

Solitary Watch

Criminal Justice Issues and Prisoners' Rights

<https://solitarywatch.org/2015/09/01/landmark-settlement-reached-solitary-confinement-to-be-dramatically-reduced-in-california-prisons/>

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by [Sal Rodriguez](#) | September 1, 2015

California prison officials have agreed to limit the practice of long-term solitary confinement, four years after the first hunger strike began in protest of the practice.

Under a historic agreement reached in the *Ashker v. Brown* suit between the California Department of Corrections and Rehabilitation (CDCR) and the Center for Constitutional Rights on behalf of individuals in solitary confinement at Pelican Bay State Prison, terms of 10 years or more, which have been common in California, will be virtually eliminated, as will solitary sentences of indeterminate length.

Today is a historic day, declared Jules Lobel, president of the Center for Constitutional Rights, on Tuesday morning.

Filed in May 2012, *Ashker v. Brown* reached class action status in 2014, representing all men held at Pelican Bay State Prison in the Security Housing Unit (SHU) for over a decade. Arguing that long-term isolation violated the Eighth Amendment protections against cruel and unusual punishment, and that the lack of meaningful review of SHU placement violated due process rights, the case was set for trial in December.

Through the terms of the agreement, individuals will no longer be placed in the SHU for gang affiliation; with limited exceptions all prisoners currently held in the SHU for over 10 years will be released to general population; and all SHU terms would be finite rather than indeterminate.

This settlement represents a monumental victory for prisoners and an important step toward our goal of ending solitary confinement in California, and across the country, the plaintiffs said in a joint statement. California's agreement to abandon indeterminate SHU confinement based on gang affiliation demonstrates the power of unity and collective action. This victory was achieved by the efforts of people in prison, their families and loved ones, lawyers, and outside supporters.

The department was headed this way, anyway, said CDCR Secretary Jeffrey Beard.

Under the terms of the agreement, the only way anyone will be able to get in the SHU is if they commit an offense carrying that punishment, including assault and murder. If that offense is tied to gang activity, and if the offender is a validated prisoner, after the completion of a determinate SHU-term for the offense, they will be placed in the Step Down Program (SDP). Under the terms of this agreement, the SDP, which has been operational for two years, will be reduced from three to four years, to two years.

Individuals who refuse to participate in the SDP will be placed in a new Restrictive Custody General Population Housing Unit. According to Mr. Lobel, the new unit will not be solitary, but a highly secured facility that allows small-group recreation, programming, work assignments and contact visits.

Also eligible for placement in the new unit will be individuals who have been in the SHU for 10 or more years who have recently committed a SHU-able offense and individuals who cannot be released to general population due to threats to their safety.

The department will have to review all individuals in the SHU within the next year.

As the plaintiffs recognize this is a step towards the larger goal of the prisoners human rights movement, said Carol Strickman, staff attorney at Legal Services for Prisoners with Children.

There are currently about 2,000 individuals in SHUs across the state, at Pelican Bay State Prison, Tehachapi State Prison, Corcoran State Prison, and California State Prison in Sacramento who will be impacted.

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.

by [Juan Moreno Haines](#)

October 25, 2022

by [Solitary Watch Guest Author](#)

October 13, 2022

by [Vaidya Gullapalli](#)

September 29, 2022

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This is not
sufficient reform. We don't need
reform. we need TRANSFORM. This is saying we'll decrease the
amount of torture

how about no
more torture? Solitary is only
torture the way they do it. THAT is what
needs to change.

MY remedy
will transform the whole system.

Remedy for
Rikers

<http://www.1prophetspeaks7.blogspot.com/2015/06/remedy-for-rikers.html>

Faith based
programs are the only ones that really transform people. God through Jesus changes people. Hence we need to change the prisons into
schools of ministry.

Give EVERY
person in solitary a bible, guitar and kitten
Bibles should be a constitutional right in every jail cell everywhere,
like a toilet.

Guitars are
tools to help them learn to worship God which invokes His spirit so they can
hear from Him. Kittens would help them
maintain their humanity. Many prisoners use cockroaches or rats as pets.

I spent 8
months in solitary. It was torture because I did not have a bible or
instrument.

I was already a strong believer and
intercessor and lifelong musician. Everyone in jails hears voices. I knew they were God and demons. The task was to decide who was
who. MOST prisoners think they are hallucinating
when they hear voices. And the atheist
psych people who talk to them tell them this too. THEN they think they need
psych drugs for the alleged hallucinations. They get all distressed cos they
can't get the drugs, when the drugs is NOT what they need. They turn people into
vegetables. They block all thoughts, not just bad thoughts. They cause brain
damage. I was on them so I know. They HINDER prayer. They are not what people need. People need to
be TOLD they are NOT hallucinating that God is there for them and to develop a
relationship with HIM by reading a bible and playing music.

I have
masters in jazz composition. In music school people go into small rooms the size
of cells, often, with their instrument. It is not hell like jail; it is more like heaven. Hence we can turn solitary into an experience

that a person should have had before they ended up in jail. A chance to be in music school. This is a blessing. They will come out of there trained to be a minister to others in jails, in schools, warning kids not to use drugs, join gangs, etc and ministers.

The other important issue is to erase criminal records. THEY are what ruin peoples lives because what is written down acts like curses and sends assignments to a person where they get re-accused in all kinds of bizarre situations and ruins their lives. And it also tempts people to re-do sins and criminal behaviors.

Prison should be a time out Solitary does not have to be torture. though it should be used in a way where people have their own cell and come out for communal meals, to compare notes about prayer.

Psych drugs destroy people. They are the problem, not the solution. They cause suicide and homicide. The Governors need to give people an amnesty by executive orders overriding their previous sentence.

Regardless of the previous sentence, it could be that they need to spend no more than a year or two training for ministry reading the bible, learning how to pray.

Their job can include writing a memoir of what happened to them so others can understand it and learn from it. Especially for people on death row.

People make mistakes in life. It is part of life .To punish people for this makes no sense. We should be interested in transforming them and using their previous experience as part of their testimony to what Jesus has healed them from and to warn others about not doing.

The worst criminals have the most powerfull testimonies. So their mistakes are not wasted. They are valuable testimonies to others of the transformative power of God/Jesus. Someone who was a mass murderer has a more impressive testimony than someone who stole gum.

The jail sentence should be seen as a time out for assessment of a persons attitude and behavior and training to change it.

One thing that would be effective would be part of their sentence would be to have the person write 50,000 times Drugs are a bad idea if they used drugs, for example. Doing this will re-program their brain NOT to want to do drugs! Or whatever they did before. Like when kids have to write on the blackboard.

We should use school as a model for what happens in jails. Life is School. Re training rather than punishment should be the objective.

Turning someone from an animal into a caring human being is a more inspiring testimony than just executing people or punishing them.

Those who are unwilling to forgive need to be warned it can send a person to hell. That is what solitary is like as a warning that hell is real. Every person near me had been horribly abused and needed to forgive. They were there as a warning to do so or go to hell, which is what jail was a taste of.

jesus said unless we forgive others, God wont forgive us. Matthew 6

Hell is real. Jails, solitary, psych wards, holocausts and wars all exist as a taste of it on earth, so we WILL believe there IS such a real place. That is their purpose.

but it
doesn't need to be for 20 years.
Experiencing it for a week is enough to get the message.

David
Berkowitz the Son of Sam is one such person.
He has been saved 25 years. Gov Cuomo should pardon him and ask him to
come to Rikers and help transform the place.
He should RUN for office because the PUBLIC needs to hear about the
transformative power of Jesus. Especially the Jews. They do not realize
this. And he is Jewish. Many Jews who
commit crimes end up in psych wards and
are not helped that way.

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Spiritual
Bootcamp my experience in solitary launching prayers

<http://www.1prophetspeaks7.blogspot.com/2014/02/spiritual-bootcamp-my-experience-in.html>

Finally, some common sense and some relief. This still needs work as there are thousands more sitting in solitary in other parts of the country.

You write:

1) With limited exceptions all prisoners currently held in the SHU for over 10 years will be released to general population.

Well that didn't work out very well for Hugo Pinell who was just killed in less than a month in GP.

2) If the offender is a validated prisoner, after the completion of a determinate SHU-term for the offense, they will be placed in the Step Down Program (SDP).

Since this entails giving a detailed list of the prisoners activities within the STG a bona fide member will refuse.

3) Individuals who refuse to participate in the SDP will be placed in a new Restrictive Custody General Population Housing Unit (RCGPHU). According to Mr. Lobel, the new unit will not be solitary, but a highly secured facility that allows small-group recreation, programming, work assignments and contact visits. Also eligible for placement in the new unit will be individuals who have been in the SHU for 10 or more years who have recently committed a SHU-able offense and individuals who cannot be released to general population due to threats to their safety.

One can surmise (or at least hope) from these three facts that any warring STGs will not be housed together in the RCGPHU so the final result may well be that the most hardcore members of a given STG will be concentrated in one unit where it would be easier for them to collaborate.

So I guess in the end it will be up to the STG members what the final outcome of this new system will be.

I doubt that those in charge have not thought all this through and are waiting for such results as the Pinell killing to clamp down even harder.

For shame. They had to go to court to bring an end to this form of torture!

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