

Solitary Watch

Criminal Justice Issues and Prisoners' Rights

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by [Voices from Solitary](#) | March 16, 2013

The following entry was submitted by [California Prison Focus](#) on behalf of Cesar Francisco Villa, 51, a gang-validated prisoner incarcerated in Pelican Bay State Prisons Security Housing Unit (SHU). For eleven years, he has been held in solitary confinement in the SHU, subject to an indefinite term in solitary because, he says, he isn't a gang member. To be considered an inactive gang member (eligible for release), you must turn over gang information. But if you are not a member, what do you have to turn in? Nothing, he writes. The gang validation process, in which prison investigators determine whether or not prisoners are members of certain prison gangs and segregate them indefinitely in the SHU, has been criticized at California Assembly hearings in [2011](#) and [2013](#) as lacking proper oversight and providing effective due process. Currently, thousands of prisoners in California are serving SHU terms for gang validation, most in solitary confinement.

Each morning wakes the potential for disaster. Each morning starts with anger before the anxiety, Villa writes of the the frustrating monotony of life in the SHU, where he has since developed arthritis in the spine, hepatitis, a thyroid condition and high blood pressure. Below is an excerpt from a powerful description of life in the SHU, from a letter he wrote to California Prison Focus. For the full version, in PDF format, click [here](#). Sal Rodriguez

When we talk of the SHU and the affects the conditions have on the psyche, its not a simple construction one can wrap his or her mind around. Understanding the treatment of Pelican Bay inmates takes some getting used to. Understanding this sickness that runs rampant in the minds of prison officials leaves knots in the pit of bellies.

Nothing can really prepare you for entering the SHU. Its a world unto itself where cold, quiet and emptiness come together seeping into your bones, then eventually the mind.

The first week I told myself: It isnt that bad, I could do this. The second week, I stood outside in my underwear shivering as I was pelted with hail and rain. By the third week, I found myself squatting in a corner of the yard, filing fingernails down over coarse concrete walls. My sense of human decency dissipating with each day. At the end of the first year, my feet and hands began to split open from the cold. I bled over my clothes, my food, between my sheets. Band-aids were not allowed, even confiscated when found.

My sense of normalcy began to wane after just 3 years of confinement. Now I was asking myself, can I do this? Not sure about anything anymore.

Though I didnt realize it at the time looking back now the unraveling mustve begun then. My psyche had changed I would never be the same. The ability to hold a single good thought left me, as easily as if it was a simple shift of wind sifting over tired, battered bones.

Theres a definite split in personality when good turns to evil. The darkness that looms above is thick, heavy and suffocating. A snap so sharp, the echo is deafening. A sound so loud you expect to find blood leaking from your ears at the bleakest moment.

The waking is the most traumatic. From the moment your bare feet graze the rugged stone floor, your face begins to sag, knuckles tighten flashing pale in the pitch of early morning. The slightest slip in a quiet dawn can set a SHU personality into a tailspin: If the sink water is not warm enough, the toilet flushes too loud, the drop of a soap dish, a cup In an instant your bare teeth, shake with rage. Your heart hammers against ribs, lodges in your throat. You are capable of killing anything at this moment. Flash attack; a beating, any violent outburst that will release rage.

This would be the time its best to hold rigid. Take a deep breath. Try to convince yourself theres an ounce of good left in you. This is not a portrait you wish anyone to see. And then a gull screeches passing outside another tailspin and youre checking your ears for blood.

And this is a good day.

Eleven years has passed since I entered the SHU on gang validation. This year Ill be 52-years-old. My cognitive skills over this past decade has taken an odd turn. The deterioration is discernible. When I first arrived I was attentive and if youll excuse the expression, bright-eyed. I thought I could beat this thing whatever this thing was. I confess I was ignorant.

Today, I could be found at my cell front. My fingers stuffed through the perforated metal door I hang limp a mechanism forged of heavy gauge. My head angled in a daze. My mind lost in a dense fog of nothingness. I'm withering away I know it and I no longer care. Hopelessness is a virus I hide under my tongue like some magic pebble, as if the shiny stone could assist in organizing thoughts; decipher warbled language from convicts without stones without tongues in a cellblock of grunts and floods of ignorance. Concentration is an abstract invention for those with half a mind if half a mind is a terrible thing to waste. And someone screams behind me, waste not want not. But what's to waste when all you are is a virus that no one's allowed to touch.

Funny when I think of validation, I remember Fridays after work cashing my paycheck handing over a parking ticket to the bank teller, asking to be validated and I thought, how cool is this: validation for free!

Yes, this is me the ignorant one. Today, wasting what's left of the other half.

If I were to imagine life outside of Pelican Bay, outside of the SHU I'd have to imagine a hospital. And between me and you, I don't like hospitals. I don't like the stench of sanitized sheets, industrial strength ammonia. Gowns that open from the back. Polka dots and paper slippers. Looney tunes in looney beds, leather straps and leather masks. Shocks and shots and broken ribs.

The truth is we're all broken in our own way. We've been undone, unwound. The inside of our plastic skulls raked and routed. A composition of cracks and fissures where nothing will ever be the same again.

The Voices from Solitary series publishes dispatches from people surviving the lived experience of solitary confinement.

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 [Voices from Solitary](#)

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September 6, 2022

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This is my stepbrother and have many memories! My brother's writings are gripping Growing up he schooled me a lot and I looked up to him as a pillar in our family We always watched the movie Once Upon A Time In America together eating pork chili, drinking Shasta sodas, after doing auto body work together. He always had a mystique about him and a striking demeanor from being on many yards. I kept my distance for many years for reason Keeping silent. His writing are grief pedigree in the SHU I admit not from an environment to let a child flourish but had raw courage! My heart sunk he took on winter still thawing out from the blizzard, time crawls with your back against the wind. Your Brother B.

He is my Uncle and I think he is the best writer ever! We write to each other all the time now, and I hope to see him in person one day because I'm 12 and he went to prison before I was born.

This is my dad! he was sent to prison when I was 6 months old!

Ever heard about Prison Industries or Prison Farms it is big biz.

I think they really need to put these men to work and manufacture some products that America can use. They need to let these guys give back to society. What a waste to spend \$50,000/yr per inmate and get nothing in return out of them. The system is truly broken. We need legislature that can change this.

Nobody gets it that hasn't been in a prison riot, or many, like I have, unless they have been in solitary confinement. What should be looked at is how and why he and so many others are labeled, Gang Members. Prisons are a dangerous place and even more so because of how overcrowded they are and unproductive when it comes to programs to rehabilitate. With the violence over anything, inmates go to the hole, and there, they get deemed gang members. I was in a riot at Solano in the late 1990s where I was one of only two White guys, the rest were northern and southern Mexicans. I did a 6 month SHU for a Group Melee another term for a riot. I was involved because some of my friends were southern Mexicans and they were outnumbered in every building on the yard by three to one. In our building, number 23 there were 30 northern Mexicans and 10 southern Mexicans and me and one other White man. In the hole they automatically assumed I was a Mexican gangster. My sentence to prison had to do with drug trafficking so they just assumed Wrong. What I'm getting at is that many of the people stuck in the SHU for good due to the bogus Validation process aren't anything other than humans who got caught up in a violent, overcrowded system that houses the poor and addicted, along with a small percentage of serious criminals and the end of the equation means INJUSTICE.

This story demonstrated the fundamental flaw with the validation process in the CDCR it is so subjective it cannot withstand the test of

time and allow for variances or changes in decision making based on its fragile criterion that relies on confidential information and other subjective matter rather than objective and factual information in addition review should be done yearly at the least to ensure information gathered is still applicable and reasonably applied for reason of placement. I might suggest we go back and look at the validation criteria and remove confidential information as a source and rely on police reports (subject to flaws but established to be valid) court records, ink or tattoo, photos, observed associations by staff not other inmates, correspondence, STG interviews and self-admits.

This needs to be done BEFORE placement inside a SHU and reviewed within 30 days AFTER placement has been made. To avoid this validation process from becoming invalid it needs to be updated yearly along with their classification review and not every six years. Reading this story makes me confident to express his placement was initiated and approved for POLITICAL reasons and not SECURITY reason. Such placements is common practice and one of the main reasons why admin seg is misused and abused by CA officers, STG, admin and agency.

If validation is correct and objective in nature dynamics can change over time and this inmate should have been eligible for a step down program without debriefing. This is a most important step and change to allow inmates to leave the SHU without retaliation from gangs or admin as their participation is based on incentives performance expectations and meeting the criterion for such custody reductions. An STG step down should not be longer than 18 months and eligibility should be no gang involvement or activity within the last 4 years and clear conduct for 2 years including minor reports. The problem with reports is that staff use disciplinary reports for retaliation to further punish SHU inmates and control them beyond their own behaviors by falsifying disruptive conduct to make them classified as a threat to the institution and never eligible for custody level reductions and any incentive program other than a debrief that in fact signs their death warrant as a snitch. when released.

This mans words brought me all the way back to 1969.

I was 17 years old and on a prison bus with adult prisoners as we pulled up to Folsom to drop off a particularly menacing looking inmate off.

This hardened inmate had been seated behind me and as he passed me by on his way out he paused and looked down at me and directly into my eyes and said,

I too thought I was so smart and tough that I could handle whatever the man threw my way. But look at me now man. Im on my way back to Folsom and Im not sure I can handle it no more. Its the hardest time Ive ever done man, real hard, dont be a fool like me and waste away in here.

A tear rolled down this mans cheek and I felt a lump in my throat to see such a harden man break down emotionally before my eyes. I watched as he entered the gate to the reception center his head bowed while dragging his feet seemingly in no hurry to return just like the first group that I witnessed on the trip down to Los Angeles.

The inmate soon disappeared from my view as I imagined myself in his place facing tens of years of constant danger in the depressing surroundings of Folsom Prison. It had been as if he was reaching out to an image of himself years before to warn himself like the Ghost of Christmas future in Charles Dickens novel A Christmas Carol. Im sure that he wished that someone would have strongly warned him before he ended up in Folsom Prison.

Id like to thank that man today for his wise words that have stuck in my mind all these years! I hope this mans excellent story has a similar affect some unknown youth.

Thank you Sal!

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