

Solitary Watch

Criminal Justice Issues and Prisoners' Rights

<https://solitarywatch.org/2012/06/01/pelican-bay-prisoners-file-lawsuit-against-long-term-isolation/>

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by [Sal Rodriguez](#) | June 1, 2012

The Center for Constitutional Rights yesterday filed a federal lawsuit on behalf of a group of California prisoners, challenging the practice of long-term isolation in the states notorious Pelican Bay State Prison in Crescent City. The lawsuit was filed May 31st on behalf of Security Housing Unit (SHU) inmates who have spent 10-28 years in solitary confinement. They are among the 500 inmates at Pelican Bay who have been segregated from general population inmates for at [least ten years](#), and among the state of Californias over [three thousand](#) SHU inmates.



Arguing that long-term solitary confinement (at least 10 years) is a violation of the 8th amendment, the lawsuit cites research finding that the practice of solitary confinement has negative effects on the [mental health](#) of inmates subjected to it. Included in the text of the [official complaint](#) are anecdotal reports from SHU inmates indicating significant psychological problems stemming in part from the conditions of isolation. Among the examples cited are an inmate who feels that he is silently screaming 24 hours a day and another who reports feeling like a caged animal.

The lawsuit comes nearly a year after the first of two large-scale hunger strikes launched in protest of long-term solitary confinement in California prisons. The [first](#) of these hunger strikes lasted three weeks in July and prompted a [hearing](#) by the California Assemblys Public Safety Committee to publicly discuss the situation in the SHU. A second, larger strike involving over 6000 inmates launched in October also lasted approximately three weeks. A later, smaller hunger strike at Corcoran State Prisons Administrative Segregation Unit resulted in the [death](#) of inmate [Christian Gomez](#) in February.

The lawsuit claims that most of the plaintiffs in the case participated in the first two hunger strikes. This, they claim, provide[s] additional evidence of the severe psychological distress, desperation, and hopelessness that they experience from languishing in the SHU for decades. Further, the complaint points out that hunger strike participants reported viewing the possibility of death by starvation as a worthwhile risk in light of their current situation.

The lawsuit also challenges the current use of the gang validation process which results in most SHU placements. Of the 1,128 inmates in the SHU, [all but 66](#) are there for prison gang activity, the rest being there for behavioral issues. SHU inmates at Pelican Bay have argued that placement in segregation should be based on [behavior](#), rather than suspected prison gang activity.

The suit claims that the current gang validation system denies inmates meaningful review of their confinement, in violation of the Due Process Clause of the Fourteenth Amendment. The gang validation system is a point system that, among other things, allow seemingly innocuous violations for example, a Mexican inmate possessing Aztec artwork was revalidated as a member of the Mexican Mafia to serve as a basis for continued isolation, while many inmates part of the lawsuit haven't had serious rule violations for sometimes decades.

The California Department of Corrections [responded to claims of torture](#), saying: We do not torture in California prisons and we believe that the conditions in the SHU (Special Housing Unit) satisfy the Constitution, so they are not unconstitutional, [CDCR Spokesman Jeffrey] Callison said.

For more on the lawsuit, check out the Center for Constitutional Rights [website](#).

Sal Rodriguez was Solitary Watch's first and most prolific intern. Based in Los Angeles, he served as an editorial writer and columnist for the Orange County Register and the Press-Enterprise, and is now the opinion editor for the Southern California News Group.

Accurate information and authentic storytelling can serve as powerful antidotes to ignorance and injustice. We have helped generate public awareness, mainstream media attention, and informed policymaking on what was once an invisible domestic human rights crisis.

Only with your support can we continue this groundbreaking work, shining light into the darkest corners of the U.S. criminal punishment system.

by [Juan Moreno Haines](#)

October 25, 2022

by [Solitary Watch Guest Author](#)

October 13, 2022

by [Vaidya Gullapalli](#)

September 29, 2022

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My niece's father is in the shoe for 18 years! How could we help for this inhumane treatment.

This is INSANE, Do you ever think of the VICTIM, What about the LITTLE girl who was RAPE and pass around to all his lowlife buddies. What about the VICTIMS who are left with the scars and all the mental issues. I cannot understand WHY it is so hard for you people to understand this is a consequence of the HORROR they committed. You need to go on a call with me some day and see first hand, YOU would be in HORROR. These people did not get there because they were boy scouts. Then to read that last post of, IS THIS TRAINING FOR OVERSEAS, YOU HAVE GOT TO BE KIDDING.

I still go to work everyday to protect you people, I guess even from yourself. Let's just let them all out and make them say SORRY. I can only think that you are effected because you have a loved one who is in prison and I understand that that has to be hard as you are VICTIMS as well. You want the death sentence abolished now this. WHY? What is the right sentence? I will say it is harder everyday to go to work and know that some people are trying to make you out to be the bad guy, BUT then again it feels good every time you get a monster off the streets. Thank for your Time..

Two Decades in Solitary By JOHN ELIGON September 23, 2008: He is one of New York's most isolated prisoners, spending 23 hours a day for the past two decades in a 9-by-6-foot cell. The only trimmings are a cot and a sink-toilet combination. His visitors few as they are must wedge into a nook outside his cell and speak to him through a 1-by-3-foot window of foggy plexiglass and iron bars. Have this been a training center for employers, officials, to be of use then later overseas?

Letter to My Friends III September 2008

<http://www.manipulatedtrial.de/Letter%20to%20my%20Friends%20III%200809.pdf>

Invite reading as well Prison and the Character of Nations

<http://www.manipulatedtrial.de/FK%20Prison%20and%20the%20Character%20of%20Nations%200108.pdf>

It is hopeful that this lawsuit will explore these circumstances unconditionally and identify what political barriers, psychological effect or impact exist and identify the existence or presence of a culture deemed as being deliberate indifference related to SHU operational obstacles that have been produced through a metamorphic state in the past few decades.

This lawsuit should identify exactly what kind of mind and mentality, both intentionally or un-intentionally, created these alleged deviated procedures from accepted sound correctional practices and implemented in-house cultural customs and traditional practices that could deviate from those guidelines written by the CDCR administration and rank and file.

In the courtroom, they will argue the practice of long-term solitary confinement (at least 10 years) and determine whether or not this violates our constitutional 8th Amendment of cruel and unusual punishment. I suspect it will once the cultural attitudes and practices are revealed through testimony now under oath and in the public's eye, the court may view the practice of solitary confinement to be a violation of the 8th Amendment as it is written and intent.

It is also my desired expectation that the placement of the mentally ill will also be addressed. Common sense would prevail that such a placement in the SHU is detrimental to their already fragile mental health status and with such negative and toxic environmental influences around them 24 hours a day, it is likely they are not getting any treatment for their illnesses as well as making any progress in the stabilization of their own psychosis or psychological experiences while locked up there in the darkened corridors of Pelican Bay SHUs

From the viewpoint of a former deputy warden who has spent 25 years inside prisons, a legal definition or the elimination of solitary confinement is long overdue. This case will set the standards for all to follow and return a meaning to the 8th Amendment as it was written and intent to protect human beings against being tortured and neglected for years.. Yes., a former correctional administrator agrees with Solitary Watch that this case is most important to define the practice and once and for all, eliminate this isolation practice as legal today.

Great, great! Chapeau! But know, we are behind him, behind You, and with all who fight against torture; and it is torture to hold humans in isolation-cells. We fight here in Germany as animal-protectors against isolation-cells for pigs in CAFOs and then we shouldn't fight against isolation-cells for humans? With best regards: Dr. Annamaria Grabowski M.A.

Reblogged this on [Faktensucher](#).

Thank you Sal, for the information! It is great that these men are getting the much needed publicity, and you are doing a Great job, keeping those of us who are concerned, for personal reasons, very informed. Thank you, again, Julie Cervantes

The first rule of a defendant in a lawsuit is to deny deny and deny: having said that the CDCR spokesman Callison read from a well rehearsed script that addresses confinement issues but are bogus just like they did when they got sued for poor medical and mental health care for their prisoners that also resulted in a lawsuit and was won in the Supreme Court.. These conditions resemble those in that previous lawsuit that resulted in prison releases and downsizing the prison population. The SHU unit are in the same predicament, they can't manage what they have and must reduce their population with sound correctional practices to be able to manage those who truly deserve to be there per national classification risk factors, STG gang criteria and begin opportunities to step down those no longer involved in gang activity without debriefing as a condition as a debrief is instant death for those who do when released because of the code blood in blood out that is still enforced.

Instead of denial, it would benefit the CDCR, The Governor of the STATE, the agency officials and the taxpayers greatly to begin working on a good faith resolution on this matter as they (CDCR) cannot and do not ensure that every condition of confinement is met according to their own policies and procedures because of deliberate indifferences entrenched within by staff who have been doing their own thing now for decades and are now finally called on what they are doing in the courtroom. This will set a baseline for programming and security operations within a SHU, a SMU or any other lockdown unit such as AD SEG and Max Custodies everywhere. This will be an extensive show and tell by both sides disproving or revealing actual practices versus sound practices within these walls in Pelican Bay.

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