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Criminal Justice Issues and Prisoners' Rights

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by [Solitary Watch Guest Author](#) | March 22, 2010

Editors note: As coordinator of the [American Friends Service Committees Prison Watch Project](#), Bonnie Kerness is a leading voice for humanitarian reform of U.S. prisons, jails, and detention centers. Kerness is also a pioneer in raising awareness about the use of prolonged solitary confinement, and in uncompromisingly identifying the practice as a form of torture. Since the 1990s, she has coordinated [AFSCs STOPMAX Campaign](#), which works to eliminate the use of isolation and segregation in U.S. prisons through research, grassroots organizing, public education and policy advocacy.

This guest post is based on a speech Kerness gave at the November 2009 meeting of the National Religious Campaign Against Torture. NRCAT, which has long worked to end the torture of post-9/11 detainees at Guantanamo and elsewhere, recently expanded its mission to address the [use of torture in U.S. prisons](#), with particular emphasis on the widespread use of long-term isolation. NRCAT's decision acknowledges the connection between abuses of prisoners' human rights at home and abroad. As Kerness states: What is going on in U.S. prisons is a profound spiritual crisis that legitimizes torture.

How do you describe desperation to someone who is not desperate? I began a letter to me from Ojore Luta who went on to depict everyone in the Management Control Unit at Trenton State Prison being awakened by guards dressed in riot gear holding barking, salivating dogs at 1 a.m. every other morning. Once awakened, the prisoners were forced to strip, gather their belongings while feeling the dogs straining at their leashes snapping at their private parts as they are trained to do. He described being terrorized, intimidated, and the humiliation of being naked and not knowing whether the masked guards were male or female.

This went on for an entire summer, until activists inside and out were able to stop this senseless torture. If we think back to slavery and to images of the civil rights movement we can begin to understand that dogs have been used as a device of torture for hundreds of years in the US. When what happened at Abu Ghraib shocked the world, more than 2 and a half million prisoners, their families, advocates, lawyers and activists understood that this was business as usual.

The proportion of complaints coming from women has risen, with women describing conditions of confinement, which can be classified as torture. They suffer from sexual abuse by staff, with one woman saying, I am tired of being gynaecologically examined every time I'm searched. Another put it, That was not part of my sentence, to perform oral sex with officers. Women have reported the inappropriate use of restraints on pregnant and sick prisoners, including one woman whose baby was coming at the same time the guard who had shackled her legs was on a break somewhere else in the hospital.

We have received reports about a woman who died of pancreatic disease that went undiagnosed, about a mentally ill woman who was confined naked in a filthy cell where she ingested her own bodily waste, about a woman who suffered burns over 54% of her body and gradually lost mobility when she was denied the special bandages which would keep her skin from tightening, and from a woman who unsuccessfully begged staff for months to allow her to see a doctor. This particular woman was finally diagnosed with cancer, in enormous pain, with no pain medication. She died nine months after the diagnosis.

I am reminded of mentally ill Frank Hunter in New Jersey, who was forced to go into an isolation unit. The guards taunted and teased this man, made him dance as he begged them for cigarettes, water or food while they laughed. Frank Hunter killed himself. And I am reminded of the mentally ill California prisoner who had wiped his body in feces. The guards' response to this was to put him in a bath so hot, it boiled 30% of the skin off his body. In this world of AIDS, I am also haunted by a description of a man being thrown into a cell which had a wet bloody doorknob, bloody walls and bloody floors from the previous occupant who had attempted suicide. He spent 6 hours standing afraid to touch a thing.

When I think about devices of torture, the testimonies of people in prison have widened my understanding that those devices can be anything. They can be sex, sadism, lack of sleep, lack of water, use of dogs, or withdrawal of any of those things necessary for human mental and physical health. The people in prison taught me that devices of torture are more than chemical or physical restraints. They taught me that psychological abuse is often the worst device of torture.

A couple of years ago, I began a dialogue with some young people in an AFSC youth group about their experiences in juvenile detention. One young woman said she was 12 when she went in. She said, I saw them pepper spray this girl. They sprayed her directly in her mouth

and she couldn't breathe. We kept telling them that she had asthma, but they wouldn't listen.

Another went on to say that they mace the boys regularly. If you fight, they jump on your back and mace you. They hit you with these long, black sticks. I still have the marks on my back. Because of the mace you can't see anything and you don't know who is hitting you or where they are coming from. They made us sleep naked.

These past years have been full of thousands of calls and letters with complaints from people in prison and their families throughout the country describing cold, filth, extended isolation, racism, brutality and use of devices of torture. In New Jersey I've received reports of the use of something called the chicken suit, where the mentally ill are forced to wear clear yellow plastic suits during their stay in the Special Needs unit in a county facility. In essence they spend their days naked.

I have received vivid descriptions and drawings of four and five point restraints, restraint belts, restraint beds, stun grenades, stun guns, stun belts, spit hoods, black boxes, tethers, waist and leg chains. Some years back I was at a gathering where someone brought a black box attached to handcuffs and asked me to wear it for 45 minutes. The box was so heavy that the pain was immediate. I was unable to think of anything for those 45 minutes except pain. People have described wearing it for hours and in at least one prison, the person has to wear it during his entire window visit.

One letter from a social worker says, John was forced to leave the strip cell and urine soaked pillow case was placed over his head like a hood. He was walked, shackled and hooded to a different cell where he was placed in a device called the chair where he was kept for over 30 hours, being forced to urinate and defecate on his own hands which were tucked under him.

Another man says, I was repeatedly a victim of the stun belt, waist and leg chains. They secured two additional chains around me placed on my neck and wrapped twice with the loose ends secured to my waist chains by small paddocks, I was then made to kneel down and a second chain was looped around my ankle chains and secured. All of this was done during court dates in holding areas. I hadn't been convicted of anything. When they first began using these tasers in U.S. prisons, the people in prison were quick to warn us that often what begins in prisons finds its way to being used outside of prisons.

One letter described the restraint bed as a piece of board 3 feet wide and six feet long that is covered with towels. The prisoner is stripped and shackled spread eagle to the board. The board is then inclined from the wall. 3 times a day the guard comes in with cold chow and a bedpan. If you have to use the bathroom, you do it in the bedpan. You are not unshackled. The guard holds the bedpan under you! Testimonies coming in to AFSC's Prison Watch Project have described being kept in these restraints for days.

Reports on the use of stun devices have also risen with one man noting that he was forced to stand trial wearing a stun belt. He was told that if he spoke out he would fry like a potato and shit and piss in my pants as I lost consciousness. Another reports seeing an officer inadvertently setting off a stun belt causing the prisoner to fall from his chair, lose consciousness and shake uncontrollably on the floor.

One person who just got out told me of the guards in a federal facility throwing stun grenades into a unit where there was a disturbance. He said that he had been previously handcuffed and thrown to the floor, and that the grenade wedged under his back and then blew up. He said the grenade releases black pellets and causes concussions, injuries to ears, confusion and physical injury. He also noted that the cage doors were locked and there was no way for any of the men to escape the psychological panicked feeling of being trapped.

Another says, for approximately 45 minutes guards threw stun grenades. Along with the stun grenades, thrown in by hand, staff placed the barrels of grenade launchers through the windows and shot canisters of tear gas into the unit. I remember seeing one prisoner get shot in the face with a canister of gas. The staff used an explosive device to open the doors and entered the unit in gas masks and in crews of three, beat and handcuffed every prisoner. After enduring all of this, I was then hit in the face with a baton that they call a nigger beater.

The Department of Corrections is more than a set of institutions. It is also a state of mind. That state of mind led to Abu Ghraib and Guantanamo and conditions and practices U.S. prisons here and throughout the world. What is going on in U.S. prisons is a profound spiritual crisis that legitimizes torture, extended isolation often lasting decades and the use of devices of torture.

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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.

My husband is dying in a Texas prison, an innocent man and a Veteran, because of delay in treatment by the Texas Department of Criminal Justice. They don't give him medications for the pain of cancer and they falsify medical records. They torture, retaliate and harass him when I try to get his medications. They have botched a thyroid biopsy and he now has a tracheostomy. They cause him not to be able to swallow so he has a feeding tube that is ill cared for as well as the trach. They give him a regular which he can't swallow and they pulled his teeth to do radiation treatment saying it might prolong life but won't save his life and now they won't give him dentures. They write false disciplinarys trying to get us to quit asking for humane treatment. Please help us. The doctors say he has less than 2 more months to live.

Linda, please write to us directly at solitarywatchnews AT gmail.com. We want to hear more about your husband's story. Thank you.

I have talked to this man personally and I believe him
I will help him, that's a promise

There is power in numbers, and power creates change. Please do not lose sight of the fact that you have a purpose in this journey called life. It is very important in our life.

Whether in Russian gulags, Egyptian prisons, German concentration camps or U.S. prisons you have those who by way of their dysfunctional and frequently sadistic natures are drawn to seek this type of control over others. And most unfortunately otherwise normal employees are after a time conditioned by the brutality of their environment and peer pressure to function in the same manner as those who in different circumstances are deemed to be war criminals. It will be recalled that the Quaker inspired system of penance (from whence comes the word Penitentiary) was the infamous Pennsylvania System where inmates were placed in monastic inspired total isolation with only a bible so they might reflect on the error of their ways and were hooded whenever they were outside their cells. This led to suicides, self-mutilations and insanity. Charles Dickens wrote that such treatment was worse than any torture of the body. It is interesting that such Friends of humanity now seek to reform the horrors that they had no little hand in creating, 'tis I fear the nature of the theocratic beast.

But you did not mention the new process. YOU MUST INVESTIGATE THIS! LSD, PCP and other strong drugs given an inmate in mass quantities, Then if they want a person out they pipe in Either, They give drugs to glean information even who you went to grade school with. Then they use a Bose updated cell speaker 4 or 5 hidden pen cams and run 20 to 30 sound tracks, generators, birds, and fireworks. Escalating noise into infinity designed to boil a person's blood but really to give a heart attack. A person dies of natural causes. Then they threaten to open the door and shoot you or implode the building on you in a demolition. Footsteps come to the door, a cell door opens next to you and gunshots are fired. They drag you out. They tell you they have your son and are drugging and torturing him in a cell below. They killed your brother, your brother is there to have you killed. They went and got your cats and you hear gunshots. Then they put them in a blender and you hear a blender. They are going to kill you and sell your body parts. THIS IS REAL!! DRUGS, NOISE, BRAINWASHING IS THE NEW TORTURE. NO SCARS BUT PTSD OR SEVERE BRAIN DAMAGE. I got a speeding ticket and unwarranted, non-proven DUI 8 years later. For me this was for retribution from a lawsuit (won) where a county attorney (prosecutor's son) committed suicide. I did nothing wrong! I'm lucky it was only 30 days but it felt like 12 months and I only had 1/3rd of my mind left when let out. PLEASE LOOK INTO THIS NEW TORTURE IT IS MUCH WORSE THAN PHYSICAL. YOU DON'T HEAL THERE ARE NO VISIBLE SCARES!! SMS SEATTLE

Responding to the cries of humanity, I am one small voice that hears your cries. I have no power, control, or immediate relief to offer, but I have a solid voice and compassion for your suffering, and this is a spiritual warfare. I can not understand man's inhumanity to man. The horrific individual stories and documents I read about, leave me in a state of urgency for your justice. There is power in numbers, and power creates change. Please do not lose sight of the fact that you have a purpose in this journey called life, and although it is unimaginably difficult to comprehend, you may just be entertaining angels unaware. May God have mercy, and I pray for your relief, as we truly are our brothers' keeper.

Anybody who has been incarcerated or employed by the jails or prisons knows..
Abuse and torture abounds.

- All inmates are convicted criminals, many are violent and dangerous, some are not or not yet.
- The type of influence a person will receive while incarcerated will be negative.
- That violence and abuse is routinely committed by both inmates and guards.
- Nobody is interested in rehabilitating anyone.
- That parole is not a return to freedom but rather a long leash that will likely pull you back.
- Getting a job after prison is unlikely at best.
- All of it sucks.
- The best chance of avoiding all of the above is to stay out in the first place.

To America

I right this letter from behind the walls of an 8 by 12ft. solitary cell for 2 1/2 years for a murder I did not commit. I cry out to any and all who will listen, and have the authority to prevent other young men, and women like myself. From being in this situation!!!!!! At the age of 17, I was certified to stand trial and be sentenced as an adult. (convicted with no DNA or gun prints the one witness against me lied and was impeached). I was transferred to the Adult Criminal Justice System of Texas, convicted by a jury twice my age and sentenced to 30 years in the Texas Department of Criminal Justice.

My story is just one of thousands across the country. Children are being processed to the adult system throughout our great Nation on a daily basis. The majority of these children are young kids and come from the Ghettos and Barrios low income neighborhoods, and poverty stricken areas. Many of these kids have potential, are extremely talented, smart, and intelligent. If only given the opportunity given the proper attention and training could become productive members of society. The youth of today is our future.

Placing these youth into environments where violence, hatred, and racism Reign Supreme will only further distort their still growing minds. Upon entering the system many act out, and join gangs out of fear, or wanting to be accepted by their newly found adult peers. The potential and intelligence these kids have is wasted on the negative that surrounds them. They become products of their environment, and all hope and rehabilitation of ever leading a successful and productive life is lost behind the concrete and steel walls

which holds them captive. Many will one day return to society and to your communities! but upon release they only terrorize, and victimize all in their paths. Until one day returning to prison for the same or more heinous offenses, than before. The cruel and relentless cycle continues

For many its too late, but for many more it could possibly be prevented. I hope and pray that these words do not fall on blind eyes or deaf ears. It is a very real and serious problem that has effected many, and will continue to effect all of us in the future. If our future and the life support of our great Nation lies in the hands of our youth, then some serious consideration should be put into the certificaion and transfer of kids into the adult system!

Sincerely,

Juan Manuel Albarado #1452106
Ruben Torres Unit
125 Private Road #4303
Hondo, Tx 78861

<http://www.popular4people.org/>

<http://www.ipetitions.com/petition/popular4people/index.html>

http://www.popular4people.org/files/Freedom_AG_TarrantCounty_TX.pdf

Convictions of the Mind, Heart, and Soul . . .

This newsletter section is where POPULAR shares the inspirational and informative writings of young people incarcerated as teenagers among adult offenders. Todays guest writer is Juan Manuel Albarado, pictured to the left. Juan Manuel addresses his writing to President Barack Obama:

Mr. Obama, Chief Executive of the United States:

Congratulations in winning over the vote for the White House. It was truly a wakening moment in history, to stop and consider the significance of your election, and inauguration into the Presidency of the United States of America . May you continue to prosper in name and reputation, in your duties to execute the laws of the land. May your loyalties be with the people. Your decisions wise in nature, fair and unbiased as to race, culture, or economical status. May you create a legacy that will live on and shine bright to guide those behind you, and lead America on a new path that few have dared to follow. Along the way you may encounter changes and dangers, but the acquisitions and benefits reaped, will by far excel them. Stand firm and stay true to your word.

These words are coming from within the confines of the Texas Prison Industry. A system that has been the focus of much negative energy throughout the years. The effects of this broken and dysfunctional system have had devastating impacts on the lives and consciousness of many people; considerably the non-white low-income people of the State. The Texas Prison Industry is merely a by product and perfect example of a very intricate system of law that is destroying lives, families and the communities of this Nation. While our government is focusing so much attention on wars being fought across the globe, and the treatment of prisoners of war it is neglecting a very crucial and serious dilemma right here on the Home Front. The problems pertain not to prisoners of war, but regard the lives of American born citizens and the current state of deterioration that America is in. A human commodity is being produced by a systematic body of law. A commodity that is feeding a power hungry money making machine, known as the Criminal Justice and Prison Industry. Government is maintaining totalitarian control of targeted people and populace within America . Maintaining control through cruelty, cruelty that is only increasing with time. Nationwide crime rates, prison populations and recidivism rates are valid proof that the current system is dysfunctional. Depending on what the goal and ultimate function of the system really is. To continue to ignore and neglect these problems will only condone a further deterioration of the Nation and the crimes being committed against American Citizens.

On behalf of and in alliance with those who are aware and want reform within the system. I also take the liberty of speaking on behalf of the masses that are ignorant, or out of fear or discouragement refuse to speak on these issues. I come in a spirit of hope, indignation, suppressed and confined rage, and patient anticipation. Hope that all may enjoy Life, Liberty , and the Pursuit of Happiness in America . May these words coming from within the bottom of the barrel, grab your attention, may they provoke actions to be taken that will shine light on the atrocities committed against Americans and bring exposure to what is being done in the dark by countless government officials.

Sincerely,
A Texas Prisoner
Juan Manuel Albarado #1452106
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America Today

With all the concern and worries about the American Economy, there is one multi-billion dollar industry that is booming and seeing record high numbers in production. The American Criminal Justice and Prison System, it is really not focused on or talked about in the media. America the leader of the free world accounts for a full quarter (25%) of the worlds prison population, yet the U.S. only represents (5%) of the worlds total population. According to the studies done by T.E.A. (Tyranny Ended in America) a grassroots organization based in Southern California 2.3 Million Americans are incarcerated nation wide. Apparently these numbers do not include the thousands of children detained in juvenile detention centers across the nation. With numbers like these steady on the rise it promises at least one business in America that should have no concern about economic distress. A deeper look into The System should shock the conscience of any believer in the principles America was founded on. The belief that all

men are created equal and endowed with certain unalienable rights, among of which are Life, Liberty, and the pursuit of Happiness. The laws of nature, equity, fundamental, and constitutional rights. A reasonable mind would think that the criminal justice and prison systems have been established to maintain stability, secure and protect society against the most violent and predatory criminals to make a statement and deterrence to these crimes but anyone who knows or has experienced certain aspects about the current system in America will know this is not the case. That it is at the least broken and dysfunctional, it burdens tax payers, destroys families ruins communities and dissolves society as a whole. Hundreds of thousands are being railroaded into the system by corrupt or ignorant officials. From the classrooms in our childrens schools to our courtrooms downtown. Many are processed threw due to incompetent or inept legal representation assigned by the courts. Over 95% of convicted felony cases do not even go to jury trial, instead take a plea agreement, often under threats by Police, District Attorneys and even Judges. Constitutional Rights are violated and ignored with no relief granted and with mandatory sentencing and lengthy sentence to first time offenders. The penitentiary not only hold the most violent and predatory of criminals, but thrown into the mix are non-violent drug offenders, the mentally ill and incompetent, and children who are certified then processed into adult prisons through juvenile courts. Penitentiaries are over crowded making perfect breeding grounds for disease and violence, which eventually pour out into our communities as human viruses created by the system. These viruses (individuals released from prison) spread diseases and terrorize communities with survival skills learned in the penitentiary, many products of the system are Fathers, Brothers and relatives of children and the only role-model these children have. Which leaves the critical question of where these children will eventually end up!?!?!?

My own experience with the Texas Criminal Justice System started at the age of 15 I am now 19, I have witnessed first hand from classrooms full of At Risk Children to juvenile halls in both Texas and California, solitary cells and now the Texas Prison System. T.D.C.J. where I was seemingly herded into with countless others like cattle. given a number as identification which brought to mind the millions of Jews who had numbers burned and tattooed into their skin during the Holocaust. My number burned into my mind never to be forgotten. This testimony is one of thousands if not millions across the Country. The principle America was founded on are being violated or ignored. The reality of this matter is simply being masked by legal interpretations and justifications as a curtain over the ugly truth hidden behind. To tear down these curtains and expose the truth is to up hold equity and strengthen our foundations. Not all Officials are corrupt, and not all of the system is unjust and wrong. Stability is needed, and the society we live in needs to be protected, but a full investigation of the facts and statistics show the current system does not work. It is no resolution or deterrence to crime. If the ultimate goal is to protect society as a whole, lower crime rates, and better living conditions change is needed. Study after study has proven the current one has only worsened the situation on the other hand if the current system of incarceration and oppression is exactly what has been intended then we the people have a duty to stand on our natural, fundamental, and constitutional rights to educate ourselves, come together as one conscience mind under Divine Providence and oppose this system that is destroying our families and deteriorating our communities. The mind and spirit of man is powerful when opened and utilized. Together we can overcome.

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i must say the art speaks well for it self thow i would have gone with a solid door with the small slot open my self but still sends the same sens and it is torcher truely at least if you beet the hell out of someone or whatever you do to them in that way they have a chase of death and moest of the time if your doing that sort of torcher you just want in foe or them to sufer then you kill them or they die from it worse thing bout mental torcher is there is no death to look forward to thare is no end and there is no wish to kill you in mental torcher you live longer and it is much longer in and of itself thare is no grater hell then this yet we do it to meny i will never say a man no mater how cruil his crime should be thoun in to a supermax for the rest of his life no one on erth ever has or will deserve such a fate

Your article rings true to me.

You wrote One letter from a social worker says, John was forced to leave the strip cell and urine soaked pillow case was placed over his head like a hood.

I wrote in my memoir My 13 year old brother told me that one of the guards in solitary had become irritated with him and they had exchanged some harsh words. Sometime later as he rested on his bed the counselor rushed into his cell after soaking a towel in urine and held it over my brothers face until he passed out. I thought of the fear my brother must have felt while the man weighing over 250lbs was on top of him smothering him.

You wrote He also noted that the cage doors were locked (during a disturbance) and there was no way for any of the men to escape the psychological panicked feeling of being trapped.

My brother wrote The scream comes from the back of the cafeteria and echoes all the way down the aisles. An inmate named Tank comes running out of the bathroom, his face streaming blood from two holes where his eyes had once been. Lewis and I are up on our feet, but were immediately knocked to the floor by a rush of men trying to make it out of the cafeteria. The doors are slammed shut by the guards outside before we can get out. One mans hand is caught between the door and the wall. His fingers are crushed off and there are only bloody stubs remaining. He falls to the floor in excruciating pain and shock.

You wrote Another went on to say that they mace the boys regularly. If you fight, they jump on your back and mace you.

I wrote At that point the teacher reached down and sprayed my face with a can of mace. I jumped up angrily slapping the can from his hand then kicked his desk that he had run behind.

Seems the only progress that has been made since 1969 is in the technology used by the guards.

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