

# Solitary Watch

## Criminal Justice Issues and Prisoners' Rights

<https://solitarywatch.org/2011/06/17/confronting-torture-in-u-s-prisons-a-qa-with-solitary-watch/>

## Campaign and Advocacy

close

Search

close

close

by [James Ridgeway and Jean Casella](#) | June 17, 2011

*The following interview with James Ridgeway and Jean Casella, conducted by [Angola 3 News](#), appeared earlier this week on [Alternet](#) (where you can read the introduction, which includes background on the upcoming [prisoner hunger strike at Pelican Bay](#).)*

**Angola 3 News: How did you first become interested in the issue of solitary confinement and ultimately become inspired to start Solitary Watch?**

Solitary Watch: We started Solitary Watch because this issue grabbed us by the throats. The solitary confinement of tens of thousands of prisoners may be the most grievous mass human rights violation taking place on American soil, yet it's been largely concealed from and ignored by the public, and seriously under-reported by the press.

Solitary confinement is a hidden world within the larger hidden world of the prison system, and prisoners in solitary are an invisible and dehumanized minority within the larger population of prison inmates in general who also remain remarkably invisible and dehumanized, considering that they now number [nearly 2.3 million and constitute one in every 100 adults in this country](#).

We don't mean to sound self-righteous about any of this, because until two years ago we were as ignorant about this subject as anyone. Like so many other people, we were outraged by the abuses taking place at Guantanamo or Abu Ghraib, yet we knew relatively little about the abuses happening here at home, in our own prisons and jails. What changed that was [Jim's reporting for Mother Jones on the Angola 3](#). To discover that there were men who had been living isolated in 6 x 9-foot cells for nearly 40 years well, that clearly shocked the conscience.

That was the beginning of our education. We began to learn more and more about this torturous netherworld of solitary confinement that exists, in one form or another, in every state of the union. And we discovered that there were activists and lawyers and scholars and prisoners' families and even a handful of journalists out there who were trying to draw attention to the issue, but no centralized, comprehensive source of information.

**A3N: Can you please briefly tell us about your background before Solitary Watch?**

SW: Jim has more than 40 years of experience as an investigative journalist, and Jean has been an editor for independent media and run small nonprofit organizations. It seemed like together we had the skills we needed to start up a web-based project that would serve as an information clearinghouse on solitary confinement, as well as a forum for whatever original reporting we might do on the subject. And we've been fortunate enough to get some funding from several [generous donors](#). That was the genesis of Solitary Watch, which went online a year and a half ago.

**A3N: What is a SHU?**

SW: SHU is just one of many euphemisms prison systems have developed to avoid using the term solitary confinement. In California, it stands for Security Housing Unit; in New York it is Special Housing Unit. Elsewhere we see Special Management Units, Behavioral Management Units, Communications Management Units, Administrative Segregation, Disciplinary Segregation—the list goes on. There are nuances of difference among them, but they all consist of 23- to 24-hour-a-day lockdown. Most of these systems—including the federal Bureau of Prisons—deny that they use solitary confinement, even while they have tens of thousands of prisoners locked alone in their cells for months, years, even decades.

**A3N: When was the first SHU made?**

SW: Solitary confinement was actually invented here in the United States, in the early 19th century in Philadelphia, as a supposedly humane alternative to things like floggings and hard labor. Prisoners were locked up alone, with absolutely nothing to do but contemplate their crimes, pray, and supposedly become penitent—thus the term penitentiary. Of course, nothing like that happened. The U.S. Supreme Court looked at conditions in the Philadelphia prison in 1890 and found that a considerable number of the prisoners fell, after even a short confinement, into a semi-fatuous condition, from which it was next to impossible to arouse them, and others became violently

insane; others still, committed suicide; while those who stood the ordeal better were not generally reformed, and in most cases did not recover sufficient mental activity to be of any subsequent service to the community.

For nearly 100 years after that, solitary confinement was rare; the famous Birdman of Alcatraz spent six years in solitary, and that was unusual. Things really began to change in 1983, when two guards at the federal prison in Marion, Illinois, were killed by inmates on the same day. That was the beginning of the notorious Marion Lockdown, where prisoners were permanently confined to their cells without yard time, work, or any kind of rehabilitative programming.

### **A3N: How have they developed since?**

SW: Other prisons followed suit, and in 1989 California built the first supermax Pelican Bay. There was a supermax boom in the 1990s, and today, 40 states and the federal government have supermax prisons holding upwards of 25,000 inmates. Tens of thousands more are held in solitary confinement in lockdown units within other prisons and jails. There's no up-to-date nationwide count, but according to best estimates, there are at least 75,000 and perhaps more than 100,000 prisoners in solitary confinement on any given day in America.

Solitary confinement has become the disciplinary measure of first resort, rather than of last resort. Today you can be placed in solitary confinement not only for violence, but for any form of insubordination toward prison officials. Others are put there for having contraband which includes not only drugs but cell phones or even too many postage stamps. Still others including many of the juveniles in adult prisons end up in solitary for their own protection because they are targets of prison rape. A lot of the men in Pelican Bay's SHU are there because they've been validated as gang members, based on the say-so of inmate snitches who are rewarded for informing. The reasons are countless, and sometimes absurd. In Virginia, a group of Rastafarian men was in solitary for a decade because they refused to cut their dreadlocks, in violation of prison rules.

### **A3N: What are effects of the SHU on prisoners health and well-being?**

SW: As [one prisoner](#) at the Tamms supermax in Illinois said, Lock yourself in your bathroom for the next 10 years and tell me how it will affect your mind.

If it weren't already obvious enough, research conducted over the last 30 years confirms solitary confinement has an extremely damaging [effect on mental health](#). One study found that a single week in solitary produced a change in EEG activity related to stress and anxiety. There's [evidence](#) that long-term isolation profoundly alters the brain chemistry, and that longer stretches in solitary [produce psychopathologies](#) including panic attacks, depression, inability to concentrate, memory loss, aggression self-mutilation, and various forms of psychosis at a considerably higher rate than other forms of confinement. Yet we have prison systems that insist they are placing prisoners in solitary so that they can learn self-control, and many cases where inmates are released directly from long-term isolation onto the streets. Unsurprisingly, they have a notably higher recidivism rate than other prisoners.

It's important to acknowledge, also, that a huge number of prisoners who are placed in solitary suffer from underlying mental illness. After 40 years of cuts to funding for mental health care, prisons and jails in general and solitary confinement cells in particular have become [America's new asylums](#). Prisoners are placed in solitary for being disruptive, when what they are doing is simply exhibiting the untreated symptoms of mental illness. One report by [Human Rights Watch](#) found that in prison systems around the country, one-third to one-half of the prisoners held in solitary were mentally ill. Other studies have found that two-thirds of all prison suicides take place in solitary confinement.

There has been less research done on the physical effects of solitary confinement, but evidence from recent court cases suggests a relationship to things like extreme insomnia, joint pain, hypertension and even damage to the eyesight which makes sense when you are talking about not being able to walk or look more than ten feet in any direction for years or decades on end. We will clearly see more evidence of health damage as more and more prisoners grow old in long-term solitary confinement.

### **A3N: The hunger strike at Pelican Bay will begin on July 1, and the strikers have made [five demands](#). Do you think these policies being protested are violations of international human rights standards? Of domestic US laws?**

SW: First, we want to say what a remarkable document this is, remembering that it was written by a group of men who are largely unable to communicate with one another or with the outside world, and who have limited access to research materials. It's a tribute to their perseverance and dedication to their cause, as well as their courage.

Second, we should emphasize how measured and reasonable their set of demands is. It draws heavily on the findings of the [Commission on Safety and Abuse in America's Prisons](#), which was a bipartisan, blue-ribbon commission that studied U.S. prisons and jails. As one of its three major findings on prison conditions, the Commission said that the growing use of high-security segregation was counterproductive and often cruel. The Pelican Bay hunger strikers have adopted the recommendations of the Commission for reforming and limiting the use of solitary confinement. Beyond this, they are simply asking for an end to group punishment and guilt by association, which are used to confine prisoners to the SHU indefinitely. And finally, they are asking for decent, nutritious food. This is hardly a radical agenda.

There's no doubt that solitary confinement, as its practiced in the United States at Pelican Bay and elsewhere, stands in violation of international human rights standards, including the [UN Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment](#), and the [UNs Basic Principles for the Treatment of Prisoners](#). Recently, the European Court of Human Rights [delayed the extradition](#) to the United States of several British terrorism suspects, because of the possibility that they would be sentenced to life in a supermax prison, which was deemed to violate the European Convention on Human Rights.

Unfortunately, U.S. courts have been more reluctant to take a stand against solitary confinement. We are not Constitutional scholars or even lawyers, but to us it would seem obvious that long-term solitary, at least, violates Constitution's ban on cruel and unusual punishment. However, the courts, with a few exceptions, have not found that to be the case. The exceptions for the most part have to do with prisoners with mental illness.

In a few cases, courts have found that holding prisoners in solitary violates their Constitutional right to due process, since they can be placed in isolation based on a system in which prison officials act as prosecutors, judge, and jury. Prisoners have no real opportunity to defend themselves, and no way to earn their way out of solitary through good behavior. That's certainly the case at Pelican Bay, and it's one of the things the hunger strikers are protesting.

At the moment there are two important cases pending in federal court, which claim that long-term solitary violates the Constitution. One is the case of the [Angola 3](#), now in their 40th year of solitary in Louisiana; the other is the case of [Thomas Silverstein](#), who has spent 28 years in extreme solitary confinement in federal prison under a no human contact order.

**A3N: Looking beyond these specific demands, what are some other characteristics of the Pelican Bay SHU?**

SW: California is particularly bad when it comes to holding prisoners in solitary confinement indefinitely based on highly questionable determinations of gang status, which as we said are often based on [a system of snitching](#) in return for various rewards. Otherwise, conditions in Pelican Bay are similar to those in most supermax prisons and SHUs.

These prisons have made a science out of isolation. The cells usually measure between 60 and 80 square feet, and those cells are a prisoners entire world. They are fed through slots in the solid steel doors, and if they communicate with prison staff, including mental health practitioners, that also takes place through the feeding slot. If they're lucky they get to exercise one hour a day, alone, in a fenced or walled dog run, and leave their cells a few times a week to take a shower in shackles, of course. In some cells the lights are on 24 hours a day, and there's round-the-clock video surveillance.

Prisoners may or may not be permitted to have visits. They may or may not be allowed reading and writing materials, art supplies, or other things to help them pass the time, and they may or may not have television, with close-circuit programming supplied by the prison. At ADX, the federal supermax in Florence, Colorado, they have black and white televisions that actually had to be specially retrofitted for the Bureau of Prisons, reputedly because they didn't like the PR implications of prisoners having color TV.

In fact there's a lot of concern about inmates being perceived as having it too easy so they often don't have air conditioning in summer or enough heat in the winter, and the food is barely adequate. Some states still use the loaf made of a tasteless puree of food as punishment.

**A3N: For over 40 years, Hugo Pinell has been in solitary confinement, most recently at Pelican Bay. Considering the political context of solitary confinement in Pinell's case, as well as that of the Angola 3, what do you think this says about how prison authorities have used solitary confinement as a political tool against prisoner activists and organizers? Is the practice widespread?**

SW: There's no doubt that solitary confinement is widely employed against prisoners who are perceived as representing any kind of threat to the absolute power and control of prison authorities. This is true even if inmates are seeking to organize for positive change and even if they are completely nonviolent.

In the case of Herman Wallace and Albert Woodfox, the two still-imprisoned members of the Angola 3, and of Hugo Pinell at Pelican Bay, we are talking about men who have had virtually clean disciplinary records for several decades, and who are now in their sixties. The fact that they continue to be held in solitary confinement clearly has everything to do with their involvement as prison organizers.

We have the warden of Angola, Burl Cain, [saying under oath](#) in a deposition that Wallace and Woodfox have to be kept in solitary because they are still trying to practice Black Pantherism, and if he let them into the general population they would organize the young new inmates and have the blacks chasing after them. And we have a prisoner in California being [sent to the SHU](#) simply for having reading materials written by George Jackson and contact information for Hugo Pinell.

But you don't have to be associated with the Black Panthers, or indeed any organized political group, to be punished for prison activism. In Massachusetts, an inmate named [Timothy Mui](#) was sent to solitary after he tried to expose a sex-for-snitching ring run by guards at his prison; they said his offense was engaging in or inciting a group demonstration or hunger strike. A prison journalist in Maine named [Deane Brown](#) was isolated and eventually shipped out of state for sending broadcasts called Live from the Hole to a local radio station.

Solitary confinement is routinely used to punish prison whistleblowers, and to suppress nonviolent dissent and free expression.

**A3N: How well do you think both the mainstream and progressive media have covered the issue of solitary confinement in prisons?**

SW: Well, there has actually been some outstanding reporting on this subject in the mainstream media. Of course there's dreadful stuff as well, like the Lockup and Lockdown TV series. But as far as print media goes, there are a few of cases where journalism helped spur grassroots movements against solitary confinement. We are thinking, in particular, of the investigations by [George Pawlaczyk and Beth Hundsdoerfer](#) on Tamms supermax in Illinois, by [Lance Tapley](#) on Maine State Prison, and by [Mary Beth Pfeiffer](#) on suicides in New York's SHUs. [Atul Gawande's 2009 article](#) in the *New Yorker* was excellent, as well.

In the progressive media, there's been some powerful reporting by [Anne-Marie Cusac](#) in *The Progressive*, [Jeanne Theoharis](#) in *The Nation*, and [Glenn Greenwald](#) at *Salon*. And of course, *Mother Jones* has been extremely supportive of Jim's reporting on the Angola 3 case, and on the broader issue of prison conditions as well.

The problem we have with media coverage is that there isn't nearly enough of it. And it doesn't get anything close to the attention it deserves or produce the kind of outrage it should, considering the fact that this is one of the major domestic human rights issues of our day. Our impression is that the media including, to a lesser extent, the progressive media is simply reflecting how effectively prisoners have been marginalized in our society.

**A3N: Today, in the post-9/11 so-called War on Terror era, do you think that the US public supports the use of torture against US prisoners?**

SW: We do think that the public is tolerating the torture of prisoners some because they don't know about it, others because they simply don't care. But we'd actually like to turn your question around, because we believe that a tolerance for the torture of U.S. prisoners helped to produce a tolerance for the torture of foreign terrorism suspects, rather than vice versa. The War on Crime predates the War on Terror, and places like Pelican Bay and ADX Florence made it that much easier for Guantanamo Bay and Abu Ghraib and Bagram to exist.

To discuss what produced this tolerance for torture in the first place, we need to return to the point we made at the beginning of this interview: Prisoners are today by far the most dehumanized members of our society. This has been the case to some extent historically, but the dehumanization has grown more intense since the advent of the War on Crime, which dates back to the 1960s but really heated up in the 1980s and 1990s. For at least the last 30 years, politicians from both parties have been cynically exploiting public fears about crime to win elections, and the prison population has grown by leaps and bounds with tacit public approval.

Racism clearly plays a role in all of this: A highly disproportionate number of prisoners are African American, and a majority of people today accepts the mass incarceration and abuse of black prisoners just as a majority once accepted racial segregation and before that slavery. Again, it comes down to depriving a certain group of people of their full humanity. Once you do that, it becomes a lot easier to deprive them of their basic human rights, not to mention their civil rights.

**A3N: Strategically speaking, how do you think supporters of human rights can best use media-activism to challenge the powerful forces currently trying to convince the US public that torture is good policy? What are key points that we should be making?**

SW: When it comes to solitary confinement, we probably need to emphasize different key points with different audiences. For those people who already have a firm opposition to all torture, we simply need to share information about the nature and widespread use of solitary confinement, and try to bring this issue out of the shadows and into the public square. The [American Friends Service Committee](#) has shown real leadership on this issue, and more recently the [ACLU](#) and the [National Religious Campaign Against Torture](#) have been trying to draw attention to solitary confinement, so that's a positive development. We need to encourage people to see the torture of all U.S. prisoners as a human rights issue just as pressing as the torture of Bradley Manning, or of the captives at Guantanamo or Abu Ghraib because torture is torture, and if you believe this, it shouldn't matter whether or not the victim has committed a crime.

For those who think that prisoners are criminals who deserve whatever they get, we can still emphasize the fact that solitary confinement is not only cruel, but also costly and counterproductive. It can cost two to three times as much to keep a prisoner in a supermax, rather than in the general prison population. And it simply doesn't work, in that it makes prisoners more likely to re-offend.

**A3N: You have just released the first print edition of Solitary Watch. What are your future plans for this? Anything else coming up that we should be looking for?**

SW: We launched [the print edition](#), which includes just a small selection of our stories, because we began receiving letters from prisoners nearly every day, telling us about their own situations and asking for information. Prisoners, of course, do not have Internet access, so we needed to become more than just a web publication.

In addition, we're going to be publishing a series of [fact sheets](#) on different aspects of solitary confinement; we've just posted the first one, and there are many more to come. We just began shooting our first video interviews with some survivors of solitary confinement. Along with the writings we publish under [Voices from Solitary](#), we hope the videos will help provide a forum for a group of people who actually know what it's like to be buried alive.

*(This article was first published by [Alternet](#). Permission is granted to reprint if Alternet is cited as the original source)*



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](#).

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

Solitary Watch encourages comments and welcomes a range of ideas, opinions, debates, and respectful disagreement. We do not allow name-calling, bullying, cursing, or personal attacks of any kind. Any embedded links should be to information relevant to the conversation. Comments that violate these guidelines will be removed, and repeat offenders will be blocked. Thank you for your cooperation.

To Whom It May Concern,

I am the sister of an inmate currently being held at Pelican Bay Prison. The story is all too familiar on how an inmate became a resident in the public prison system and because of the generalization that people have placed on all inmates entering and leaving a prison facility, we have failed to fathom that there are some that have managed to want to change, have changed and have become great people stuck on the bad side of life.

My brother was incarcerated at age 16 and we all know how naive and inexperienced we are at that age, leading to dumb decisions and even greater consequences. He served his time, was released and moved on. Again struck on the bad side of luck, he was in the wrong place at the wrong time in South Carolina and found himself in a trial of which he never belonged. With split juries and a rap sheet from his past life and an appearance less than appealing with tattoos covering his body, the system decided to again place him under lock and key. After serving 13 years of his current 20 year sentence, my brother longed to see family. This level 2 prison in South Carolina provided him church ministries, work programs, and jobs along with phone calls and allowed pictures to send to his family, but not seeing any one for 13 years was too long. I am disabled and unable to travel and his only other family, his mother is unable to travel as well.

Our family gathered funds to get my brother transferred closer to home and were told that instead of Arizona, they could get him in California. In the beginning of the transfer, they sent him to Tracy, where the counselor interviewed him and specifically asked if he was in any gang relations. My brother informed the counselor that he had not been active in any gangs. He asked what the tattoo on his hand stated and he explained it said Weiss Macht Power from his previous term. He asked where the incident happened in which he was accused of his crime and he stated a biker bar. The end result ended up being Level 4 Max Security Pelican Bay Prison 16 hours still away from any relative. Thus began our roller coaster ride. Once placed in Pelican Bay I was told that my brother was not to be placed anywhere else and in order to do another transfer we would have to wait for his yearly review. My brother has had no write ups. With the transfer I began to contact as many people as I could to try and get information on as to how we could get him moved. It was not understood why he would be placed from a lower level programmed facility to one of the worst prisons in California.

Since the placement, my family, church, and friends have written numerous letters in support of my brother. He has had numerous counselors in which have provided me with little information and one in which has told me I was even borderline harassing them. With my brother's yearly review close approaching this last March, I began gathering up information again and sent again the numerous letters in support of my brother. At first they explained that they were unsure of his review date and then suddenly they explained that because of racial tension on the block my brother was in they placed all whites in Ad-Seg and they were going to do a non-adverse transfer. They were unsure of where he would be placed and when this would happen. He still had not been in front of committee. Then while in Ad-Seg waiting for the placement, he was stabbed while in handcuffs in the showers. At this point my brother doesn't know what is going on. He has lost 50 pounds within the year, has had two packages sent back and has had property given and then taken away numerous times. He is unable to make phone calls; only communication is via mail however he doesn't get his letters for weeks at a time and only has a pen filler to send his own. We have not received pictures of him and each day a letter gets more saddened. Now after seeing committee, they explain that they do not have all of his documentation so they postponed his case for 30 days. His next committee visit, they explained that he had prior gang affiliation in his last term and that he had an incident involving a guard in 1988 causing them to increase his points from 58 to 118 with no conversation about another transfer. My brother was claimed not guilty in the incident in 1988 and does not understand how they are able to include this for his current term. He is now in SHU/AdSeg and has been told that if he goes SNY that he will be able to be placed on a non active yard, closer to his family which should have originally been done with the interstate transfer. Sadly my brother has little to no information simply because he has been a non active gang member and fears that this will put himself and his family in danger. Still he waits however for decisions to be made and for him to get answers. The facility has moved him several times and he is not able to be found in the inmate locator. He writes letters of how hungry he is and how he has yet to have any church or faith recreation. He states that the temperatures are near freezing at times and that he prefers no contact simply to stay safe and out of trouble.

It is a constant struggle to stay uplifted and reformed when there is no one to keep us grounded. The mind grows weak under duress. With information on his treatment in this facility I requested him to have a medical visit with his significant weight loss and was then contacted and told that my claim was untrue and that no one was to make a visit.

Based on all of the occurrences within the year and the treatment given to my brother, it is clear that based on arbitrary policies and practices re: status of the inmates (i.e., a California Department of Corrections and Rehabilitation (CDCR) gang label, without ever being charged, and found guilty of committing a gang related illegal act), in violation of the 1st, 5th, 8th, and 14th Amendments of the U.S. Constitution and International law barring the use of torture and other cruel, inhumane, or degrading treatment or punishment acts committed (per U.N. Conventions Against Torture of 1984 1985).

This letter is being written in hopes that light is shed on the treatments of all inmates. They have been wrongly labeled and while indeed there are those who have committed great wrongs in society, they are still human beings at best and deserve the same rights that others receive. They are in an institution so that we can decrease crime rates in public society however we create our legal systems to make a better world and had thought to end cruel and unusual punishment long ago. It is requested now that help is brought to those who are starving, freezing and for the most part have a release date and are in hopes to become greater than they once were. They have a limited voice so it is up to family, friends, churches, and public to help and have faith that there is reformation. These prisons are overcrowded and Judges have implemented the decrease of prisoner population to begin NOW, yet these institutions are making it so that these inmates are set up for failure. Like my brother putting him in harms way so that he is forced to defend himself but fearing if he does he will be given three strikes.

For more information on cases like these please look at California Prison Focus and find the Pelican Bay Hunger Strike 2011 that will begin on July 1st 2011. Prisoners and public alike are joining in to end this cruel treatment.

P.S. Due to the circumstances and overcrowding that these facilities are currently under, it would be ideal to possibly allow the inmates that have managed to stay out of trouble in their term and not possible for parole but only have a few years left, be repealed and possibly allowed less time or be paroled.

Sincerely,  
Tammy Jones



and yes i know of the sams i mean with out using the sam i have read in meny times that thare was a judge in ny that gave that as a sentence and have herd of this being done in other cu8rts befor i just worey the sort of power some judges have to think every right we have is interpreted by the one top court makes you shiver some days i would think that to see this nashion as what it is in some sens a nashion under a tribunal makes me shake at times lol

thanks for the anser all i want to know then is hoiw the hek the judge in the ny black panthers case was abel to do what he did that and i cant belive i sick the week i am gradwating gerrr lol

From the book The Rise and Fall Of Californias Radical Prison Movement by Eric Cummins:

Page 103: some issued angry statements that, because the underclass was forced to commit crimes to live, imprisonment itself was a political crime and the criminal a political prisoner. The crime of the outlaw, by this logic, became a revolutionary challenge to the state. Outlaws were revolutionaries.

Page 104: To middle-class whites, male aggression seemed the special property of the working class, and especially of the black male.

Page 170: The myths of convict heroes in the early 1970s were fantasies produced largely by the continuing desperate need for new male gender roles in the white middle class.

Lost in the process of mystification were all the other prisoners of the California prison system, their needs, and their political struggle.

Page 154: Inside San Quentin, yard politics were becoming increasingly dominated by revolutionary black inmates..Faced with lingering racial inequalities in the prison and denied the political means to remedy them because participation in strikes, demonstrations, or other large political actions was grounds for disciplinary action, revolutionary convicts, the ideological products of secret political study groups, were by 1970 more and more often resorting to secret, retaliatory gang-style slayings aimed at changing the way power was distributed in the prison. The major actor in this movement toward gang-style politics was George Jackson.

Page 163: Many more black prisoners were participating in secret political study groups. Substantial numbers of these black convicts were now ready to take aggressive action on the yard and George Jackson would find himself at the center of the maelstrom.

On January 13, 1970, a group of thirteen prisoners was released into the AC yard. Racial tensions had been running at a fever pitch. Everybody expected trouble. A single guard, O. G. Miller, was stationed above the yard with a carbine.

After a fistfight broke out, Miller fired four times, killing three black prisoners, including Jackson's close friend W. L. Nolan, and wounding one white.

Page 164: Following the yard deaths known as the Soledad Incident, black prisoners throughout the California prisons readied themselves to take the most extreme reprisals.

Basically, the rule was If you kill one of ours we will kill one of yours. This was nothing new in the gang dynamics of the prison yard. But after the Soledad Incident, Jackson added a unique twist. The threat was now extended to corrections officers as well as other convicts, a move that defined the guard staff as just one more gang in the political struggle for control of the yard..

Page 165: Immediately, the level of killing in the prisons increased dramatically. Nine guards and 24 inmates would be killed in 1970-71.

Three days after the Soledad Incident, a young, inexperienced white Soledad officer, John Mills, was beaten and thrown to his death from the third tier of Soledad's Y wing. George Jackson, Fleeta Drumgo, and John Clutchette were immediately charged in the officers death and became instantly renowned in the press as the Soledad Brothers. George Jackson was now facing the gas chamber.

Page 167: After the Soledad Incident and the indictment of the Soledad Brothers, the formally secret political education systems at both Soledad and San Quentin exploded into open view.

The lid seemed about to blow off the California prisons. Many prisoners now began to think that a full-scale peoples revolution outside the prison was engulfing the state.

Page 168: In July another guard was found killed in an exercise yard guard shack in the North facility.

Page 169: Left-wing romanticism attached to the Soledad Brothers reached the dimensions of cult worship.

Page 180-83: February 26, 1970, yet another black inmate had died at the prison. ..A certificate of death would record asphyxia and a fractured larynx as the cause of his death

San Quentin's black guerrillas had their own notions of redress for Billingslea's death. Soon black inmate James D. McClain was charged in a nonfatal stabbing of a guard on the San Quentin yard.

Early in the morning of August 7, 1970, Ruchell Magee and another San Quentin inmate, William Christmas, were brought from the prison to the Marin County Courthouse to appear as witnesses for James McClain in a retrial of this guard assault case. During the court proceedings, a young black spectator in the courtroom suddenly rose to his feet. George Jackson's seventeen-year-old brother Jonathan drew a sawed-off shotgun from beneath his coat. He raised it into the air. All right gentlemen, the young Jackson said calmly. Im taking over now.

Jonathan Jackson tossed several more guns that he had concealed to Magee and McClain. Christmas was released from a holding cell outside the courtroom while Jackson taped the shotgun under the chin of the judge. The four took their hostages Judge Haley, the

prosecutor, Deputy District Attorney Gary Thomas, and three women jurors. According to one witness, on the way out of the courthouse James McClain shouted, Free or Release the Soledad Brothers by 12:30 or they all die! The prisoners hurried their hostages outside to a van that Jackson had rented. By this time, however, news of the attempted escape had been broadcast on police frequencies. Police and San Quentin guard roadblocks were already in place around the courthouse where heavily armed officers sat waiting, well aware of San Quentins no hostages policy. Moments later their gunfire ripped through the van, knocking Jonathan Jackson over the front seat and killing him instantly. McClain and Christmas died in the crossfire, too, but not before their shotgun had discharged in Judge Haleys face. Prosecutor Thomas was permanently paralyzed by gunshot wounds. Ruchell Magee was critically wounded but would survive. One of the jurors was slightly hurt; the remaining two women were miraculously unharmed. After the smoke had cleared, Haley, McClain, Jackson and Christmas lay dead in the van outside the courthouse.

Page 184: Inside San Quentin the Marion shootout spawned a plan among black revolutionary inmates to seek one for one revenge for the death of McClain and Christmas. The pace of assaults on guards continued to escalate. In July 1971, Officer Leo G. Davis was killed in San Quentins hospital

Page 187: When a full-scale prisoner unionization movement emerged in the prisons in 1970 scores of community groups turned out in support and lobbied the state government for change.

By late 1970 the tone of San Quentins imported literature became noticeably more inflammatory and more practical rather than theoretical, including detailed diagrams and instructions on bomb and weapons manufacture. Unfortunately, this change, well noted by prison staff, furnished the state with just the evidence of conspiracy it had so long desired and fueled moves toward a prison crackdown and a conservative repudiation of prison reform directed from both Sacramento and Washington..

The just emerging moderate reformist convict union movement would by small steps be turned aside in its infancy as more and more the state and the extreme Left read the prison movement exclusively in the exaggerated figure of George Jackson. Tragically, that script now seemed to both far Right and Left to make his death necessary. And after the carnage, predictably, the same script would allow prison authorities to blame his death on outsiders and to go on ignoring prisoners legitimate grievances.

Page 209: It was now clear that George Jacksons fate was sealed. The outside Left demanded some spectacularly heroic act from its leader. And however he did it, Jackson had to surpass even his younger brother Jonathans fiery revolt. Revolutionaries inside, too, would be utterly disheartened unless an act of supreme vengeance was forthcoming from George Jackson very soon. And the state was moving in Jackson could not be allowed to live to come to trial. If he won his case, it would be seen as a sign of demoralizing defeat of the prison system. Prison guards would mutiny. The system would fall apart. Yet Jacksons conviction could be even worse, possibly launching a bloody war inside and on Bay Area streets.

The details of what happened on August 21, 1971, are impossible to sort out with any certainty. Multiple stories contradict one another. But at least one fact is clear. In the words of AC inmate Johnny Spain, There was gun introduced into the Adjustment Center on August 21. According to most versions of the legend, on the way back to the Adjustment center from a visit, Jackson drew a gun on his escorting officer and launched the bloodiest day in San Quentins history. First, he released his fellow AC revolutionary convicts, shouting, The Dragon has come! Certain AC prisoners then helped Jackson take six officers and two white convict tier tenders as hostages. Five of these men, three guards and the tier tenders, were later found dead in Jacksons cell, stabbed and with their throats slit. Three other wounded guards would recover.

scores of heavily armed California sheriffs deputies began converging on the prison George Jackson made his last stand. Its me they want, he said simply. Gun in hand, accompanied only by Johnny Spain, the Dragon bolted out through the AC lobby and into the prison plaza. There he was killed instantly by a marksman on the yard gunrail with one shot to the middle of his back, which, according to official reports, then ricocheted off his spine or pelvis and exited the top of his skull. Johnny Spain dived into a bush outside and was spared.

Page 212: Warden Park claimed George Jackson and his revolutionary comrades in the AC had been manipulated by outsiders.

Page 213: James Park was correct in a sense; in a limited way the AC revolt had been the product of outsidersthough to say so conveniently ignored the blame that the prison system itself shared for perpetrating the conditions that led to the revolt and for engineering AC prisoner isolation from wider exposure to ideas and resources of information in the real world.

Jackson, the tragic product of a failed legacy of prison communication control.had given both the Left and the Right what they wanted in 1971.

Page 224: On August 21, 1971, immediately following the San Quentin Adjustment Center revolt, 26 subdued AC prisoners lay stripped nude in handcuffs and shackles on the plaza grass just across walk from the spot George Jackson had fallen. Then came the beatings.

A small group of extreme leftists in the Bay Area, renouncing the need for grass-roots support, instead chose to isolate themselves from the public further. In a few cases their analysis led them to become participants in emerging foco groups led by paroled or escaped convict guerrilla warriors.

The unreasoned extremism of one such foco, the Symbionese Liberation Army, came straight from the pages of George Jacksons Blood in My Eye and was to undercut in 1974 what little remained of the last public support for the prison movement.

Page 228: That American prisoners were prisoners of war was by no means a minority opinion among the prison movement Left in the Bay Area in 1970. This notion was already weakening the popular appeal of the prison movement

Page 235: In its campaign to recapture of San Quentin from its radical convicts, the prison stepped up suppression of mail and books. This was especially true in the AC, where the San Quentin six, George Jacksons alleged conspirators on August 21, were still attempting to organize.

Page 237-38: this ongoing high level of inmate radical organizing, seemingly resistant even to the severest prison discipline, continued to alarm prison officials.

December 1973. the House Committee on Internal Security, was particularly interested to hear about the unrestricted flow of extremist propaganda into the prison. that FBI director J. Edgar Hoover had claimed stimulated the hardened criminal inmates into an alliance with revolutionary extremists.

For the Committee on Internal Security and the San Quentin officers who testified before it, San Quentins problem with radicals was entirely an imported one. Again the San Quentin administration chose to ignore the genuine grievances of the inmates as a source of prison rebellion. The committee was in part correct in its observations. Imported radical literature and the support of radical outsiders had certainly contributed to San Quentins revolution, though beneath this surface was along history of unresolved, legitimate prisoner grievances that had little to do with the ideological wars of the California Right and Left that were being reproduced in San Quentins battle of books.

Page 259: Two pre-occupations of the Bay Area public, its dread of what had become left-wing foco gangsterism and its allied fear of big government lawbreaking and illegal surveillance of innocent civilians, would play major roles in producing the jury verdict in the San Quentin Six trial of 1975-76.

Three prison guards and two inmate tier tenders had lost their lives and three guards had been wounded in the San Quentin AC bloodbath on August 21, 1971.

When the trial opened on March 25, 1975, in the courtroom of Marin County Superior Court judge Henry Broderick, five of the accused appeared in court chained and shackled to their chairs.

Page 260: The issue of the legality of chaining defendants in court would be debated hotly in the California press throughout that spring. See for example, The San Quentin Six Trial: Do Chains Have a Place? Los Angeles Times, May 22, 1975. In the mood of a different decade, the prejudicial effect on the jury of defendants in chains would lead to a reversal of Johnny Spains murder conviction in the case. In August 1989, the Ninth Circuit Court of Appeals ruled that Spains shackling with 25 pounds of chains during the seventeen-month trial had caused him undue pain and humiliation and had prevented him from assisting his attorney. See Shackled Ex-Panther Wins Appeal, San Diego Union, Aug. 23, 1989.

Page 183: McClain and Christmas died in the crossfire, too, but not before their shotgun had discharged in Judge Haleys face. Prosecutor Thomas was permanently paralyzed by gunshot wounds.

Page 261: San Quentin officer Urbano Rubiaco, Jr., testified for the prosecution that he recognized Hugo Pinell as the one who had slashed his throat.

The defense, for its part, alleged that Rubiaco was the one who had brought the gun that launched the incident into the AC.

Page 262: after 124 days, the San Quentin Six jury brought verdicts on only six of the original 46 felony charges Pinell of two counts of felony assault on a guard The jury convicted those defendants against whom it had eyewitness testimony. The rest were exonerated. The final jury finding was that there had been an inmate conspiracy to escape on August 21, 1971, a gun had been smuggled in, and Johnson, Pinell, and Spain, at least had joined George Jackson in assaulting guards the jury's decision was a measure of how deeply affected the Bay Area public had been by Watergate and related revelations of government conspiracy to bring false charges against innocent citizens.

Page 263: By its equivocal decision the jury seemed to be confirming and condemning both the existence of a San Quentin foco group and a government conspiracy to assassinate them.

For an examination of the legitimate grievances that inspired the prison movement read this dissertation:

<http://academic.research.microsoft.com/Publication/13903042/hard-time-in-the-new-deal-racial-formation-and-the-cultures-of-punishment-in-texas-and-california>

For a background on Pinells original conviction read this:

<http://online.ceb.com/calcases/CA2/232CA2d284.htm>

ok i have a question as well i have read cases where the judge has as part of the sentence mandated that the whole sentence is done in solitary confinement is that even a real legal sentence like not using the SAMS i just mean like could you walk into a court for sentencing and have a judge sentence you to life without that by the judges order must be served in solitary i mean i ask a lot others no one real knows and i just was wanting to know if a judge really has the power in any case to use solitary as a sentence like that i myself am hoping that this is not legal but i not sure after the black panther case in ny all i can say is if this is a ok sentence that is a truly cruel sentence that and if a judge did mandate this would the prisons have to obey that order all i can say is maybe there be light in the darkness of justice

Joshlyn, our understanding is that a judge can make a sentencing recommendation for solitary confinement, which is bound to be observed by the prison. And the attorney general can designate Special Administrative Measures (SAMs).

Thank you for your suggestion. I did find their website and tried to contact them several times last year but never received a response. I thought perhaps their chapter was defunct.

I live in northcentral Florida. I have tried to find a group advocating for criminal justice reform in my state, but have not been able to. I know our governor wants to move to privatize our prisons. Do you know any group I can get plugged into? Thanks so much! I really appreciate what you all have been doing. I share many of your articles on my Facebook page, but would love to reach more people.



Jodi: Have you checked out your state chapter of CURE? <http://www.curenational.org/cms/index.php>.

Great piece and we just cant get the public educated fast enough. The only issue I take with the article was that my research found Arizona to be the first to use this extreme and cruel practice with our SHUs. Pelican Bay was actually modeled after Arizona. Thanks, Mary Lou Brncik

please help us identify Wounded Warriors Incarcerated

The War Widows

[mmurphy@veteranschamberofcommerce.org](mailto:mmurphy@veteranschamberofcommerce.org)

P.O. Box 11374

Washington, DC 20008

[info@solitarywatch.org](mailto:info@solitarywatch.org)

Solitary Watch

Copyright 2022, Solitary Watch

Read about [rights and permissions](#).



**Solitary Watch News**