

Solitary Watch

Criminal Justice Issues and Prisoners' Rights

<https://solitarywatch.org/2012/03/21/california-prisoners-in-solitary-confinement-petition-the-un-to-intervene/>

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by [Jean Casella and James Ridgeway](#) | March 21, 2012

Comparing their conditions to a living coffin, a group of lawyers for hundreds of California prisoners placed in long-term or indefinite solitary confinement [petitioned the United Nations](#) yesterday to intervene on their behalf.

The petition, drawn up by the Center for Human Rights and Constitutional Law, names 22 main inmate petitioners and refers to hundreds more held in 23-hour-a-day lockdown in California's Security Housing Units (SHUs) and Administrative Segregation Units (ASUs). The prisoners have been joined in their petition by a coalition of state and national advocacy groups.

These petitioners accuse California's prisons of subjecting inmates to its cruel, degrading and extreme punishment prohibited by international human rights norms and obligations of the United States of America, including the State of California. It describes their conditions as follows:

[N]ot only do California prisoners face cruel and dehumanizing long-term and indefinite confinement in small concrete cells with no windows, no natural light, and no furniture, they also endure frequent episodes of cruelty by guards, inadequate medical care, entirely inadequate mental health services, inadequate access to the outdoors and sunshine, inadequate food, inadequate access to legal counsel, inadequate visitation with friends and family and no opportunities to work or engage in productive activities of any type. They are effectively locked in a concrete small space that becomes a living coffin in which many have been confined for many years, even decades.

The prisoners in question, the petition asserts, are being detained in isolated segregated units for indefinite periods or determinate periods of many years solely because they have been identified as members of gangs or found to have associated with a gang. The policy that has resulted in their prolonged detention does not require that they have actually engaged in any misconduct of illegal activity, or that they even planned to do so.

The petition calls upon the UN Human Rights Councils Working Group on Arbitrary Detention to take a number of actions in response, including conducting site visits to California's SHUs to investigate conditions and interview prisoners. It also suggests visits by the Red Cross and by an independent panel that would review inmates' medical records and medical care. It wants the UN to issue a report holding that solitary confinement as practiced in California's SHUs violates international law, and then call upon the Government of the United States to insure that California terminates its policy of placing prisoners in isolated segregation for periods of several years merely based upon their alleged membership in or association with a gang.

Describing the genesis of the petition, prisoner advocate Kendra Castaneda writes in the [San Francisco Bay View](#): After the first Pelican Bay State Prison SHU statewide hunger strike in July 2011, Peter Schey, president and executive director of the Center for Human Rights and Constitutional Law, reached out to men being held in isolation in solitary confinement units across the state. The group secured the collaboration of 22 main plaintiffs of different races at different California prisons, ranging from one year in segregation up to 39 years in complete isolation based solely on a process of prison gang validation by the California Department of Corrections and Rehabilitation.

The [petition itself](#) is a notable document for anyone concerned with solitary confinement in the United States. It runs to 63 pages and includes case studies of each of the named plaintiffs, along with extensive discussion and documentation of how their confinement violates both U.S. and international law.

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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On my first point on this that by bringing it to the UN it may embarrass the state prison officials but the UN cannot force a resolution. This man who is much more qualified to speak on such issues confirms this:

Edwin Smith, a professor of law, international relations and political science at the University of Southern California's Gould School of Law, said the tactic could create embarrassment for state prison officials if the international body decides to take up the case although the working group can only issue a report on its findings and has no sanctioning authority, he said.

Read more: <http://www.sfgate.com/cgi-bin/article.cgi?f=/n/a/2012/03/20/state/n124840D88.DTL#ixzz1psX2HG3>

Einstein on Kindness, Our Shared Existence, and Life's Highest Ideals

On our interconnectedness, interdependency, and shared existence:

When we survey our lives and endeavors we soon observe that almost the whole of our actions and desires are bound up with the existence of other human beings. We see that our whole nature resembles that of the social animals. We eat food that others have grown, wear clothes that others have made, live in houses that others have built. The greater part of our knowledge and beliefs has been communicated to us by other people through the medium of a language which others have created. Without language our mental capacities would be poor indeed, comparable to those of the higher animals; we have, therefore, to admit that we owe our principal advantage over the beasts to the fact of living in human society. The individual, if left alone from birth would remain primitive and beast-like in his thoughts and feelings to a degree that we can hardly conceive. The individual is what he is and has the significance that he has not so much in virtue of his individuality, but rather as a member of a great human society, which directs his material and spiritual existence from the cradle to the grave.

On the ties of sympathy:

How strange is the lot of us mortals! Each of us is here for a brief sojourn; for what purpose he knows not, though he sometimes thinks he senses it. But without deeper reflection one knows from daily life that one exists for other people first of all for those upon whose smiles and well-being our own happiness is wholly dependent, and then for the many, unknown to us, to whose destinies we are bound by the ties of sympathy.

A hundred times every day I remind myself that my inner and outer life are based on the labors of other men, living and dead, and that I must exert myself in order to give in the same measure as I have received and am still receiving.

<http://www.theatlantic.com/health/archive/2012/03/einstein-on-kindness-our-shared-existence-and-lifes-highest-ideals/254768/>

So to rehabilitate our fellow man we now isolate them? How smart is that?

@Carl Like wise. And for those who don't have the time to read the story by Eddie Griffin:

Excerpts. the Overkill Strategy comprised of sending grievances to Washington, through the slow appellate process, and to the United Nations, above and beyond the warden's authority. The Overkill Strategy consisted of multiple attacks, with the Bicentennial hunger strike being the clincher. To suppress the July 4th hunger strike, the warden was on the defense against the media. And, the media came back, again, and again, until the warden barred them. There was a security threat.

The prison administration was fighting on multiple fronts, in the courts, in the media, and against outside protesters, carrying signs and shouting slogans. It got worse and worse for the warden and worse for me.

Now the Congress got into the act with an investigation, just around the time the United Nations began looking into human rights violations around the world, particularly in the Soviet Union and South Africa.

Warden Fenny had his hands full with inquiries. He literally said as much, when he deposited me into the safe keepings of solitary strip cell, refrigerated by the open winter skies. I was put on No-Human-Contact status, known as boogey men in the federal prison system. It

started out as a power struggle between prisoners and prison officials over humane treatment. But the strategy was Overkill.

As a reward, I was released from the dungeon and transferred to another prison.

Does it all sound familiar?

The system has time on their side and in time the publics attention turned away from the unpleasant thought and the prisoners were forgotten by the public. However the prison activists were not forgotten by the system were they?

The question is how to get something done before the cycle repeats itself full circle. In my opinion the economic argument for reform, is the strongest and with the current economic state of our union the most promising to bring about change. This was not the case in the 70s or 80s.

hence Alan, my skepticism and realistic view that this will only be viewed as a political ploy rather than one of justice and revealing these conditions with any sort of authority to do so. Good to hear from you Alan.. be safe

@Carl do you think, given the amount of funding that the USA gives the UN, that they can do much more than embarrass (if that is even possible) the justice department?

Lets hope Im wrong and they can do more but all of this has been done before. You can read this inmates own account of using similar tactics decades ago here:

<http://eglibraryreferences.blogspot.com/2008/04/confession-of-underground-think-tank.html>

The partial victory that they won was short lived and the inmates are no better off today then when these events took place.

Interesting and wondering where the sovereignty of the USA will fall on this matter.

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