

# Center For Constitutional Rights

## Criminal Justice Issues and Prisoners' Rights

<https://ccrjustice.org/home/blog/2018/10/15/pelican-bay-prisoners-statement-3rd-anniversary-settlement>

### Public Facing Advocacy Writing

The CCR blog

Sunday marked the third anniversary of the [landmark settlement agreement](#) in *Ashker v. California*, the class action lawsuit that ended indefinite solitary confinement in California prisons. We have accomplished a lot in that time. Over 1600 prisoners who were looking at spending the rest of their lives in isolation have been released from Security Housing Units. Living conditions have improved for many prisoners. And prisoners who were prevented from seeking parole because they were isolated in SHU have some prospect for release.

Most importantly, prisoners have continued to honor the historic [2012 Agreement to End Hostilities](#), working to resolve issues peacefully and prevent individual conflict from escalating into group conflict. Through this, we have dramatically reduced violence throughout California prisons and been able to harness our collective power to unite against our true opponent: a prison system that would rather punish and torture than rehabilitate.

However, much work remains. While prisoner culture has changed, CDCR culture has not. The California prison system continues to obstruct meaningful reforms, to attempt to provoke violence by a variety of tactics such as integrating SNY informants into the GP, and to entrap individual prisoners. It continues to violate our due process rights and resist systemic change.

Many prisoners released from SHU have been transferred into Level 4 prisons, which are essentially modified SHUs. While called general population, prisoners in these units often receive as little out-of-cell time as they did in the SHU, are denied jobs, and have little to no vocational and other programming. To honor the settlement, we need to live in *true* general population housing units that provide adequate social interaction, outdoor time, programming, work opportunities, and preparation for release.

Additionally, CDCR has done nothing to help us deal with the aftermath of years, and even decades, in solitary confinement. As [the report by the Stanford University Human Rights in Trauma Mental Health Lab](#) documents, the torture of solitary confinement does not end when the cell doors open. Many of us are still suffering terribly. Some of us have Post Traumatic Stress Disorder. We can never get back the relationships with parents, grandparents, brothers, sisters, spouses, kids, and other loved ones damaged by our years in isolation. We need rehabilitation and reparations. To begin to make us whole, CDCR must help us heal.

Finally, CDCR continues to throw people back in the hole. It is relying on confidential information regardless of whether the informant is credible or reliable. It even fabricates information and falsifies documents. Prisoners continue to be denied fair hearings, and then are thrown back into solitary. This behavior is systemic throughout CDCR, from top to bottom. To honor the settlement agreement, we need independent oversight of CDCR's disciplinary system and individual accountability for CDCR employees who abuse their power.

In a recent ruling, Judge Claudia Wilken has recognized that the settlement requires that reforms be meaningful, including that CDCR cannot simply shuffle people to general population units that function like SHUs. And we are requesting an extension of the period of monitoring to ensure that CDCR complies with the spirit and purpose of the settlement.

Finally, we must continue to stick together, to honor the Agreement to End Hostilities, and to fight our true opponent: CDCR's abuses. Our accomplishments thus far have come about because of our collective power. Collective power is how we will achieve the goals ahead of us.

[View the discussion thread.](#)

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