

Solitary Watch

Criminal Justice Issues and Prisoners' Rights

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by [Jean Casella and James Ridgeway](#) | February 28, 2011

Caon City, Colorado, is the Solitary Confinement Capital of the Western World. Now, a Small Group Lawyers, Legislators, and Activists Is Challenging This All-American Form of Torture.

Part 1: The Alcatraz of the Rockies

On the wall opposite Laura Rovners desk at the University of Denvers Sturm College of Law is a large framed drawing depicting her as the Angel of Justice. The artist is Thomas Silverstein, a onetime armed robber who is serving multiple life sentences for the murders of two fellow prisoners and a guard. Silverstein made his meticulously detailed ink drawing which shows a winged Rovner holding a sword, surrounded by slain bodies in his 7 x 12-foot cell at the notorious United States Penitentiary Administrative Maximum, or ADX, in rural Florence, Colorado. A talented self-taught artist, he has had plenty of time to hone his craft. For the last 27 years, [Tommy Silverstein](#) has been literally buried alive in an extreme form of solitary confinement in the depths of the federal prison system, under a no human contact order. The man who was at one time known as Americas Most Dangerous Prisoner is now described, on a web site maintained by his supporters, as Americas Most Isolated Man.

He is also Laura Rovners client. Rovner, teaching fellow Brittany Glidden, and a group of student attorneys from [DUs Civil Rights Clinic](#) have filed a lawsuit in Federal District Court in Denver, arguing that Silversteins 84 square feet of utter and permanent isolation violate the Constitutions ban on cruel and unusual punishment, as well as its guarantee of due process. The suit is just one of several brought by the clinic on behalf of various men held at ADX and at the nearby state supermax prison. Along with a small handful of other cases in Colorado and around the country, the work of DUs Civil Rights Clinic represents the leading edge of a legal challenge to solitary confinement. As such, it has the potential to affect the lives of the 100,000 or more prisoners who are held in some form of solitary on any given day in prisons across the United States.

In person, the Angel of Justice is a petite, brown-haired woman who chain-swigs Diet Pepsis and pauses to glance at her computer, which incessantly pings for her attention. Rovner has spent most of her career teaching in civil rights clinics at Georgetown, Syracuse, and North Dakota Law Schools, defending the rights of the deaf and other people with disabilities who had been victimized by discrimination, as well as the rights of prisoners. As she talks about her work at DU, she buzzes with energy, yet chooses her words carefully, measuring them against her clients best interests.



After pointing out Silversteins drawing, Rovner displays some samples from a pile of hand-knit afghans, scarves, and mittens, also made by Silverstein (and notable for the absence of red, blue, and black, which are banned at ADX as gang colors). She shows us a recent photograph, in which Silverstein sports long gray hair and an even longer white beard, his eyes squinting out above weathered cheeks and a friendly smile. Dressed in loose white clothing, he looks like an angelic hipster, maybe an aging yoga teacher, or at worst an over-the-hill biker certainly not a man more dangerous than the host of convicted terrorists, spies, mobsters, and drug kingpins housed with him at ADX.

Silverstein never killed anyone before he got to prison, and he contends that he did so then only when he felt his own life was threatened. He also says that, nearly three decades later, he is a changed man (he does, in fact, meditate and do yoga in his cell). This transformation is something his attorneys seem to accept, and they make a point of it in their suit. But ultimately, Rovner believes, if the Constitution is to mean anything, then it must apply not just to people and causes that engender sympathy, but to men like Tommy Silverstein, who have been written off as the worst of the worst. It must prevail not only in the light of day, but in the fluorescent-lit dungeons of ADX.

If Rovner is determined to defend the Constitutional rights of prisoners held in what is euphemistically called administrative segregation, then she has come to the right place. The state of Colorado has become ground zero for the use of solitary confinement and increasingly, for efforts to challenge it on legal, humanitarian, and even economic grounds. Douglas Wilson, the Colorado State Public Defender, describes solitary confinement as a hot little issue in his state, due in part to a highly public battle over the opening of a second costly state supermax, and to a new effort in the state legislature to limit the use of solitary.

At the center of the storm is Caon City, Colorado, which stands as the solitary confinement capital of the industrialized world. Two hours southwest of Denver, the Caon City area is home to 14 state and federal prisons and about 8,000 prisoners close to 1,500 of them in long-term solitary confinement. Colorados two state supermax facilities, on the outskirts of town, have over 1,066 solitary confinement cells in all, and ADX Florence, with some 400 more, is just ten miles down the road.

Caon City does its best to promote itself as an Old West tourist town, a base for whitewater rafting and narrow-gauge train rides in nearby Royal Gorge. Its strip is filled with chain motels, alongside kitschy establishments like the Waffle Wagon, Big Daddys Diner, and the Smoker Friendly Tobacco Hut. But while it isnt quite the rundown hellhole depicted in the recent French web documentary called [Prison Valley](#), Caon City is unmistakably a company town. Prison guards uniforms are a common sight in its streets and shops, and the motels advertise special rates for government employees. Downtown Caon City holds the Museum of Colorado Prisons, which lies in the shadow of yet another actual prison. On its front lawn stands a gas chamber not a replica, but the actual gas chamber used for eight state executions. Inside the museum, the exhibits include behavior control devices such as balls and chains, cattle prods, gas guns, and a kind of whipping horse that was known as the Old Gray Mare. The printed museum guide informs visitors that the items on exhibit can no longer be used because the court system deemed their use cruel and unusual punishment.

The courts have, for the most part, failed to reach the same conclusion about long-term solitary confinement, although some of Caon Citys prisoners might well prefer a few minutes on the Old Gray Mare to years or decades of 23- to 24-hour lockdown with barely a glimpse of a human face. Numerous studies have confirmed the psychological and physiological damage caused by this type of isolation, and international conventions identify it as a form of cruel, inhuman, and degrading treatment. The practice is rare in Europe, but in the United States, over the past 30 years, the use of solitary confinement has increased even more dramatically than our staggering incarceration rate. (Between 1995 and 2000 alone, the growth rate for prisoners housed in isolation was [40 percent](#), as compared to 28 percent for the prison population in general.) According to the best available data, about 25,000 prisoners are in solitary in supermax facilities, while some as many as [80,000 more](#) are in segregation units or cells in other prisons and jails. With more than [6 percent of its prisoners](#) in isolation, Colorado ranks well above the national average of about 2 percent but then, so do states that span the political spectrum, from Arizona and Nevada to Maine and New York.



At ADX, the only supermax in the federal prison system, human isolation has been raised to an art. The location alone is desolate enough: On a road outside the tiny town of Florence, on a cleared patch of red-brown high desert turf, lies a razor-wire-fenced compound dotted with signs that read No trespassing, 24-hour surveillance. This is the Florence Federal Correctional Complex, which includes medium and maximum-security facilities as well as the world-famous ADX. With their cheery red and yellow bricks and tiled roofs, the buildings nearest to the road resemble a southwestern strip mall; set further back and low to the ground, ADX would be at home on a suburban industrial estate, minus its massive concrete guard towers.

The interior of ADX, however, is something few Americans will ever see, even through the eyes of journalists. Alan Prendergast, a reporter for Denvers alternative weekly *Westword*, has written about ADX since its opening in 1994; in its early years, he entered the federal supermax several times and was even granted permission to interview prisoners. After 9/11, however, all press access was cut off. From documents obtained through the Freedom of Information Act, [Prendergast learned](#) that after January 2002, every single request from the press to visit ADX was denied, with the majority of denials citing unspecified security concerns. I may have been the last reporter inside ADX, Prendergast said in an interview.

Several University of Denver students have, however, succeeded in entering this fortress of solitude, due to their standing as student lawyers. Erica Day and Nick Catanzarite, DU students who are currently working on Tommy Silversteins case, described their experiences visiting ADX, along with Rovner and Glidden, in October 2010. The first thing they saw when they entered was a huge black-and-white photo of Alcatraz Prison floating in San Francisco Bay, implicitly conveying pride in ADXs reputation as the Alcatraz of the Rockies. Then there was a series of photos of the men responsible for the facility: President Barak Obama, then Attorney General Eric Holder, followed by the head of the Federal Bureau of Prisons, the North Central Regional BOP director, and ADX Warden Blake R. Davis. After clearing security, they passed a cabinet selling T-shirts that read Pen State, with proceeds going to the prison guards union, and then a set of staff awards for excellence. Finally, there was a long underground hallway, punctuated by a series of signs with slogans like Loyalty, Honesty, and Integrity.

After crowding into a small concrete visitors booth in sight of several video cameras, Rovner, Glidden and the students watched through thick plexiglass as their client was brought in. Silversteins legs were shackled together, and his hands were cuffed and connected to a belly chain fitted through a black box attached to his waist. After hearing about the man some prison officials refer to as Terrible Tommy, Catanzarite says he was taken aback by his appearance: He looked like an old man. Day was caught off guard by Tommys manners. He was concerned about the long trip wed had to take to get there, she says, and every time someone entered or left the room, she said, he stood up.

They spent close to six hours in the concrete enclosure interviewing their clientan experience the student attorneys describe as exhausting, partly because of the subject matter, and partly because they themselves felt unhinged by their environment, consumed in a kind of time warp. Both clearly have been affected by the visit. Days voice becomes emotional when she describes leaving ADX: Its hard when you walk outside into the light, and know he is going back to his cell.

Laura Rovner is one of the only outsiders who have ever seen what awaits Tommy Silverstein when he returns to his cell. For years, he was housed in a place called Range 13the most restrictive section within the most restrictive unit of the most restrictive prison in America. Its only residents were Silverstein and Ramzi Yousef, convicted as a principal participant in the 1993 World Trade Center bombing. When Silverstein arrived at ADXafter years in Marion, Atlanta, and then Leavenworth, where he occupied aremote underground cell known as the Silverstein Suiteprison officials built an additional wall in the hallway to make absolutely sure that the two could not communicate, even by shouting. They also moved Silverstein back and forth, every three months, between two different cells.

When Rovner examined the cells, she saw the usual immovable, poured concrete bed, desk, and stool; the combination toilet/sink and interior shower, which renders it unnecessary for prisoners to ever be removed from their cells. The cells are lit and surveilled by video cameras 24-hours-a-day. They receive close-circuit broadcasts onto black-and-white televisions that had to be retrofitted specifically for the Bureau of Prisonsreputedly because the BOP didnt like the PR implications of providing supermax prisoners with color TV. Each cell has a small, high, wire-covered window, which the prisoner can only look through by climbing on the desk, and which provides a view only of the concrete walls of the exercise enclosure into whichthe prisoner is released (by remote control) for up to one hour a day. The enclosures high concrete walls offer a glimpse of sky, but no view of the nearby mountains, andits dimensions are such that the occupant can walk approximately ten steps in any direction, or thirty feet in a circle.

Remotely controlled bars separate each cell from a vestibule, and a solid steel door separates the vestibule from the hallway. Food comes into the vestibule through a slot in the door. Any contact Silverstein had with prison staff, including the psychologist who spoke to him for a few minutes every 30 days, generally took place through the steel door. There was no needand little possibilityof him ever seeing a human face. According to Silversteins lawsuit, while he was held in Range 13, invasive strip searches and infrequent haircuts were the only physical contact Mr. Silverstein experienced with other human beings. Rovner says that experts on the use and effects of supermax prisons, including psychologist Craig Haney and correctional expert Steve J. Martin, told her that Range 13 has the most isolating prison conditions they had seen.

The complaint, filed on Silversteins behalf by the Civil Rights Clinic in 2007,states that the extreme sensory deprivation and social isolation to which Tommy Silverstein has been subjected over the last 27 years have deprived him of human contact and human dignity and led to physical and psychological harm. The harm cited in the complaint includes eyesight damage, hypertension, anxiety attacks, sleep disturbances, painshortness of breath, and aggravated symptoms of diabetes and Hepatitis Cdepression, hallucinations, disorientation, memory loss, cognitive impairment and other various psychological problems. The complaint argues that the BOP is well aware of the risk of harm they are causing, and that all of this constitutes cruel and unusual punishment, in violation of the 8th Amendment.

The complaint also alleges that Tommy Silverstein is being subjected to this cruelty without due process of law, which is guaranteed to him by the 5th Amendment. Rovner and her students argue that there is no meaningful legal process to determine who gets put into ADX (as opposed to a conventional maximum security prison) or what they have to do to get out. The prison putatively maintains a step-down program, by which prisoners can gradually earn their way, through good behavior, into somewhat less restrictive conditions. But the lawsuit depicts the step-down program as little more than a sham process, and one to which their client has had no real access.

Silverstein has not had a disciplinary write-up in 23 years, but this fact has had no impact on his confinement. The BOP shrinks chalk it up as me being so isolated I havent anyone to fight with, Silverstein wrote to Alan Prendergast, but theyre totally oblivious to all the petty BS that I could go off on if I chose to. I can toss a turd and cup of piss with the best of em if I desired, he continued, referring to fact that some supermax prisoners resort to throwing their own excrement. What are they going to do, lock me up?

Nick Catanzarite says that he felt conflicted when he began working on the Silverstein case, because of what he knew about his clients violent past. But he is now convinced that regardless of that past, what he has been subjected to is not OK. Even if it had a rehabilitative purpose, it wouldnt be justified. Erica Day finds the conditions at ADX so extreme that they shock both the senses and the conscience. Theres a reason these prisons arent in the middle of Denver, she said. You really hope this goes on because people dont know, and not because they dont care. But there will always be people whose minds cant be changed.

If their goal is to change minds, as well as change their clients conditions, Rovner and her students have chosen an unlikely poster child in Tommy Silverstein. Even some steadfast opponents of long-term solitary confinement told us that they questioned the idea of litigating on behalf of Silverstein rather than someone with a less violent and more sympathetic story. After all, Silversteins crimeswhich include killing a guard while being marched to the shower in shacklesdo seem to qualify him as one of the worst of the worst. Meanwhile, tens of thousands of American prisoners are in solitary for disciplinary infractions that range from fighting in the mess hall to having a too many postage stamps, while thousands more live in isolation simply because they are deemed too young, too vulnerable, or too mentally ill for the general population.

But Rovner believes that the extreme nature of Silversteins isolation, and its duration, demand a legal response. And its possible that the outcome of his case could affect the thousands of other individuals being held in long-term solitary confinement in supermax facilities and administrative segregation units across the country, from Virginias Red Onion prison to Californias Pelican Bay. When a federal judge ruled, in March 2010, that Silversteins lawsuit could move forward, Rovner pointed out that it was one of only two or three in the entire country where a court has held that solitary confinement alone is enough to state a claim for cruel and unusual punishment, even absent mental illness or other physical harm.We anticipate and hope that this decision will have a positive impact on the ability of litigators across the country to challenge the disturbing trend of holding individuals in solitary confinement indefinitely.

The case of this former member of the Aryan Brotherhood could, ironically, have implications for the plight of two former Black Panthers in Louisianaor vice versa. Albert Woodfox and Herman Wallace, members of the group known as the Angola 3, have been in solitary confinement in state prisons for almost continuously for 37 years. A team of pro bono lawyers hasmounted a challengeon grounds similar to those in the Silverstein case, and will likely go to trial in federal district court in Baton Rouge sometime this year.

Extreme and indefinite solitary confinement has also become the punishment of first resort for those accused or convicted of crimes related to the so-called war on terror. ADX now holds the likes of Zacarias Moussoui, Richard Reid, and John Walker Lindh, and is spoken of as a possible final destination for residents of Guantanamo. Marion and Terre Haute federal prisons already contain ultra-isolation [Communications Management Units](#) (CMUs) that were set up secretly under the Bush administration, supposedlyto hold high-risk prisoners, including terrorists, whose crimes warranted heightened monitoring of their external and internal communications. According to a lawsuit filed this past spring by the Center for Constitutional Rights, many prisoners in fact end up in the CMUsfor their constitutionally protected religious beliefs, unpopular political views, or in retaliation for challenging poor treatment or other rights violations in the federal prison system.

The DU Civil Rights Clinics clients also include three prisoners convicted of terrorism charges, in connection with the 1993 World Trade Center bombing. Following their convictions in 1995, Mohammed Saleh, El-Sayyid Nosair, and Ibrahim Elgabrownny were housed in the general population at various federal prisons, where they ate in the mess hall, worked jobs, hung out on the yard, and received visits from their families. But according to the complaint filed on their behalf, within hours of the 9/11 attacks, they were rounded up and placed in solitary confinement, and later transferred to ADXall without any form of due process, which the Constitution demands whenever anyone is deprived by the state of liberty or property. Just because these men are prisoners, explains Kellie Eastin, one of the students working on the case, doesnt mean they cant have *more* of their liberty taken away. The courts, however, have been indefinite and contradictory when it comes to defining the liberty interest of prisoners. In December, a federal judge dismissed the case, concluding that the mens confinement at ADX served a legitimate penological interest and, remarkably, that the conditions at ADX could not be considered extreme. The Civil Rights Clinic is appealing the decision to the U.S. Court of Appeals for the Tenth Circuit.

Because of her work at ADX, Rovner was recently asked to provide evidence to the[European Court of Human Rights](#)in the case of four British nationals who are fighting extradition to the United States to face terrorism charges. The suspects have argued that if extradited, they couldface a lifetime of solitary confinement, most likely at ADXand that this type of confinementwould violate the European Convention on Human Rightsban on torture or inhuman or degrading treatment or punishment.

These suits implicitly challenge Americans to think about the issue of torture not in distant prisons like Gitmo, Bagram, or Abu Ghraib, but in our own backyards. When we think about people being waterboarded overseas by our government, Rovner told the*Denver Post*, the idea of sitting in a cell with three meals a day doesnt seem that bad. But that doesnt account for the scars you cant see or the devastating human erosion. Tommy Silverstein himself has described life in solitary confinement as a slow constant peeling of the skin, stripping of the flesh, the nerve-wracking sound of water dripping from a leaky faucet in the still of the night while youre trying to sleep. Drip, drip, drip, the minutes, hours, days, weeks, months, years, constantly drip away with no end or relief in sight.

Many more monthsand perhaps even yearswill drip away before Silversteins case is resolved. But the litigation process itself is not without some impact. Already, Tommy Silverstein, Ibrahim Elgabrownny, and El-Sayyid Nosairhave been moved from their original cells at ADX to different (though only marginally less restrictive) conditions. The changes took place since the Civil Rights Clinic filed its lawsuits, though the federal Bureau of Prisons denies the suits had anything to do with the moves.

In the end, all that is certain is that the students and their clients will affect one another on a personal levelin some cases, quite profoundly. The students who visited their clients at ADX and the nearby Colorado State Penitentiary describe ascending from those hidden worlds and drinking in the air, the sun, the mountains the sensation of freedomand feeling changed by their experience. For Tommy Silverstein, conversely, his time in the ADX visiting booth felt like a vacation from his life of utter solitude.

Laura Rovner acknowledges that her clinics litigation is providing its clients withone thingthey desperately need: a spark of genuine human interaction. While she hopes to accomplish much more, she also believes that this alone is significant.

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Part 2: Showdown at the Colorado State Penitentiary

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 [Yaidya 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.

@Carmen

You openly write I don't want them to escape the torture let them rot.

The people that wrote the constitution would be just fine with the treatment of these isolated prisoners until they went insane..

Let's worry about this minutia when it's the last injustice left in this miserable world.

Wow are you ever messed up! Please read:

The lessons of Marion : the failure of a maximum security prison : a history and analysis, with voices of prisoners.

by Marc Mauer; American Friends Service Committee.

<https://afsc.org/document/lessons-marion>

You can find Silverstein's comments on Page 24 and 25 under

Lesson #1 -Repression Doesn't Work!!!!

It's been a while since I read this sad to say the torture continues.

The point of this lawsuit is that no matter who you are what you've done it is our right as citizens of The United States to NOT be tortured in prison. @Carmine God have mercy on your soul, for the Bible says in Hebrews 13:3 to treat prisoners how you'd want to be treated when you go to prison we'll be sure to take your suggestions into consideration.

I don't mind paying my taxes to feed them, or house them, and I don't want them to escape the torture of living with the contemplation of their crimes though death. I wouldn't give them more than a ten by ten room with no windows, doors, books, electronics, mail, art supplies, any human contact, mail or phone privileges, or any other stimulus. Feed them vitamin enriched gruel and water through a slot in the wall, and let them rot until their god has mercy on their souls. If he does. But we shouldn't have any. And remember, the people that wrote the constitution, and disagreed with cruel and unusual punishment, believed that hanging, stoning, firing squads, drowning, and housing people in prisons under horrendous conditions where they had to fend for themselves as far as food and medical care were concerned, so as not to die, where just punishments for the crimes that they committed. I think that they would be just fine with the treatment of these isolated prisoners until they went insane, as if they weren't already. Get a life, pick a cause and defend someone who deserves defending. Let's worry about this minutia when it's the last injustice left in this miserable world.

Hi, my name is Tom, I also feel that Mr. Silverstein is being unjustly denied civil rights. I have written him, and he has responded, I would like to help him achieve his goal, to have human contact again, if there is anything I can do please let me know, thanks for your post Renee

In August 2007 a black journalist was gunned down in broad daylight for attempting to write a critical story on:

Your Black Muslim Bakery.

This case, which is going to trial now, reminded me of this older case. You can find the link below to the book where I took this quote from:

On November 6, 1973, the foci were gunned down, with cyanide capped bullets, Oakland's superintendent of schools, Marcus Foster, a black man, and his assistant, Robert Blackburn. Foster had recently suggested using city police to patrol the halls of Oakland's crime filled schools.

And in reference to Silverstein read the El Rukn case below.

In addition read the following cases which also illustrate the extreme threat posed by these inmates then and now.

Eddie Griffin posted the FBI's Analysis of the events following Silverstein's murder of Cadillac Smith the national leader of the D.C. Blacks prison gang.

<http://eglibraryreferences.blogspot.com/2009/04/christian-soldier-and-gladiator.html>

During the period from December 1982 to the present, information has been received and compiled indicating the presence of a large group of inmates with the USP, Lewisburg, which has organized into a retaliatory and murder organization.

This group is comprised of Black inmates from the Washington, D.C. area and is known as the D.C. Blacks. A large segment of this group also has membership and/or ties with the Moorish Science Temple.

Information has been received indicating that this group of inmates have banded together and have plotted the murders and attempted murders of white inmates at the USP their cause being the retaliation of the killing of Raymond Cadillac Smith who was purportedly murdered at the USP, Marion, Illinois, by incarcerated members of the Aryan Brotherhood (AB)

<http://www.projectposner.org/case/1988/863F2d1308>

The black Islamic sect known as the Moorish Science Temple of America three-fourths of its temples (congregations) are inside prisons. The sinister El Rukn group is a breakaway faction from the Moorish Science Temple

<http://chicagocrimescenes.blogspot.com/2009/01/el-rukn-temple.html>

El Rukns:

Between 1985 and 1987, the gang even dabbled in international terrorism, allegedly traveling to Libya and meeting with agents of Libyan leader Moammar Gadhafi to offer their services as domestic terrorists in return for money and weapons.

Jeff Fort founded the El Rukns upon his release from prison in 1977. Most of the gang leadership were comprised of select members of the gang Fort led during the 1960s, before his stint in prison, the Black P. Stones. The name Rukn refers to stones or rocks in Arabic.

In 1977, Fort purchased a building at this location, 3947 S. Drexel, to serve as the new gang's headquarters, which he rechristened the El Rukn Grand Major Temple.

Your Black Muslim Bakery Murders:

<http://www.chaunceybaileyproject.org/2009/04/29/grand-jury-votes-to-indict-bakery-leader-in-slaying-of-oakland-journalist/>

After a week of secret meetings that included hours of testimony from Broussard last week, the grand jury indicted:

Bey IV, on three counts of murder for allegedly ordering Broussard and Mackey to kill Bailey before he could publish a story in the Oakland Post about financial problems at the bakery; and telling Mackey to kill Michael Wills, a white man, because, according to Broussard's statement to prosecutors, he was a devil.

<http://www.chaunceybaileyproject.org/2011/03/28/broussard-bursts-into-laughter-describing-2007-slaying/>

Bey IV and Mackey bragged they had been talking about the so-called Zebra murders in the Bay Area in early 1970s, where Black Muslims randomly shot white people on the streets.

Bey IV admired the Zebra Killers Broussard said.

Four members of a Black Muslim mosque in San Francisco were eventually convicted of multiple murders, including one in which a machete was used. Former Alameda County District Lowell Jensen said in spring 1974 that several unsolved killings in Oakland and Berkeley matched the same scenarios. No arrests were ever made.

In the following four cases blacks felt justified in killing what each murderer also called the white devils.

The Zebra Murders of the 70s carried out by the Death Angels:

<http://archive.frontpagemag.com/readArticle.aspx?ARTID=21980>

this group which believed that whites were created 3,000 years ago by a black mad scientist named Yacub who wanted a race of inferiors to rule over. Death Angels believed they could earn points towards going to heaven when they died if they killed whites. For them, whites were not human beings but grafted snakes, blue-eyed devils and white motherf---s.

The Yahweh ben Yahweh initiation murders of the 80s:

http://www.nytimes.com/2007/05/09/us/09yahweh.html?_r=1

new members were made to prove their devotion by killing a random white person, usually a vagrant. It said Yahweh ben Yahweh told members to kill me a white devil and bring me an ear.

The Long Island Railroad mass murder case 90s:

http://en.wikipedia.org/wiki/Colin_Ferguson_%28mass_murderer%29

After his arrest:

In 1994, Ferguson was apparently involved in a fistfight with fellow inmate Joel Rifkin. The brawl began when Ferguson asked Rifkin to be quiet while Ferguson was using the telephone. The New York Daily News reported the fight escalated after Ferguson told Rifkin, I wiped out six devils (white people), and you only killed women, to which Rifkin responded, Yeah, but I had more victims. Ferguson then punched Rifkin in the mouth.

The Beltway Sniper murders 2000s:

<http://www.danielpipes.org/blog/2003/08/the-beltway-snipers-motives>

The white man is the devil, Malvo said, summing up Muhammads thinking.

Malvo said Muhammad told him, We are going to go to the Washington, D.C., area, and we are going to terrorize these people, relating how Muhammad hated America for its slavery, hypocrisy and foreign policy.

The Rise and Fall of Californias Radical Prison Movement by Eric Cummins

http://books.google.com/books?id=OXpejAPTqH0C&printsec=frontcover&dq=The+Rise+and+Fall+of+California%E2%80%99s+Radical+Prison+Movement+++Eric+Cummins&source=bl&ots=9y7zjUUIID_&sig=NbO3yXOOIIXWOKFjVAZoHXJjGI/

revolutionary black convicts, the ideological products of secret political study groups, were by 1970 more and more often resorting to secret retaliatory gang style slayingthe major player in this movement toward gang-style politics was George Jackson.

Page 224: 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 242: Late that year the SLA swept into action. George Jackson had warned his readers against right-wing traditionalist blacks. Im thoroughly sick of the old Jess B. SimplesThat will be your main source of oppositionthe black running dog.

On November 6, 1973, the foco gunned down with cyanide capped bullets Oaklands superintendent of schools, Marcus Foster, a black man, and his assistant, Robert Blackburn. Foster had recently suggested using city police to patrol the halls of Oaklands crime filled schools. Only Blackburn survived..

On February 4, 1974, the SLA broke into Patty Hearsts Berkeley apartment and took her as a prisoner of war.

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.

(Silverstein spent time in the Adjustment Center (AC) along side these men and heard them preach their philosophy of hate.)

Page 228: On April 6, 1972, one of the movements critics, Jimmy Carr, was shot dead in San Jose

Carr had been a leader of the movement. Carrs widow later quoted Nietzsche:

Shedding ones skin. The snake that cannot shed its skin perishes. So do the spirits who are prevented from changing their opinions; they cease to be spirit.

It is apparent to me at least that these men, as few as they may be, and their ideology, are still very lethal!

Be careful not to encourage such hatred when you write about the BOP policies!

Focusing on racism has only resulted in providing an excuse for the BOP to use such draconian policies as long term solitary confinement. This in turn makes antisocial nut cases out of these inmates who almost all get out eventually and a few will attack the symbols of the society that held them in such conditions.

And finally, i would like to ask, who, or what is perpetuating this myth that Tommy is a Boogie-man?

I would like to leave a quote i got off Tommy in a letter yesterday;

I wish we could talk about whats going on, but its better not 2 at this time, but as u may know its very frustrating and petty)-: no matter how hard I try 2 move on, some folks w/the BOP keep trying 2 lock me n 2 the lil box theyve constructed 4 me,)-: instead of encouraging me on 2 bigger and better things

@ Gwen If you click my name I have every address posted possible to write about the outrageous situation Tom has endured his plight is a rights violation. Hope to hear from you.

@CC you are exactly right they keep his mail, his calls I have gotten damaged letters

Tom sent me Mike Nallys address to write to and complain.

When did you last hear from him? How did he sound?

Eddie Griffin lists four Boogey Men of the BOP

Robert Stroud the Birdman of Alcatraz,

Hiller Red Hayes,

Gary Trapnell,

and the latest is Thomas Edward Silverstein.

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Excerpts:

The first Boogey Man was Robert Stroud, otherwise known as the Birdman of Alcatraz.

Birdman was a hard luck case. Locked up in 1909, during the rough-and-tumble heydays of the Alaska frontier where he killed a man. Clearly, it was in self defense, but he was sent to prison anyway, where he later killed a prison guard and was given the death penalty. Finally, his death sentence commuted to life in the hole, never to see the light of day again, by President Woodrow Wilson.

I learned of the boogey man legacy from the lips of Red Haynes, the successive boogey man after Stroud died in Springfield. Each man had killed a prison guard. Since there was no death penalty, prison officials take vengeance by forcing them to live out their lives in a living hell some bitter medicine I tasted for myself.

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Hayes defended himself in court and was given 99 years in 1960. I met him in 1973. He died in 1977.:

Like a dead man walking the cold concrete floor inside a prison cell block, buried at eye-level beneath the earth, he walked like a ghost in search of telling some one, any one, how he died. He looked at me and through me as if I wasnt there, then turned and stared into outer space, and began to talk.

I am the boogey man in the system, he began. Always, there is someone they lock up, designated never to see the light of day again.

As he talked to me and told his story, he stared out into a distant dimension. Here, I was looking at a man who would die in solitary confinement within the year, a man with no family or friends, a man nobody in the world knew about.

The Most Desperate Man Who have ever lived

After Red Hayes died, the Boogey Man passed on to Gary Trapnell. His adventurous autobiography outlives the Fox himself, author of the Fox is Crazy, Too. He was the guy who hijacking an airliner, demanded \$300,000 ransom, and the release of Angela Davis. But the exit of his life was more adventurous than all the former crimes combined in his autobiography.

I was there to see his last chapters in real life on the prison yard when a hijacked helicopter came into the prison to snatch Trapnell away. I witnessed one of the most daring escape attempts in history, a crime that would condemn Trapnell to no human contact, never to see the light of day again.

As we sat on the prison yard, a comrade nudged me and pointed out a helicopter coming into compound, flying erratic like something amiss. It was an attempted escaped by hijacked helicopter. Gary Trapnell and his buddy were making a desperate bid for freedom.

I watched the hijacked helicopter come toward the back tower like a dive-bomber, with the cockpit rocking from side to side. The tower guard never saw it headed his way. In the meantime, there was a drama unfolding inside the cockpit, between the female hijacker and the pilot.

Here was a woman flattered with words of love from a legend adventurer. She literally worshiped Trapnell. He instructed her to charter a helicopter and then hijack the pilot, fly the chopper into the prison compound, and pluck him and his buddy up off the yard.

As the helicopter reeled and rocked in the air, the two escapees made a mad dash across the compound, their yellow windbreakers flapping in the wind. Inside the cockpit, the pilot seized the womans gun after a long tussle. As he steered with one hand and held the gun on the woman in the rear seat with the other.

The female hijack makes this retarded statement: Oh, thats okay. I got another one in my purse. When she reached for the second handgun, the pilot blew her brains out of the back window and safely landed the chopper.

From that day on, Gary Trapnell would never see the light of day again. But his desperate attempts at escape did not end there. A year after the hijacked helicopter escape attempt, the daughter of the woman turns around and hijacks an airliner herself and demanded Gary Trapnells release. She had the hijack airliner fly to the city near the prison. This buried Trapnell.

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The current Boogey Man is Thomas Silverstein, hence the legacy lives on.

Link to Solitary Watch's story on Eddie Griffin:

<http://solitarywatch.com/2011/01/22/supermax-psych-behavior-modification-at-marion-federal-prison/>

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It is sad that even steadfast opponents of long term solitary confinement like yourself believe somehow his violent history makes him an unsympathetic story, qualifies him as one of the worst of the worst and somehow voids his human rights in the eyes of the public. You wrote as much here:

If their goal is to change minds, as well as change their clients conditions, Rovner and her students have chosen an unlikely poster child in Tommy Silverstein. Even some steadfast opponents of long-term solitary confinement told us that they questioned the idea of litigating on behalf of Silverstein rather than someone with a less violent and more sympathetic story. After all, Silverstein's crimes which include killing a guard while being marched to the shower in shackles do seem to qualify him as one of the worst of the worst.

I would counter and remind everyone that at least Silverstein's violence was selective and not of the indiscriminate kind like a domestic terrorist.

His actions were directed at threats on his life. For instance he killed Cadillac Smith after two failed attempts on his own life made by Smith. As the best friend of Chappelle, the first victim of the three Silverstein murder victims and a convicted murderer himself, Smith should never have been placed near Silverstein. But even after two failed attempts on Silverstein's life by Smith the two remained housed near one another. By the way another inmate testified in court that he not Silverstein had killed Chappelle. That kind of muddies the water on that one.

In light of the failure of the guards to separate Smith and Silverstein any threats made to set him up seem credible enough. And after months of continual harassment by the guard Clutts combined with an alleged threat to set Silverstein up once again he lost it and killed his tormentor. All of the murders were ghastly acts but such acts were almost common place in the extremely hostile atmosphere of level 6 penitentiaries. It is a question of which came first the chicken or the egg? Does the tension and repressive conditions of the prison cause these acts or is it just how the worst of the worst act? There is one clue Silverstein never was accused of murder before he entered the Federal Prison system.

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I found the unfolding scene amusing and entertaining. But my partner thought not, so he suggested that we get off the prison yard before the shooting started. This was one drama that was a must see for me, even if bullets flew everywhere. I enjoyed deadly excitement. They don't make movies like this in the free world.

This is the most excitement I have had all day. Why not watch?

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What can we do to help him? Should we write a letter to the prison? Please respond.

As I read this article about Tommy Silverstein my heart sank, the psychological damage this confinement must have on Mr Silverstein must be of such great immense pressure I cannot begin to imagine the effects this must have on him. Also I would like to point out to Renee that keeping mail from inmates for no reason what so ever should always be followed up, firstly with the mail room then the next step would be to contact the warden directly. Demand answers !!!!

They maybe an inmate but they have rights too and it is up to us on the outside to give those on the inside a voice.

A punishment that is beyond words . . . no human being should be given life in prison and to put solitary on top of that . . .

Not a word but screams thrown at you
Not a word but hate thrown at you.
Not a word but silence thrown at you.
Not a word but empty thrown at you.

And why?? . . . we will never know the reason why anybody would inflict such punishments on a human being . . . its horrible and it has to end. We can not let this go on and I hope that changes are coming for him!

From my experience I can only agree about the mail meddling. Letters don't arrive at all, the prison send them to the post office three weeks after they were handed to them, sometimes the envelopes don't get closed, or glued to the letter inside. He's also often unable to call supporters telephone numbers, although confirmed to his list, when he's trying to make one of the two phone calls allowed each month.

The photo in the article is not recent, but from 2005, when he got transferred to ADX.

I want to thank Laura Rovner and the students wholeheartedly for providing Tom with the much needed support and visits, and for taking care of his rather out-of-favour case!

Prolonged solitary is a crime against humanity, if a democratic nation keeps people imprisoned, especially for life, its its responsibility to make sure the conditions do not harm them and make them deteriorate even further.

The pain from so long a lone and to still be sane and standing is like that of parting the red sea a blessing and a burden you bare but yet your glad to do so to stand for the right i do hope his freedom one day may he see the light he does not in any way belong in the void of justice may there be light in the darkness of justice

The torture is fresh and never ending. And extends to those of us who love and care about him.

They keep our mail from each other. taking sometimes a month to receive letters.

Recently after I wrote the BOP Tom was handed 10 of my letters. And I received 2 almost immediately as well.

So the thinking is make sure he feels isolated and forgotten.

Now PC He has gone from silence and isolation to the screams of the insane. While he wrote me

this time a letter that only took 25 days to get to me the soul next to him began screaming at 5am and at his writing 7pm was still screaming. Again what reason for this is the prison saying you want company? well here ya go

My prayer that Tom's lawsuit will bring an end to his torture and that of the MENTALLY ILL as well.

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Solitary Watch

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