

Solitary Watch

Criminal Justice Issues and Prisoners' Rights

<https://solitarywatch.org/2013/03/19/judge-rules-california-solitary-confinement-lawsuit-should-have-its-day-in-court/>

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by [Sal Rodriguez](#) | March 19, 2013

On Thursday, March 14th, U.S. District Court Judge Claudia Wilken denied a motion by the state of California to dismiss a lawsuit filed by the Center for Constitutional Rights against long term solitary confinement in the California prison system. The [lawsuit](#), filed on May 31st, 2012, argues that California's segregation of gang-validated prisoners in Security Housing Units (SHUs) for longer than 10 years constitutes cruel and unusual punishment. The [lawsuit](#) also argues that the current process by which prison officials label prisoners gang members is a violation of prisoners due process rights. In California, as of late 2011, [over 500](#) California prisoners had been in the SHU for at least ten years; 78 had been in the SHU for at least 20 years.

The [SHUs](#), located at Pelican Bay State Prison, Tehachapi State Prison, Corcoran State Prison, and California State Prison, Sacramento, hold over 3,000 prisoners in segregated units. Prisoners are primarily held in solitary confinement in these units, which have been described by [NPR](#) as living in a small, cement prison cell. Everything is gray concrete: the bed, the walls, the unmovable stool. Everything except the combination stainless-steel sink and toilet. You can't move more than eight feet in one direction.

Conditions in the SHU prompted two large scale hunger strikes in California prisons in July and September 2011. The hunger strikes drew national attention to the issue of solitary confinement, and prompted California legislative hearings in [2011](#) and [2013](#). The California Department of Corrections and Rehabilitation (CDCR) has implemented reforms to the system, including an allegedly more stringent gang validation system; CDCR has been criticized for validating prisoners and keeping others in isolation for possession of black nationalist literature and [cultural calendars](#) on the grounds that they constitute evidence of gang activity. CDCR has also reportedly begun a review of all current SHU prisoners under the new standards to determine whether or not prisoners should remain in the SHU. According to the [Los Angeles Times](#) in February, 144 prisoners had been reviewed and 78 had been released to general population and 52 were placed in a new Step Down Program in which prisoners may transition out of the SHU over 4 years with increasing privileges.

People inside California's prisons have been less enthusiastic about the reforms.

North Kern State Prison prisoner Terrance White is housed in the Administrative Segregation Unit (ASU) pending an opening in the (full) SHUs. White initially reported to the San Francisco Bay View that he was observing the prison sending prisoners in the ASU back to general population in December, but now says that I see I've been duped by the lies of CDC. I got released back to the general population yard for 45 days and now they've online pharmacy India Xanax brought me back to get validated. It's sad to see law enforcement get away with monstrosities everyday, then come after us on the inside for becoming wise to their evils by educating ourselves.

They're still validating people it seems every chance they get, reports White, who has been validated as a Black Guerilla Family member. I'm not alone as you are aware of, there's a lot of us and poor Latinos, a few Natives, and poor whites have also been targeted these days. I don't know how much longer I'll be here at North Kern, I'm waiting for the Office of Correctional Safety to send my packet back and then I will be endorsed to the SHU to finish my term.

Pelican Bay SHU prisoner Paul Sangu Jones is optimistic that the public, who he refers to as minimum security, are at least getting a clearer idea of how their tax dollars are being wasted on all of these unnecessary prisons. But, he says, my current thoughts are that we remain in limbo. We are locked into a cycle of torture. We keep hearing about how our situation is going to change but every day we wake up to the same old thing talk about djall over again.

Jones, who has been in the SHU for over a decade, has been labeled by prison officials as a member of the BGF. He was initially placed in the SHU following an anonymous prisoner's claim that he was a high ranking BGF member. He has been subsequently kept in solitary confinement for, among other reasons, possessing a Black Panther newsletter and because other prisoners designated BGF had written him letters which were intercepted by prison officials.

Jones has reported that someone in his facility had been recently taken out of the SHU and placed in the Step Down Program. It's my understanding that the prisons are clearing their Ad Segs [Administrative Segregation Units] of prisoners they were planning on validating as gang members. I'm told that these prisoners are being placed in the Step Down Program, and the prisons are saying that they are releasing folks from the SHU. It's certainly what I expect from CDCR no one in the Short Corridor, where prisoners who have

been in SHU 10,20,30,40 years have been released to general population, Jones writes.

The Pelican Bay State Prison administration is not going to do anything to ease the SHU torture unless forced to do so by the courts. That is the reality our SHU lawsuit is facing.

Jones also referred to the declaration by the leaders of the 2011 hunger strikes that the prisoners will launch a statewide hunger strike and work stoppage in [July](#) if conditions do not improve. Surely youve heard the talk of another hunger strike? That should say it all

Sal Rodriguez was Solitary Watchs 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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@ Russ

<http://socialistworker.org/2008/09/11/prisoners-in-charge>

Well I am NOT a communist NOR a revolutionary Ill take the info wherever I can find it.

When the prisoners were in charge

Mer Stevens reviews a book about the hidden history of a prisoners uprising at Walpole State Prison in Massachusetts.

September 11, 2008

At the Walpole State Prison, inmates formed the National Prisoners Reform Association, or NPRA. NPRAs stated mission was to exercise self-determination within the prison and to demonstrate that the prison itself was unnecessary.

Prisoners and their allies outside had some early victories that helped pave the way for the struggle to come.

In 1971, at Walpole Prison, the vast majority of the population was still white..

The developing leadership within the prison had to find ways to forge interracial solidarity.

Remembers former inmate Robert Dellelo:

We got everyone in the auditorium. The racial tension in the prison was thick I said, There is only one color and that is blue, the guards wore khaki You are either blue or brown. There is no in-between ground. We are all in this together. The guards could not work us like before. If we refused to fight each other, they lost a lot of their power. There was a peace across the prison that never was there before. We ended the body count.

THIS KIND of interracial solidarity was no small feat. Guards used all of the means at their disposal to break the prisoners, including beatings, manipulation of privileges, segregation and isolation cells. On several occasions, they attempted to start riots. When organizers forced officials to allow an election, 96 percent of the population voted for the NPRA to represent them.

Prison reform was not without its enemies. The Boston Herald ran a front-page story with the headline Boone the Coon after prison guards protested the reform-minded Commissioner of Corrections John Boone.

The guards maintained a dedicated campaign to break the prisoners organization. They let off 418 canisters of tear gas inside the prison in a single night, enough that residents of the town of Walpole were affected. The guards union staged slowdowns and walkouts against the reforms that led up to a strike against the betterment of living conditions. In a public condemnation of the strike, one citizens commission wrote:

Their strike was not for better wages, hours or other traditional union goals; their strike was against the better and more effective treatment of other human beings. What could condemn a system more than evidence that it caused human beings to have a vested

interest in the mistreatment of others?

The strike left prisoners and citizen observers in charge of Walpole. Under their leadership, there was almost no violence. Instead, inmates trained one another in conflict resolution, understanding that any incident would be used as ammunition against their struggle. Remembers Dellelo, When the guards walked out, they expected the prison to explode. We held it together.

I think all these lock down prisons do nothing for these inmates but make them angry coming out of there if they ever do. I have a grandson in upstate NY and I believe its cruel and inhumane to keep these inmates locked up like animals, in fact you treat your animals better than this. Why are our high officials blind to this. Maybe if it were their family member it might change . These are human beings no matter what their crime is and should be treated with some dignity. Walk a mile in someones shoes who has a family member there or has been there themselves and then maybe they will close these animal closures down. I purpose letting some high officials spend one month in there and see what their thoughts are then Close them

On that last point that Alan touched on, I know that the hunger strike leaders, who are deemed leaders of Aryan Brotherhood, Mexican Mafia, Nuestra Familia, and BGF, have called for an end to race based hostilities in California prisons. I am curious as to what, if any, affect this has or will have in California prison politics. I havent heard anything about this; then again, I dont often write to prisoners in general pop who would know about this

@Russ

I agree until the prisoners all put aside their differences they are group FUCKED.

So lets hope that all these groups stop preaching their race based rhetoric and unite.

The whites display exaggerated Viking and Celtic images, the Hispanics Aztec, Blacks African, etc etc down the line. Some groups openly demonize other groups creating social tension in confined spaces, while other groups, fewer in number, whisper their similar condemnations between themselves, forcing people who were once opened minded to change or die.

Extreme brutality is openly committed upon fellow prisoners solely due to their race creating a hatred so deep in the victim that it may never be erased. And the cycle repeats.

When a convicted rapist, bank robber, murderer or drug lord declares himself a political prisoner does that make it so? Is this a sign that the inmate has been rehabilitated?

@Katman: I do not know where you live, but were I live, and in the business I am in; there are a lot of folks who are nothing but trouble makers, combative, drug users and drunks who offend and disrupt the social area of citizens where they live.. Now Im not suggesting that these folks all be locked up; or that they should ever get into a lock-down situations However every citizen has a right to be free from intimidation and harassment by others.. Whether you like it or not My daughters do not need to be accosted by drunks or drug offenders while they are going to the Mall.. If they are, that person is breaking the law and I want it stopped Now if it happens one or even twice a warning should be enough; however there are people wh get worse and more abusive with each warning Now in my community the law is better and would rather take care of the problem that have me do it As things progress worse so of these people need to be what? You tell me Let them alone, so they can punch people out, piss all over their property, crap in their door-wats, vandalize their cars and what ever else they may thin of Your suggestion? Youll find many if not must of the folks in the prison system think they are the end all and what ever they want is right They are all about Self screw everyone else, everyone else is a fault (To me that is nothing but Bull) You do not get to court at least very, very few unless you did something wrong (dont give me all the innocent exceptions) Ill give 5% of all convict persons may not have done that specific crime So what Everyone in our society should be able to live without fear walking down any street..

Many innocent people are UNJUSTLY imprisoned as it is profitable contrary to the rule, intent, letter & spirit of the law. To be specific w/o a crime there is NO jurisdiction, authority for a SHAKE DOWN as the elements of crime are NOT present.

The elements of crime are; 1. something happens. 2. one intends it to happen.

3. Someone or someones property is damaged or harmed.

The so-called courts & alleged Peace Officers DO NOT have authority w/o crime

b/c NOTHING HAPPENED & NO ONE is HARMED.

q. Who breaches the peace w/o a crime being present at traffic stops?

The disingenuous LEOs who are actually dangerous Public Nuisances

many of which are trained to KILL w/o thinking as THEY are military Vets.

Bottom line we All suffer from Bad Legal Advice as the STATE BAR UNION MEMBERS continue to fleece, harm innocent people everyday b/c THEY ARE EVIL.

I have real problems with lock up unless there is an internal record of real violence toward others in the prison system; I do not even care about gangs or gang membership as long as youre not operating in the joint. In Walpole and Norfolk in my day 60s and 70s.. We left the vengeance to the street in the street, prison was basically neutral as long as you kept to your own Then they invented the gang system of Corrections, all due to federal money.. The real threat here is over-looked, at least by the prisoners, I know, because I was one of the developers of the real threat; politics that stands alone in no great threat, you are a black panther, you read your stuff you stay in your group, big deal you have little power, I am an Italian, I organize and read my stuff, I stay in my group I have little power, You are Irish or Hispanic all have groups, your gay, or a sex-offender All separate and fight the man and society That is the problem and you cant win in that break down in any way shape or form. UNLESS, you all become ONE, that is what we did in Walpole When the Prisoners Ran Walpole Also on the outside which is the most important factor, which few ever understand and read about. Ex-convicts built a huge political entity that moved the Government of Mass. and they did that over a three years How? by being ONE, One group, not a bunch of little groups fighting among each others Until leaders of ech group learn that they have to unity everyone is screwed That is the real threat, folks coming together in unity, building real political power You may not vote but your family and friends can You may not be the smartest guy in the room but the sex-offender might be and he might help you if you dont try to kill him This is the reason they have the SHUCause of the most part we prisoners and ex-prisoner are stupid, until we learn where our interest lie..

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