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Criminal Justice Issues and Prisoners' Rights

<https://solitarywatch.org/2012/08/04/bureau-of-prisons-chief-sends-memo-to-federal-inmates-urging-them-not-to-kill-themselves/>

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by [Jean Casella and James Ridgeway](#) | August 4, 2012

The *Atlantic's* Andrew Cohen, who has been [reporting extensively](#) on a lawsuit challenging solitary confinement and mental health care at ADX Florence, the federal super-supermax in Colorado, has obtained a copy of a memo sent to all federal prisoners last month. Cohen's own commentary on the memo is trenchant, so we are republishing excerpts from his [article](#), which includes quotation from the memo. The full memo can be read [here](#) on the *Atlantic's* website.

Faced with two new federal lawsuits alleging prisoner mistreatment and abuse, one of which [chronicles in grim detail](#) the 2010 suicide of an inmate at the Supermax facility in Colorado, the Federal Bureau of Prisons last month sent an extraordinary Suicide Prevention memo to all Bureau Inmates. Charles E. Samuels, Jr., director of the BOP, urged prisoners unable to think of solutions other than suicide not to lose hope and urged them to be willing to request help from those around you.

[The memo] is dated July 20, 2012, one month after a [class-action lawsuit was filed](#) against federal officials alleging that they have violated the constitutional rights of prisoners by refusing or failing to provide even the most basic treatment for mentally ill prisoners at the Colorado facility. This lawsuit came one month after prison officials were sued over the suicide of an ADX Florence inmate, Jose Martin Vega, who had hanged himself in his cell after allegedly failing to get proper mental health treatment.

The memo concludes with a quotation from Albert Einstein: Learn from yesterday, live for today, hope for tomorrow. This would seem a cruel joke when directed at men whose past, present, and future consist of absolute isolation in a bare concrete cell. (Read, for example, [Thomas Silverstein's description](#) of his 10,000+ days in extreme solitary confinement a condition that he has little to no prospect of ever changing.)

Cohen first parses What's in the Memo:

You can decide for yourself what you think of the tone of the memo. Some of you likely will find it a cruel and patronizing attempt by federal bureaucrats and lawyers to try to cover their asses in anticipation of litigation to come. For example:

Every institution is staffed with psychologists who provide counseling and other supportive mental health services. Anytime you want to speak with a psychologist, let staff know and they will contact Psychology Services to make the necessary arrangements.

Others may find its touchy-feely language particularly odd given the memo's audience. This memo was sent to hundreds of thousands of federal prisoners, including some of the most deadly and violent America currently has in custody. For example:

If you are unable to think of solutions other than suicide, it is not because solutions do not exist; it is because you are currently unable to see them. Do not lose hope. Solutions can be found, feelings change, unanticipated positive events occur. Look for meaning and purpose in educational and treatment programs, faith, work, family and friends.

And then there is this passage, which makes Tom Hanks' [The Green Mile](#) guard Paul Edgecomb seem like [Cool Hand Luke's](#) jailer. Remember, Director Samuels here is speaking to men who live in such detention and isolation often as punishment for past conduct in prison that they have gone clinically mad from the conditions of their confinement:

You may be reading this message while in a Special Housing Unit or Special Management Unit cell, thinking your life is moving in the wrong direction. But wherever you are, whatever your circumstances, my commitment to you is the same. I want you to succeed.

Cohen then comments on What's Not in the Memo:

[No one can read the memo] and reasonably conclude that the Bureau of Prisons is planning to help buy klonopin online with prescription solve the problem by hiring more doctors and psychiatrists. The June civil rights complaint, in the case now styled *Bacote v.*

Federal Bureau of Prisons, alleges that there are only *two* mental health professionals responsible for the care of *450* prisoners at Supermax. With such a ratio, its ridiculous to think that even those inmates who want to accept Director Samuels kind invitation are going to be successful in doing so.

Nor can anyone read the July 20 memo and reasonably conclude that the Bureau of Prisons intends to modify its rules, which prohibit the use of psychotropic drugs in its Control Units, the most secure detention portions of its prisons. Thats the essence of the complaints in both pending cases: The Constitution requires adequate medical treatment, including mental health treatment, but often the inmates who need medicine the most are the ones who cannot by policy and practice get it.

Nor, finally, can anyone read Director Samuels memo as indicative of a shift in prison policy that will encourage the reporting of staff abuse of mentally ill prisoners. The *Bacote* complaint alleges that, at ADX Florence, the prison watchdog official responsible for investigating allegations of official misconduct *is married* to the prison official who is responsible for all correctional functions at the facility. How could an inmate take Samuels up on his invitation and expect much of a growl from the watchdog?

Its essential to read the [rest of the piece](#), in which Cohen describes some of the prisoners at ADX Florence who presumably received this memo. They include one man who has cut off his scrotum, and a testicle, and has amputated some of his fingers, another who allegedly crawls around ADX Florence on one leg because prison officials have refused to replace his prosthetic, and another who tried to commit suicide in 2008,[and] was promptly returned to the cell in which he had made the attempt, a cell which was still covered in his own blood. One prisoner who sought help, as the BOP director suggests, was given a tele-psychiatry session whereby he spoke via video conference with an off-site doctor. [He] alleges that, during the session, he was handcuffed from behind with shackles on his legs and surrounded by corrections officers.

Cohen concludes that the memo is really directed not toward any prisoners who might actually take Samuels up on his offer, but toward the lawsuits the BOP now faces. The response to those suits, Cohen asserts, can be found at the end of the memo:

I want your life to go forward in a positive direction a direction personally fulfilling to you, but also a direction which ensures the safety of the staff and inmates who interact with you each day.

Thats the argument that, even if the allegations are true, the deprivation of medicine and care, the emptiness of reporting safeguards, and even the occasional abuse are necessary to ensure the safety of the prison, its staff, and its inmates. The sub-argument is that, even if reasonable people disagree about how to treat the mentally ill in our nations prisons, the final call ought to be made by prison officials as experts in the field. Reads Samuels [statement](#) to that effect, made in June during a Senate subcommittee hearing on Capitol Hill.

In fact, this is the same argument that is made time and again, in prisons and jails across the country, to justify solitary confinement and all manner of abuses. Matters of safety and security which are defined by prison staff, and no one else trump all other concerns, including the possible torture of people in prison.

James Ridgeway (1936-2021) was the founder and co-director of Solitary Watch. An investigative journalist for over 60 years, he served as Washington Correspondent for the Village Voice and Mother Jones, reporting domestically on subjects ranging from electoral politics to corporate malfeasance to the rise of the racist far-right, and abroad from Central America, Northern Ireland, Eastern Europe, Haiti, and the former Yugoslavia. Earlier, he wrote for The New Republic and Ramparts, and his work appeared in dozens of other publications. He was the co-director of two films and author of 20 books, including a forthcoming posthumous edition of his groundbreaking 1991 work on the far right, *Blood in the Face*. Jean Casella is the director of Solitary Watch. She has also published work in The Guardian, The Nation, and Mother Jones, and is co-editor of the book *Hell Is a Very Small Place: Voices from Solitary Confinement*. She has received a Soros Justice Media Fellowship and an Alicia Patterson Fellowship. She tweets [@solitarywatch](#).

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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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This memo is typical of those who place a higher priority on covering their bloated asses than for providing even the most basic of humane service to a population of individuals being treated lower than that of a feral animal. As a former prisoner, this memo does not surprise me in the least. May God have more mercy on those bastards than they show to those entrusted to their care.

I wrote to Mr. Samuels I urge everyone with voice in the country to write and tell him that not only is there no hope for Prisoners in

isolation, its over used and causes the families undue depression and sadness as well this is a human rights issue. Write to the people that govern this country We the people do not speak we let law makers do as they please. While we are still free say SOMETHING

I am horrified by the callous/hateful nature of some who even bothered to spew more hate into this forum. God in Heaven, the man only asked for a step down sentence as a way to reclaim his dignity as well as his sanity. He will forever remain a prisoner in a hellish environment even if allowed in the general population of any prison. Surely as reasonable people you must see how wrong this is? Even our Zoos are moving to offer a better option than solitary for its wild animals. I am at a loss for words and have been most inept at even expressing the depth of my despair over this issue. Praying for relief for all.

Oh that should alleviate the problem. Yeah right. Maybe the I need to Cover My Ass problem. I have always maintained that the lack of hope drives the violence and the suicides in these units.

I cant wait to hear Silversteins responce.

Where are the Chaplains? They should be plaintiffs in the lawsuit The War Widows

this not only PROVES they know they are in the wrong, but that they also face some serious charges of incrimination if the powers ever get a real chance to flip as needs to happen for this and almost every other government run program (including the nations and the world)

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