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Criminal Justice Issues and Prisoners' Rights

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by [James Ridgeway and Jean Casella](#) | March 26, 2010

A suit brought by law students on behalf of one of the nations most notorious supermax prisoners could break new ground in challenging long-term solitary confinement on Constitutional grounds.

Earlier this year, we wrote about [the case of Thomas Silverstein](#), who has now spent 27 years in solitary under a no human contact order and who recently sued the Bureau of Prisons with the help of the Civil Rights Law Clinic at the University of Denver. This week, a decision by a federal district court judge cleared the way for the case to move forward. [Alan Prendergast](#), of the Denver weekly *Westword*, reported on these latest developments.

When you've spent your time since the early days of the Reagan years in a cell smaller than some people's closets, progress tends to get measured in small, small increments rather than sweeping events.

But Thomas Silverstein, America's most isolated federal prisoner, got some momentous news today. His lawsuit challenging his decades of solitary confinement is still alive.

U.S. District Court Judge Philip Brimmer has ruled that Silverstein's case, which raises questions about possible constitutional violations in the way the U.S. Bureau of Prisons consigns prisoners to administrative segregation for years or even decades, can move forward a decision that could have implications for other federal prisoners in solitary, too.

A bank robber who was convicted of killing two inmates while serving time in the federal penitentiary in Marion, Illinois, Silverstein was put under a no contact order after he managed to murder a correctional officer at the high-security pen in 1983. Since that time, he's been in basement isolation cells with buzzing lights, in his own wing of the Leavenworth pen, and, since 2005, buried in the bowels of the U.S. Penitentiary Administrative Maximum (ADX) in Florence.

Prison officials have contended that the extreme degree of isolation Silverstein has endured including little or no communication with other inmates and entire years spent without leaving his cell is necessary, in light of his violent history. But in 2007, law students at the University of Denver's Sturm College of Law [filed suit on his behalf](#), challenging his long confinement as cruel and unusual punishment and for lack of due process.

Brimmer's ruling dismisses some of Silverstein's claims against individual defendants, but leaves intact his Fifth and Eighth Amendment claims against the BOP. Although the case is still a long way from trial, DU law professor Laura Rovner views the ruling as a rare victory in civil-rights activists' efforts to challenge the nature of solitary confinement itself.

In an email to Solitary Watch earlier this week, Laura Rovner explained the significance of the judge's decision:

Probably the most significant part is the decision on the Eighth Amendment claim, as it is 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.

Silverstein, who is now 57, is believed to have been held in complete and continuous isolation for longer than any other federal prisoner. The [suit filed](#) by Rovner and her students alleges that the government's deliberate indifference has resulted in Plaintiff suffering deprivations that cause mental harm that goes beyond the boundaries of what most human beings can psychologically tolerate.

The full text of the judge's decision in the case can be found [here](#).

For more on Tommy Silverstein, see Alan Prendergast's 2007 article [The Caged Life](#).

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 [Vaidya Gullapalli](#)

September 29, 2022

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@Kenneth you said it!

Anyone wanting to think that Mr. Silverstein is a blood-thirsty murderer- read all of his comments, his posts. Where is the hate ? where is the thirst for revenge ? where is the all the evil that should be spewing forth from this man ? I would not be able to be as sane, as rational, as this man is and I have never killed anyone ! After almost 30 years in solitary, I would HATE the entire human race and probably be dead from that hate eating me up from the inside, yet this man still just wants what is fair- to be in general population in a prison. He defended himself, that is all he did. Survival, just as he survives now mentally. If anything, you should respect this man who has overcome (and I pray that he continues) more in his life then any other human being- no one has suffered as long as this man. He has weathered everything that humanity has thrown at him. We are the devils, for allowing this treatment of a fellow human being. I have not seen anywhere where he wishes this treatment upon anyone else- so who are the evil ones here ?

This is some serious, serious bullshit. It is beyond cruel and unusual, I cant find any words that would do this situation any justice. I have taken the following quote from the wikipedia bio of Mr. Silverstein- When an inmate kills a guard, he must be punished, a Bureau of Prisons official told author Pete Earley. We cant execute Silverstein, so we have no choice but to make his life a living hell. Otherwise other inmates will kill guards too. There has to be some supreme punishment. Every convict knows what Silverstein is going through. We want them to realize that if they cross the same line that he did, they will pay a heavy price.- WHY ARE WE NOT OFFENDED THAT OUR SUPREME COURT JUDGES CONTINUE TO RULE THAT THIS IS NOT EXTREME PUNISHMENT WHEN A MEMBER OF THE BOP IS QUOTED AS SAYING THAT IT IS ? OUR JUDGES ARE LYING, THAT SHOULD BOTHER US ! we have no choice but to make his life a living hell HOW THE HELL CAN THEY GET AWAY WITH THAT ? I will tell you why- because we all accept it- we do not all do our part to point out and correct injustice in our society. EVEN IF YOU ARE A LOCK THEM UP AND THROW AWAY THE KEY TYPE WHO COULD CARE LESS- SHOULDN'T YOU CARE THAT THEY VALUE A BOP EMPLOYEES LIFE SO MUCH MORE THEN YOUR OWN ? THEN YOUR LOVED ONES ? WOULDNT YOU LIKE TO SEE THE MAN THAT MURDERED YOUR MOTHER OR SISTER GET THIS TREATMENT ? IF YOU JUST SAID YES- THEN YOU JUST ADMITTED THAT HIS TREATMENT IS DIFFERENT THEN EVERYONE ELSE'S AND THAT ALONE SHOULD ANGER YOU. YOU KNOW WHY THEY CANT TREAT EVERYONE LIKE THAT ? BECAUSE THEN THE OUTCRY WOULD BE SUCH THAT IT COULD NOT BE IGNORED. You can silence a few, but to silence many is impossible. This is beyond a travesty- everyone spoke up about the evils of us torturing terrorists with waterboarding, etc. but no outcry over 30 fuckin years in solitary confinement ?

The following is paraphrased account of Silversteins guestbook post on January 14th 2011 to a viewer on his site.

<http://www.TommySilverstein.bravehost.com>

Silverstein was first moved to a Protective Custody (PC) unit but was kept isolated from the others for the first few months. D unit was later reclassified as a General Population (GP) unit and a few high profile inmates joined him but most of the PC inmates remained.

He maintains that this is not safe for the PC population and the GP population is very uncomfortable with their presence there.

After years of isolation it took Silverstein a period of time to figure out how AMX operated.

When he realized who he was housed with he came to the conclusion that he was being set up in three ways.

First they seek to undermine his reputation by housing him with known informants (a practice that he has never heard of before). This makes other inmates question why he is being held there.

Secondly by surrounding him with informants the authorities hope to find a reason that they can point to keep him isolated. It doesn't matter if the allegation is true or not, and he points out that these informants have every reason to lie in order to gain favors from staff but have nothing else to lose.

Thirdly by placing severely mentally ill inmates in adjacent cells they deprive him of rest. The howling and banging is continual and he points out that the lack of sleep hinders not only his but everyone's ability to complete the step down programs requirements. It also makes maintaining congenial interactions with staff difficult. Also it hinders their ability to complete the required educational classes.

He believes that there are two main reasons for mixing the mentally ill in with GP inmates trying to complete the step down program.

First staff hopes it will either drive him mad, hinder his ability to complete the program, or cause him to threaten the source of his discomfort any of which would give staff an excuse to keep him isolated.

Or he believes the staff may not want to admit that they are illegally housing the mentally ill.

He points out how informants manipulate the system to gain favors and how they attempt to involve him in their petty conflicts which incite.

He comments about the illogical shuffling of inmates between cells in a humorous account reminiscent of Abbott and Costello's Who's on First skit. One of the cells has a plastic cover over the TV.

Unit D has been nick named Bombers row and this one cell is designed with two different inmates in mind. It seems the staff fears one of the two could build a bomb out of the electronics inside the TV but Tom asks with what other ingredients? Even the evil genius Ted Kaczynski aka the Unabomber needed other ingredients. Right?

He signs off by pointing out that during the four hours it took him to write this all down the mentally ill inmate housed next to him, and connected by an air vent that allows the sound to freely enter his room, had never stopped ranting and raving in his multiple personalities. He points out that this is Cruel and Unusual Punishment and that it should not be allowed in any country. And I agree!

A paraphrased account of Silverstein's last post to a viewer of his site.

Mail: Silverstein states his mail is censored by SIS unlike some of the other inmates around him. This procedure leads to bureaucratic delays of his incoming and outgoing correspondence. In addition he claims that there are frequent intentional or unintentional delays in his mails scheduled pickup and delivery. These delays can lead to significant legal problems when his mandated filing deadlines are not met. He also claims that a legal document from his defense team which was marked to be opened only in front of Mr. Silverstein had arrived to him already opened by the SIS staff. And if such legal correspondence does miss its deadline the judge is more often inclined to believe the CO's denial of interference than his claim of wrong doing.

Silverstein's ability to mount a robust legal defense to end his isolation is hindered by, poor education, difficulty in accessing legal materials, and his unfamiliarity with computers. He gives this graphic account of how these factors all combine to hinder not only his defense but those of most inmates. He points out that when he was at Leavenworth he often overheard the BOP's tour guide, say that the inmates were allowed to use the Law library at the end of the tier, an empty room, with a new computer that the staff had just installed a few months before. However Silverstein claims that he put in 15 to 20 requests to use the facility to no avail. Also Silverstein pointed out the fact that many prisoners are too illiterate to even read the directions for the computer. Silverstein says during the approximately 7 successful trips that he finally did make to the room, that he found the case materials too long and the legal language too difficult to interpret. Claiming It all sounds Greek to me, including the instructions given on the prison TV station.

With no actual law books and lacking any computer skills Silverstein was at a loss. He notes that, Before, we could check out 3 law books at a time and return them within 24 hours. Now we're only allowed 2 hours on the computer, (which only deals with legal cases and BOP policy, with no outside contacts. And anyone who has read legal cases, know how extensive some are, and 2 hrs is hardly enough time, especially for someone like me who reads at a snail's pace. But to hear them tell it, we now have state of the art legal access. By the way, no one comes around to show/help us either. I'm the type of guy who learns best when shown, so I asked the education guy a couple of weeks ago if he knows how to work the new computers and he said yes, so I told him I have a question to ask him, he got all hostile and snapped It's not my job you were all given instructions!, and stormed off.

Visits: Silverstein says, mail meddling is part of their desire to cut me off from the outside world once they alienate you, they try to break your hopes, then your resistance. I didn't get any visits for about 10 years, because of the draconian policy that says we're not allowed visits from anyone we didn't know prior to prison.

After 35 years of incarceration at a location far from his prior home and family Silverstein receives very few visits from his ever shrinking pool of relatives and old friends. Referring to this dilemma Silverstein asks How many folks still know people from that long ago? Only once in the last 27 years has Silverstein ever been allowed to add one very special person to this list.

He goes on to state The BOP policy statement claims to encourage visits to maintain family and social ties, but it's only a ploy to fool the public when in reality they do just the opposite.

He gives this example as evidence; Once my baby sister came to see me all the way from California, and the gate guards wouldn't let her in. Their excuse was that the paperwork hadn't been processed. This is not that unusual since most of the guards are too lazy to do their job. So instead of the guard saying that he would call my counselor or whoever, (they know who to call) he told her to leave. When she attempted to explain, that she had already been approved and had come a long way etc, he threatened to have her forcibly removed. It was winter and snowing! Luckily she knows how they operate, since she has visited me in just about all the pens that I've been in. So she

called my councilor, and got in a few hours later, but the delay had cut our visit short! I cannot recall if it was this same time or another but when they let her in, they cancelled our visit 15 minutes later! The reason, every few months they have a power check and turn all the lights off for about 10 5 minutes, but even then the emergency lights are always on.

We visited in a glass booth, over bugged phones, with 2 surveillance cameras and guards parked outside, staring at us ominously through a window, as if waiting for one wrong move to cancel our visit! Only a sadist could do what these folks do on a daily basis. My conscience would haunt me, if I did that to someones sister, no matter how I felt about her brother. Its more macabre than that however. Chasing away a sweet woman who came 1000 miles to see her brother, after a number of years of not seeing each other, tearful, and cold, is something that he probably bragged about to his cronies who share his sense of cruelty, especially knowing that it was my sister and me that suffered his wrath.

Messing with our mail, calls, visits, property, and recreation time is the norm. Although our recreation time is very limited the unit staff cannot always manage even to allow us this pitiful amount of time without making up some lame excuse to cancel it so they can sit in their office drinking coffee and shooting the shit. It has been better lately, but when I first got here (D unit) I was lucky to make it out of my cell for indoor or outdoor recreation, once or twice a week. You have to be heartless to work in prison.

Transporting prisoners: Silverstein says,

First of all, the forced rectal exams are rape to us! I dont know many heterosexual men willing to handle another grown mans cock, balls and anus so there has to be some closet homosexual voyeurism underfoot, disguised as a security procedure or, its just meant as pure humiliation.

Mentally ill: Ive slept in some of the worst pens in America has to offer but Ive never seen so many guys gone stir crazy as Ive witnessed here at ADX! Its daunting to see people lose their mind and knowing its inevitable. Everything they do here is designed to literally break us! All their security mumbo jumbo is whitewash used to conceal their real covert mission.

And the just plain ill: Speaking of the ADX staff Silverstein says; I believe its their duty to walk each tier daily and address any issues that we have. But they just walk right by and you have to scream, because otherwise they act like they cant hear you. If you do get them to stop, they often roll their eyes, wearing a pinched lip smirk, causing me to wish I wouldnt have called them. So sometimes I just say never mind because I can tell that theyll just blow me off anyway, so why bother.

The Prison Authorities mostly male nurses are the worst, and theyre the ones who are supposed to help us the most! And to add insult to injury, they charge us \$2 just to talk to them so unless its serious, most guys just cant afford to get their ailments checked.

Is all this about justice or is this just revenge? How will the other prisoners that are finally released, and many will be, look upon all of us that allowed this abuse?

It must be noted that institutions like Marion are designed to manipulate behavior and therefore it follows that the staff are trained to do just that. The following passages were taken from Eddie Griffins book Breaking Mens Minds.

http://www.jpp.org/documents/forms/JPP4_2/Griffin.pdf

Nothing escapes Marions elaborate network of eyes and ears.

Frontline-line officers specially trained in the cold, calculated art of observation watch prisoners movements with particular meticulousness, scrutinizing little details in behavior patterns, then recording them in the Log Book. This aid provides the staff with a means to manipulate certain individuals behavior. It is feasible to calculate a prisoners level of sensitivity from this informationselected prisoners are singled outa prisoner could have his mail turned back or accidentally mutilated. He could become the object of regular searches

So it seems Toms story coincides with this mans own observations. Clutts must have also studied Toms level of sensitivity and felt that he could press Toms buttons with impunity or at least mistakenly believed that he could handle Toms response. Pushing a mans buttons can be dangerous even when you take extreme precautions to protect yourself as the unfortunate death of Clutts illustrates. This is a story line eerily similar to Dr. Frankenstein.

This is also taken from Griffins book.

Prisoners are told they have been totally rejected by society.

On the other side a brutish, bestial, and sociopathic image of prisoners is presented to the public. This further isolates the prisoner and makes him more dependent on the prison authorities.

Sounds like the Stockholm Syndrome to me wherein hostages express positive feelings towards their captors that appear irrational in light of their captivity. Of course this is useful in order to enlist snitches to spy and inform on their fellow prisoners.

But how much is the truth and how much is invented by the snitch to gain favorwith the guards ?

It all smells bad to me. I do not like my mind to be manipulated how about you? Anyway none of this is shown to be working. As you have all read on this site.

Tommy Silverstein recently wrote;

Ive yet, in all the years weve been on line, heard one person dig up the records of guys Ive been convicted of killing, i.e. my innocent victims.

Danny Atwell (Charges dropped)

Robert Chappelle of the DC Blacks prison gang member (Denied by Tom).

Raymond Cadillac Smith, the national leader of the D.C. Blacks prison gang.

Lets begin by facing the fact that as AB leader Mills attorney Dean Steward said;

The reality is federal penitentiaries are violent and dangerous places and all these guys- white guys- are a small minority and theyre just trying to survive.

And Mills testifying at a previous trial concurred, We live in a different society then you do. There is justified violence in our society. Im here to tell you that.

And Bingham backed this up also in his folksy manner, Theres a code in every segment of society. Well, we have a different kind of moral and ethical code.

But Tom Silverstein said it best at one of his numerous murder trials, I have walked over dead bodies. Ive had guts splattered all over my chest from race wars. And nowadays the ABs are a bunch of old geezers though no less deadly and they might get the death penalty, but their trial has shown the public the dark world of prison life and gang membership. And like Dog says, even if they kill all the leaders itll never be over. Especially in California. It will spring up again. It will come back. As long as blacks and whites dont get along it will be back.

The AB was originally formed to fight the Black Guerrilla Family, which was founded in San Quentin by George Jackson in 1966. The Former Black Panther, revolutionary and author of Soledad Brother had a vile hatred of the system and all things white. The BGF would beat, kill and maim random white when they caught them out of their cells for no other reason than that they were white.

This cauldron of hate and atmosphere of tension, which existed at San Quentin at the time fermented the race wars in the California system and led to the rise of the big four prison gangs, which were divided along racial lines-The Aryan Brotherhood, Black Guerrilla Family, Mexican Mafia and Nuestra Familia.

The BGF allied with the Nuestra Familia and fought a constant battle against the ABs who allied with the Mexican Mafia who was constantly at war with their counterparts from the northern part of California, Nuestra Familia while they represented the southern part of California.

The BGF was the most politically oriented of the gangs. It was formed as a revolutionary organization along paramilitary lines. Its goal was to overthrow the US government. They were led by a Supreme Commander or Chairman and the lowest echelon of gang members were known as soldiers. They originated out of the MAD Adjustment center at San Quentin, the first SHU in the country. They recruit members of black street gangs like the Crips, disenchanting members of radical black organizations and are aligned with the Black Liberation Army. Their founder George Jackson was killed by guards at San Quentin in the early seventies.

The race wars in the federal system started on Nov 22, 1981 when the body of Robert M Chappelle, a member of the DC Blacks was found dead in his cell at USP Marion.

The DC Blacks are prisoners from Washington DC who usually make up the largest single ethnic group from any single city making up 10 percent of the overall federal prison population.

They are well schooled in violence from their time spent at Lorton the infamous DC penitentiary, and are known as for pressuring prisoners for sex.

Read this from the Human Rights Watch 2001 report No Escape.

Doesnt that title grab your attention? Well hold that thought.

<http://www.hrw.org/legacy/reports/2001/prison/report4.html>

The elements of race and ethnicity have a complex and significant bearing on the problem of prisoner-on-prisoner sexual abuse. As previously discussed, racial and ethnic distinctions are nowhere more salient than they are in prison: all social interaction is refracted through the prism of these group differences. Inter-racial sexual abuse is common only to the extent that it involves white non-Hispanic prisoners being abused by African Americans or Hispanics. In contrast, African American and Hispanic inmates are much less frequently abused by members of other racial or ethnic groups; instead, sexual abuse tends to occur only within these groups.

Past studies have documented the prevalence of black on white sexual aggression in prison. These findings are further confirmed by Human Rights Watchs own research. Overall, our correspondence and interviews with white, black, and Hispanic inmates convince us that white inmates are disproportionately targeted for abuse.

The ABs murder of these two violent DC Blacks gang members resulted in a race war which is at the center of the governments 2002 indictment against the Aryan Brotherhood.

AB members allege that the government set up a snitch school in unit H at ADX Florence for the express purpose of manufacturing and coaching evidence and testimony to indict the alleged leaders of the AB. Most of the informants who are alleged to have participated in the snitch school at ADX Florence are gang dropouts.

Does anyone remember the FBIs Cointelpro program?

<http://www.gorillaconvict.com/blog/blog.php?id=29&PHPSESSID=dc505ded549a75ec9fb0fe949c24a599>

https://www.prisonlegalnews.org/%28S%28g33rbv45dns2hnadcrkx1x45%29%29/111_displayNews.aspx

I have read this mans words on his blog and I believe that he would agree with Doris Lessing. So what about his crimes?

From the Hellholes of Incarceration to a Future of Emancipation

<http://revcom.us/commentform-en.php>

(I personally do not subscribe to this publications racial, political, or religious rhetoric but the article does contain these poignant words that I do, from experience believe are true.)

The United States the richest and most powerful nation in the world has 5% of the world's population, but 25% of its prisoners. 2.3 million people languish in prison in the country that brags of being the leader of the free world.

These prisons are hellholes. Prisoners are subjected to maddening, mind-crushing torture in the form of isolation chambers. This kind of mental torture is considered a war crime when carried out against prisoners of war, but the U.S. inflicts this on tens of thousands of ordinary prisoners within its penal system. Prisoners are manacled, maced, tasered, and chained. They are set against each other, gladiator-style, in gang wars for the amusement of the authorities. Rape is used as a means of social control on prisoners, both women and men.

All this is intended to break the spirits of millions for whom this system offers no future.

Among men, rape is widespread. In one sense, this is a concentrated expression of the predatory and patriarchal mentality inculcated in males by this society, in a situation in which there are no women to dominate. At the same time, it is a tool of social control manipulated by the authorities. The widespread rape in U.S. prisons inflicts severe physical and emotional pain and trauma on the vulnerable young men who are its victims, as it does to women. It carries great risk of infecting victims with HIV/AIDS. In sensationalist news programming about prison life, and TV dramas, prison rape is depicted as a product of a prison population of predators and psychopaths, carried out despite the best efforts of authorities to stop it. But, if prison authorities are trying to prevent prison rape, under conditions where they monitor and control prisoners every move, then why is it that, according to a 2003 Congressional study, over a million inmates had been raped over the previous 20 years. A million inmates.

An ABC News report in April of 2009 quoted a former prison guard, Johnny Vasquez, as saying that when prisoners came to guards with complaints of being raped, they were told, You need to grow some and defend yourself. Quit coming in here crying. Get out of my office. Don't bring this to me. That, in essence, is an expression of the depraved kill-or-be-killed (and relatedly, macho male supremacist) values and morality of the system that runs the prisons and uses rape as a tool to promote and enforce those values.

Harvard University criminologist Dr. James Gilligan told ABC that authorities use rape as a bribe or a reward to powerful inmates to cooperate with the prison authorities. As long as they cooperate, the prison authorities will permit them to have their victims. The ABC report summed up: Experts say some prison officials quietly permit rape as a way to control the population.

It's not getting any better, either, on the contrary, the rate of imprisonment has skyrocketed over the past several decades. In 1980 about a half million people were in jail in the United States; by 2006, that number was 2.3 million an increase of over 450%..

Meanwhile, the authorities foment widespread gang and racial clashes in prisons as a means to divide and conquer, and then use what they have incited as a rationale for further brutality and torture. Association with a gang, which can mean almost anything, is invoked to lock prisoners down in special isolation units that quickly create such extreme psychological trauma that over and over again prisoners lose their minds. In many prisons, inmates are required to declare allegiance with a gang by the prison authorities under the pretext of segregating gangs.

One prisoner wrote: Today California prisons in particular have passed a regulation where as the state is now housing prisoners of all social groups & races together in cells, this new regulation is creating conflict between prisoners, it is basically pitting prisoners against one another in gladiator style fights as before only now confined to a cell.

Judge the system too.

@luft, Blessed is the man who has not yet learned what crimes he is capable of.

In evaluating Toms case I like to think that people get wiser with age.

The following quote is from Prisons We Choose to Live Inside by Doris Lessing.

Remembering our time of total commitment to a set of dogmas that we now find pathetic, we tend to wear wry smiles. Perhaps it is not too much to say that in these violent times the kindest, wisest wish we have for the young must be: We hope that your period of immersion in group lunacy, group self-righteousness, will not coincide with some period of your country's history when you can put your murderous and stupid ideas into practice. If you are lucky, you will emerge much enlarged by your experience of what you are capable of in the way of bigotry and intolerance. You will understand absolutely how sane people, in periods of public insanity, can murder, destroy, lie, swear black is white.

I have read this man's words on his blog and I believe that he would agree with Doris Lessing.

Let this guy rot for another 27 years.

He's the filth of society and needs to be kept in the basement.

god bless you bob you are true in what you say why every one thinks it the evil inmate that end up in supermax i never know but you like me know what they not telling us that it is often those who have to fight so there not killed or made a bitch that end up there a lot or the inmate who is good at law and is willing to fight for his rights or those who cant defend there self and the mentally ill as well who most often end up where your friend is in the years to come we need to stop this we are heading in to a nation living off prisons chertch hill said it you want to know how well a nation treats its people look at how it treats its prisoners if that was the standard we failed obama wants to be humane yet he wants to build tomsen more than a supermax by next year we need three more federal prisons to hold the incoming inmates we are heading in to the void as is we are the plane of justice we hold 25% of all the inmates on earth like obama just a puppet most power is in those backing him they can always get a new puppet but they still have there input and power in play we heading to being led by a big ass tribunal with obama as messenger and balif and we as the inmates and first off solitary has no places in a humane nation may your friend live to tell his tale and fight for true justice and bob hears a grate joke for your friend why dose it only say BOP in all the inmate handbooks if they put FBOP the inmates will take it litaly LOL cos its really the federal bop lol but the inmates think the f***ing BOP lol may we fight for those who cant not for them self and pray for those under the care of the tribunal for they need it most and most of all let us all pray we are self never end up under the care of the tribunal for if we do only god can help us then

I have a friend who has been in No Contact status for over 6 years. His Recreation consists of going to a new cage where he can see other inmates who often masturbate and perform other obscene acts in the recreation cage yard. The American Public has no idea what really goes on in a SuperMax prison I assure you, its nothing like the Discovery Channel portrays it as. My friend is slowly, but surely, losing his mind. It is a horrible thing to watch.. and, to me, is un-necessary. These guys often can *not* get anyone approved to visit them (I am one of those un-approved) because of no significant relationship prior to incarceration. Their diets consist of the most bland and miserable food, their TV consists of a 12 inch screen which they can barely watch, their water is on a timer, etc. The public has no idea of the type of prisoner that is in ADX For instance, my friend has never murdered, never raped, never done a lot of things but because he was forced into having to fight for his life in another institution he has been sentenced to this torture chamber.

America must wake up to the reality of these Super Max institutions. They are evil incarnate.

I must stop for fear of letting emotion get in the way of the real argument that Isolation is *not* the cure for those who break the law.

bout time he had him self herd not bop it is the not the federal BOP to me the f is for the F***ing BOP lol i mean if i was him i kill them all what they did to him is far meaner then what he did at least his vitum is dead and from what i have herd those he killed where roten cops to the inmates as well they had it comeing like you do not poke a sleeping beast you do it kills you teas the tigare at the zoo you get the thing mad it gets out and kills you they had it comeing let the dam man go free i say he is a heroe to me not for what he did it was not right of him to but for that he stand still now fighting after all this time he dose not fall to them like me he dose not kill tribunal but he kicks it any man who would thow a nuther in to a life of solitary and suffering is crueler the the one he put thare may he be the siver lineing for much vitory may he like i see the light of day and stand and say i have ben thow the void and i stand still now to fight it till the day i die not for what they did to me but for those who will live after me my life is to end solitary and i will give it if it must be so to end it just like he has done himself down with the FBOP

Here are some insightful excerpts from The Caged Life.

Silversteins last taste of some kind of freedom came in the fall of 1987. Rioting Cuban prisoners broke into his special cell in the Atlanta federal penitentiary and set him loose. For one surreal week, he was able to roam the yard while the riot leaders dickered with federal negotiators over the release of more than a hundred prison staffers whod been taken hostage.

Then the Cubans jumped him, shackled him and turned him over to the feds. Surrendering Silverstein had been high on the BOPs list of demands for resolving the situation, right up there with releasing all hostages unharmed.

Contrary to the bureaus expectations, Silverstein didnt butcher any guards during his precious days of liberty. He didnt harm anyone.

He suggests the episode shows that hes not the killing machine the BOP says he is, and that he could exist in a less restrictive prison without resorting to violence.

Later in Marion; Long-simmering disputes between white and black gangs had a way of coming to a boil in the control unit.

(From my own personal experience some, not all, of the rural white guards abusive behavior towards inmates only worsens race relations among prisoners.)

In 1981, D.C. Blacks member Robert Chappelle was found dead in his cell. Silverstein and another convicted killer, Clayton Fountain, received life sentences for the crime; inmates who testified for the prosecution claimed the two had boasted of it.

Silverstein has always denied killing Chappelle.

(Why deny this murder and not the next two, unless he really didnt do it?)

Yet even if he hadnt been convicted in court, the suspicion that he was responsible was sufficient to trigger more violence.

(Now this next response by the BOP does seem a bit odd if not a setup.)

Shortly after the slaying, the BOP saw fit to transfer one of Chappelles closest friends, D.C. Blacks leader Raymond Cadillac Smith, to the Marion control unit from another prison. Within days, Smith had tried to stab Silverstein and shoot him with a zip gun.

(This seems like a real threat to me.)

Silverstein and Fountain responded by cutting their way out of an exercise cage with a piece of hacksaw blade and paying a visit to Smith while he was in the shower. Smith was stabbed 67 times, in what Silverstein still describes as an act of convict self-defense.

Everyone knew what was going on and no one did anything to keep us apart, he told Earley. The guards wanted one of us to kill the other. (And they got what they wanted.)

At the time, there was no federal death penalty for inmate homicides and not much the system could do to Silverstein, who was already serving multiple life sentences in the worst unit of the worst prison the BOP had to offer.

Silverstein has suggested more than once that death would have been a more merciful option in his case.

Even though we may not execute people by the masses, as they do in other countries, our government leaders bury people alive for life in cement tombs, he writes. Its actually more human to execute someone than it is to torture them, year, after year, after year.

In the months that followed Cadillacs death, Silverstein began to regard Officer Merle Clutts, a bull-headed regular of the control unit, as his chief tormentor.

Clutts trashed his cell during shakedowns and withheld mail; he smudged his artwork and taunted him; he even tried to set him up for attack by other inmates, Silverstein has suggested.

Silverstein became fixated on Clutts. One study by Harvard psychiatrist Stuart Grassian suggests that prisoners in control units sometimes experience the emergence of primitive, aggressive fantasies of revenge, torture, and mutilation of the guards who watch over them.

(If these fantasies are common, then the use of long term isolation increases the odds of violent acts being carried out against guards rather than lessen them.)

Silverstein thought about Clutts, and he thought about the difficulties involved in getting to his enemy when he was allowed out of his cell only one hour a day, shackled, escorted by three guards.

Locked down for life, he had a mountain of time to consider the problem.

On October 22, 1983, Silverstein shouted This is between me and Clutts!

(This is an odd statement for a blood thirsty murderer to make why not kill the others?)

He stabbed the officer forty times before the dying Clutts could make it off the tier.

Its all a blur, a dream state of mind, he writes. Like my memories. When I venture back to my yesterdays, its hard to distinguish fact from fiction.

Twenty-seven years later, Silverstein is still in the position of analyzing, defending and regretting the act that has defined his fate. But nothing can explain away the act itself, a murder that was meticulously planned and ruthlessly executed.

(Still he tries to convince us that he has changed.)

But I just have more self-control now, after 25 years of yoga, meditation, studying Buddhism and taking some anger-management courses. All that goes unacknowledged.

(Besides this he has had no incidents of misconduct over these same years.

I am not saying free the man but neither is he. He just asks to be in the General Population again. I personally hope he is placed in a secure facility of older inmates to minimize the risk of running into young rival gang members out to make a name for themselves. These prisons for seniors are a new trend as these dangerous men age.

At least some thought is needed as to how to avoid these situations from arising once again.)

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