

Solitary Watch

Criminal Justice Issues and Prisoners' Rights

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by [Valerie Kiebalá](#) | February 21, 2019

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Patricia Marshall Vickers still remembers the week in late August 2018 when she stopped hearing from her son. Incarcerated in Pennsylvania since he was 17 years old, Vickers's son faithfully called his mother from prison at least every other day until suddenly, he didn't. Vickers learned that other family members were also experiencing a communication blackout from their incarcerated loved ones. Still, she said, it was scary because nobody knew what was going on.

In a rare move, the Pennsylvania Department of Corrections (PA DOC) had decided to place all 46,768 people held in its 25 state prisons on lockdown. As Vickers later learned, they were effectively subjected to 12 days of solitary confinement, locked in their cells for up to 24 hours a day, without access to work, programming, exercise, group meals, family visits, or even mail delivery.

And the barriers to communication did not end when the lockdown was lifted. In September, the PA DOC quickly instituted a set of [new security policies](#) and procedures that will cost the state a [total of \\$15 million](#). All mail sent to people incarcerated in Pennsylvania is now being [re-routed](#) through the private company Smart Communications in Florida, which scans everything including letters, cards, children's drawings and family photographs and transmits the scans to prisons, where they are printed out and delivered. The department is also installing airport-style body scanners for visitors.

The reason given for both the statewide lockdown and the enhanced security measures is a cluster of illnesses reported by corrections officers in the summer of 2018. Their symptoms were attributed to contact with synthetic cannabis, also known as K2 or spice, and the opioid fentanyl, which they asserted had taken place largely via contaminated mail. Pennsylvania's corrections officers put themselves in harm's way to make our commonwealth safer, Gov. Tom Wolf [told](#) the press on the day the lockdown began, and it is up to us to provide them protection from harm.

But documents reviewed by Solitary Watch, along with investigations into the effects of contact with these drugs, raise questions about the credibility of the accounts offered by corrections staff and the PA DOC. And as the impact of the new restrictions is felt by people behind bars and their loved ones on the outside, they are joining with other advocates to demand answers and push back.

Initially, local media [echoed](#) the PA DOC's contention that just touching a sheet of K2-infused paper could cause illness or even an overdose even though normally, the paper is smoked or ingested to produce a high. But as the lockdown wore on, some reporters and advocates began to dig deeper. Local public radio station [WITF quoted](#) Dr. Jeanmarie Perrone, director of medical toxicology at the University of Pennsylvania's medical school. We know that skin absorption is very unlikely, she said, and we also know that inhalational sickness is also not going to occur from transient exposure. A spokesperson from Pennsylvania's Department of Health confirmed that it was unlikely that a lot of people should be getting sick from incidental contact.

Susan McNaughton, communications director for the PA DOC, responded to these statements in an email to Solitary Watch. These toxicologists none of whom investigated the DOC cases are free to have their opinions, she wrote. Synthetic drugs are real and pose a threat to corrections officers.

Exactly what happened to the affected corrections officers is recorded in an [Exposure Log](#) published on the PA DOC website on September 7, 2018, which includes 60 incidences of illness reported by officers over the previous three months. Many of the symptom descriptions in the log are extremely vague, such as felt ill, adverse reaction, or not feeling well, while others list elevated blood pressure, increased heart rate, dizziness, and nausea. Only 10 of the 60 incidents list test results. Of those, just four came back positive for a controlled substance one for amphetamine, and three for K2 and all were conducted as field tests, presumably on site at the prisons.

The one positive result established through a lab test took place after six guards were transported out of SCI Albion in an ambulance and the county Haz-Mat team got involved. But the test conducted by responders found only sorbitan trioleate, a chemical commonly used in skin care products and also approved as a food additive. The Erie County emergency management coordinator [told a local reporter](#) that the substance shouldn't have been making people sick.

In an interview with the *Philadelphia Inquirer*, [Jeanmarie Perrone suggested](#) that what was happening in Pennsylvania prisons could be an instance of mass psychogenic illness. We see it all the time with law enforcement, she said. Police pull someone over and find an unknown substance. Suddenly their hearts racing, they're nauseated and sweaty. They say, I'm sick. I'm gonna pass out. That is your normal physiological response to potential danger.

Lewis Nelson, chair of emergency medicine at Rutgers Medical School and former president of the American College of Medical Toxicology, [said](#) of the corrections officers' symptoms, In a word, it's implausible. One thing we know about [synthetic cannabinoids] is that they don't cause the effects these folks are having, and certainly not by the route that they're being exposed. The symptoms are much more consistent with anxiety.

Jason Bloom, who heads the Pennsylvania State Corrections Officers Association, dismissed these expert assessments as asinine and maybe moronic. But Bret Grote, legal director of the Abolitionist Law Center, who represents numerous people held in the Pennsylvania prison system, believes the theory of mass psychogenic illness is the most generous interpretation of events.

What this amounts to is five incidents where they found at least some indication of contraband. I don't know how reliable it is in 25 prisons over a three-month period of time. That's less than marginal, Grote said in an interview with Solitary Watch. So, staff is either hooking themselves up into this fear and they really think they are sick, or with some of them [its] just a scam to get out of work, or just a manufactured crisis.

Susan McNaughton verified that there were only five separate incidents involving twelve staff members where the presence of drugs [was] confirmed. In defending the PA DOC's decision to institute the statewide lockdown and the new restrictive policies, McNaughton wrote, The roughly 13,000 staff who work inside our state prisons risk their lives every day. Staff should not have to fear exposure to drugs that could sicken them as well. The threat is real. That is why the DOC undertook these measures to ensure prisons are safe for staff and inmates alike.

Major Tillery, who is currently incarcerated at SCI Frackville, has his own theory about the lockdown. On a website maintained for him by friends, he [wrote](#), looks like it was a planned pre-emptive action so that the National Prison Strike didn't spread to Pennsylvania prisons, referring to a rolling [series](#) of work stoppages and other actions protesting prison conditions in at least a dozen states, which began shortly before the lockdown. The drug emergency was a pretext to isolate, repress, and control prisoners, Tillery asserted.

Incarcerated people have also pointed to what they say is another under-reported aspect of the story. As for how drugs get into prison, Felix Phil Rosado, currently held at SCI Phoenix, wrote in a letter to Solitary Watch, it's common knowledge and sense that the lion's share is brought in by staff. For every crumb smuggled in via Herculean efforts by residents, a pound strolls in through the front gate. Yet, the punishment comes down on us.

Sara Rose, senior attorney at the ACLU of Pennsylvania, confirmed in an interview that it is commonly known that corrections officers are involved in much of the contraband entering prisons. [At least twice](#) in the [past year alone](#), Pennsylvania prison staff have been caught in the act of bringing in drugs to sell to incarcerated people. The PA DOC's McNaughton acknowledged that staff are another avenue for drugs entering prisons, but at a far smaller rate. As evidence of this conclusion, she cited data collected by our security staff at the prisons.

The perspectives of some of the corrections officers themselves were expressed in a Facebook group called Citizens for Accountability. Even before the PA DOC announced the lockdown, posts by members of the group had been calling for greater security measures, heightened restrictions on incarcerated people, and the reversal of some minimal reforms that have taken place under Secretary of Corrections John Wetzel (advertised by Wetzel himself in press releases and a [TEDx Talk](#)). The group has been made private since October 5, 2018, when Solitary Watch obtained screenshots of posts.

On August 12, the Citizens for Accountability group administrator posted about the upcoming National Prison Strike. Comments from members of the group included: They already get too much! and Just in case lock 'em all down for the whole week! No work, no pay, no visits, no yard, no gym N O T H I N G !!!

Another post, later in August, about two corrections officers allegedly coming in contact with an unknown substance received comments, such as: Give the guards back power and quit fondling the INMATES peroid [*sic*] and No contact visits and all mail electronic. Oh what that's to [*sic*] harsh. Poor convicts SMH. How about staff come first for once. Another buy xanax los angeles added, Lock every prison down indefinite till all assaults stop.

Please beware, another post read, Your governor and secretary of corrections are the ones LYING Security is no longer a top priority. They want everyone to have reduced time in the restricted housing unit, extra time out of their cell to watch the 70 inch television, coloring books, murals and daily candy bars. These inmates can assault a staff member and be handed a candy bar the next day. Remember when it's time to vote in November. WE MATTER #OFFICERSTRONG.

Another post referred to John Wetzel, the first African American head of the PA DOC, and Shirley Moore Smeal, the department's African American executive deputy secretary, saying they have created drug-filled dangerous prisons. It is like a ghetto gang land instead of a secure facility.

On September 5, a post referenced DOC reforms prompted by a [Department of Justice investigation](#) that condemned the use of solitary on people with serious mental illness as unconstitutional. We have seen level 5 [solitary confinement] units turn into preschool atmospheres, it read. We've watched you, BigJonnyW[etzel], and all of your cronies allowed Barrack [*sic*] Hussein Obama's DOJ to come in, change our policies and procedures, and (literally) give video games and candy bars to murderers, rapists, and pedophiles. We watched as you made convicts programming a higher priority than your staff's safety. As long as you're feeding that caged lion what he wants, every day all is well. What happens when you run out of steaks? What happens when you can no longer say yes to each wish?

The lockdown looked very different from the other side of the bars. Major Tillery wrote: For every prisoner, the lockdown was 24 hours locked in his or her cell. No yard time; no outside the cell on the block; infrequent showers. Food brought to cells by guards. No law

library. No commissary. No contact with the outside world. No mail, no phone, no visitors. Prisoners missed court dates no transport of prisoners was allowed. No medications for several days. Even mail from the court and DAs addressed to a prisoner was returned to sender. Those conditions were worse than solitary confinement, the hole.

Bret Grote described the impact of the lockdown as relayed by some of his clients. I've heard multiple instances, not directly from the people involved, but of self-harm at SCI Somerset people supposedly cutting themselves to get out of their cells. There are people being denied medical care and mental health treatment. In some instances [staff was] refusing to even accept request slips because they have this fear that they were going to be contaminated, so they weren't going to touch anything that an incarcerated person has touched, so they wouldn't take medical request slips.

Heather Lavelle, a woman held at SCI Muncy, described the deterioration of [her] mental condition during the lockdown. After contracting a bacterial infection on the first day of the lockdown, Lavelle said, Normally I would have put in a sick call slip and been seen the next day. I was literally begging anyone to listen to my cries for help and was not able to see anyone from medical until a week later.

Phil Rosado wrote, COs would refuse to respond to our calls on the cell intercom system. I heard one of them say, Damn near every cell was lit up on the screen, so I didn't answer any. Rosado continued, I've done longer stints in the hole than the time we've been [on lockdown] at Phoenix and I can honestly say this is worse. Towards the end of the lockdown, on September 9, John Toland, another man held at SCI Phoenix, [hanged himself](#) in his cell.

The impact of new restrictions placed on mail and visitation is also being keenly felt by people in prisons across Pennsylvania. They tell stories of mail being delayed or sometimes lost, of family photos and children's drawings printed out in black and white, and of a sense of lost connection. The restrictions are especially cruel for the approximately 5,000 individuals in Pennsylvania prisons sentenced to life without parole (a higher proportion of the prison population than in any other state), for whom mail and visits are the only contact they can ever expect to have with the outside world.

In a phone interview, Ms. DeeDee, the mother of a man serving life without parole, asked, What more can y'all do to these lifers? Tell me, what more can y'all take away from them? You don't want them to go crazy and have riots and everything, yet you're taking everything that's keeping them in line. Because the families are the reasons why they're walking a straight line, so if you're taking all of that away, what do you expect them to do?

Asked how the PA DOC would respond to families angered by the new limitations on communication with their incarcerated loved ones, McNaughton said, With the exception of the 12-day lockdown, the DOC never limited family contact, adding that prisoners continue to have access to their families during public visitation hours, by phone, email and letters.

Patricia Vickers disagrees, saying the policies discourage families from sending mail. The whole thing about trying to rehabilitate prisoners is to look forward to coming home, she told Solitary Watch. So, if you don't have those personal letters and notes coming in to you, it's hard. You kind of lose [the connection]. In fact, [research](#) over four decades has shown that individuals who maintain close family contact while incarcerated have higher rates of successful re-entry into the community and lower rates of recidivism.

Vickers also described joining other families of people in state prisons at a town hall meeting held by Secretary Wetzel in South Philadelphia. She said community members were allowed to write questions on note cards during the meeting but were not allowed any follow-up. Her question asked, Is there going to be an investigation regarding these allegations about what's going on? Is someone going to investigate [the alleged drug problem] to find out what truth is in it and who it's actually impacting? Vickers said Wetzel answered her with one word: No.

Vickers relayed that when questioned, Wetzel said that about 1 percent of incarcerated people in Pennsylvania were actually using drugs. And I'm like, 1 percent? Well what about the 99 percent? So you're punishing 99 percent of the people in prison because 1 percent is using drugs. [So] why take \$15 million to ship mail down to Florida when there's a better way to handle this you know, help these people!

But the PA DOC an institution that has seldom lived up to its own reform-minded rhetoric is already [claiming victory](#) in the form of lower incidences of staff illnesses, drug finds and positive drug tests since the new policies were put in place. And the official story of the lockdown has provided justification for the department to permanently step up monitoring and control of the nearly 50,000 individuals in its charge. Even [legal mail](#) which might identify prison staff accused of abuse or corruption, and should by law be kept private is now opened, copied and retained by staff. This change has spurred lawsuits, including one federal case that began trial this week, by the ACLU of Pennsylvania, Pennsylvania Institutional Law Project, Abolitionist Law Center and Amistad Law Project.

To date, two other states Virginia and Arkansas have adopted similar policies of scanning mail and sending copies to the incarcerated addressee. Recently, the federal Bureau of Prisons implemented similar restrictions at the U.S. Penitentiary, Administrative Maximum (ADX), its supermax facility in Florence, Colorado.

For at least some of the staff in the Citizens for Accountability Facebook group, the lockdown was clearly a chance to flex some muscle and reassert power over both incarcerated people and high-level officials. Several posts, in the weeks after it ended, asked the question: Where is the return of the lockdown?

While the Pennsylvania State Corrections Officer Association (PSCOA) never responded to requests for comment on this story, neither the PA DOC nor the PSCOA seem likely to back down from their positions without a fight. But there are signs that their actions during and after the lockdown have had unintended consequences by rousing organized community resistance.

Robert Saleem Holbrook, co-founder of the Human Rights Coalition and community organizer with the Abolitionist Law Center, told Solitary Watch that these new policies have re-energized people. That's how people are really responding. Whether it's protesting at Governor Wolf's office, whether it was asking Wolf to fire Wetzel, or the lawsuits that the Abolitionist Law Center is filing against the DOC, people's response to this has not just been to lay down. It's been to organize.

Ms. DeeDee is very much on board for that effort: Im going to fight until I can never fight no more and that will be because I died, she said. Other than that, Im going to fight for mine and all of those that are like him. It doesnt make sense, its horrible how theyre treating these people like theyre savages, like theyre animals, a worthless piece of garbage Were going to get through all of this if it takes our lives, if it takes the rest of our lives to get it right.

Valerie Kiebala was a contributing writer and editorial and project manager for Solitary Watch, and is now the media director of Straight Ahead, which is building a decarceration movement throughout Pennsylvania. Her work has also appeared in The Root, Truthout, the Chicago Reporter, and Shadowproof.

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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You wrote:

Recently, the federal Bureau of Prisons implemented similar restrictions at the U.S. Penitentiary, Administrative Maximum (ADX), its supermax facility in Florence, Colorado.

One blog lists the changes in ADX as:

CHANGES 2 MAIL PROCEDURES EFFECTIVE JANUARY 7, 2019, FOR USP, ADX, FLORENCE, COLORADO

- 1) Some general correspondence will B photocopied & U will only B provided the photocopy.
- 2) All incoming general correspondence envelopes & paper must B white no color.
- 3) Incoming general correspondence containing materials such as glitter, stickers, lipstick, crayon or marker will B rejected. Correspondence that is stained or contains an oily substance will B rejected.
- 4) Postage stamps & envelope flaps will B removed prior 2 all incoming correspondence.
- 5) All incoming general correspondence utilizing a label 4 either the recipient or/& sender information will B rejected. The recipient & sender information must B completed n ink or through address stamp.
- 6) All incoming correspondence w/ fragrance, such as but not limited 2 perfume or cologne, will B rejected.
- 7) All homemade greeting cards will B rejected. Commercial greeting cards will B photocopied prior 2 delivery. U will not be provided the commercial card.

Very interesting to make a comparison with the UK prison system. Spice is a major problem here too, as are all the things you mention. But we also have overcrowding!

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