre, Oklahoma, shortly before noon, authorities said. The company that owns the prison said 46 inmates had been hurt, including 16 who were sent to hospitals.

By evening, guards were securing the last portions of the facility, Beckham County Sheriff Scott Jay said. "When we arrived we had lots of people fighting and lots of injuries," Jay said. Mike Machak, spokesman for Capital Corporation of America, the Tennessee-based company that owns

the prison, said the company had brought guards from other facilities in the region to help. Sayre police, county deputies and state highway patrol officers stayed outside the prison while guards quelled the violence, Jay said. He added it was too early to say the cause of the violence.

Some critically injured inmates were flown by helicopter to Oklahoma City hospitals, about 130 miles away. Other prisoners were taken by ambulance to hospitals in Sayre and nearby Elk City. No prison personnel were hurt. The private company contracts with the California prison system to keep inmates in the 2,400-bed medium-security prison. ●

*Oklahoma City, Oct 11, 2011 (Reuters)*

**Ed Mead  
P.O. Box 47439  
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