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Criminal Justice Issues and Prisoners' Rights

<https://solitarywatch.org/2015/06/30/will-revamped-prison-regulations-reduce-solitary-confinement-in-california/>

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by [Sal Rodriguez](#) | June 30, 2015

California prison officials have announced a number of changes to state regulations pertaining to the use of solitary confinement and other forms of extreme isolation.

The reforms come in the run-up to the fourth year anniversary of the first of three large-scale hunger strikes launched by individuals in the states Security Housing Units (SHU) in protest of long-term solitary confinement. On July 1, 2011, California men in the SHU at California's Pelican Bay State Prison led a hunger strike which soon spurred state lawmakers to hold hearings on the practice of long-term segregation. In the time since then, prison officials have made several changes to how CDCR utilizes the practice of segregation.

On June 19th, the California Department of Corrections and Rehabilitation (CDCR) [published](#) a Notice of Change to Regulations announcing its intent to incorporate amendments to several sections of the California Code of Regulations. The department began implementing the changes on June 1st.

Over the past several years, the process of segregation has been refined as a means of compliance with litigated outcomes, increased provision of due process, streamlined procedures, and accumulated operational experience that has afforded better insight to operational efficiencies, the notice explains.

Notable reforms in recent years include a clear separation between disciplinary segregation and non-disciplinary segregation as well as the implementation of a Step Down Program for individuals in the SHU for affiliation to Security Threat Groups.

These reforms have given us an ability to streamline our procedures, said Terry Thornton, deputy press secretary for CDCDR. The announced changes remove obsolete, confusing language and provide more guidance to interpret our policies.

Beyond technical and logistical changes, the CDCR believes the reforms will reduce segregation terms. Though the department isn't saying how large an impact this will have on total segregation numbers, the changes are spelled out for consideration.

The notice sums up the regulatory changes as broadly achieving the following:

To these points, major precise changes announced by CDCR include:

By revising the SHU Term Assessment Chart to more significantly reflect mitigating and aggravating factors and also reducing the MERD, according to CDCR, these changes will lead to a reduction in the number of segregated cases and the duration of segregation.

The document notably argues that, There is no solitary confinement in California prisons and the SHU is not solitary confinement. Many SHU inmates in fact have cellmates. The experiences of many of the 8,692 individuals in isolated confinement would likely dispute this characterization.

The reforms do not speak to the Five Core Demands of the hunger strikers, but are part of a general shift away from indefinite segregation for simple prison gang affiliation. Nevertheless, hundreds of individuals have been in solitary for more than a decade, and remain there still. Though advocates have yet to offer their assessment of these changes to Solitary Watch, they have an opportunity to let state prison officials know what they think.

The CDCR will hold a public hearing about these regulations August 7, from 10:00 a.m. to 11:00 a.m. in the Kern/Colorado Room at 1515 S Street, North Building in Sacramento. Members of the public may submit comments to the CDCR's Regulation and Policy Management Branch by mail to PO Box 942883, Sacramento, CA 94283-0001, by fax to (916) 324-6075 or by email to RPMB@cdcr.ca.gov.

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

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

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

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September 29, 2022

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