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Criminal Justice Issues and Prisoners' Rights

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by [James Ridgeway and Jean Casella](#) | July 27, 2011

Note: The following piece ran on [The Guardian's website](#) on Monday, July 25.

On 21 July, [prisoners in solitary confinement at California's notorious Pelican Bay State Prison](#) began accepting the meals that were slipped to them through slots in their solid metal cell doors. For many, it was the first time they had eaten in three weeks. A group of inmates in the prison's security housing unit (SHU) had resolved to protest their isolation using the only means available to them by going on a hunger strike. The [strike quickly spread to more than a third of California's 33 prisons](#), where about 6,600 prisoners refused at least some of their meals. After 21 days, with some prisoners losing as much as 30lb (14kg), the strike ended where it began in the Pelican Bay SHU.

If this seems like a desperate measure by desperate men, it is. The widespread use and abuse of solitary confinement in US prisons and jails is one of the nation's most pressing domestic human rights issues, and also perhaps its most ignored. In the end, the Pelican Bay hunger strikers won only a few token concessions from the California department of corrections and rehabilitation (CDCR): the right to wear caps in cold weather, to hang wall calendars in their cells, and to have access to a modicum of educational programming.

But they achieved something much more important, as well: For a few weeks, the men of the Pelican Bay SHU ceased to be invisible.

Solitary confinement is a hidden world within the larger hidden world of the American prison system. At Pelican Bay, about 1,100 men languish in long-term or permanent isolation. In supermax prisons across the country, the number is at least 20,000, with tens of thousands more in solitary in special housing units or administrative segregation in other prisons and jails. Most are confined to their cells without yard time, work or any kind of rehabilitative programming. In the Pelican Bay SHU, prisoners spend at least 22.5 hours each day in windowless concrete cells, and the remaining time alone, in concrete exercise yards. Many have been there for years, and some for decades, often with no end in sight to their torment.

Solitary confinement has been denounced as torture or cruel, inhumane and degrading treatment by several international bodies, including the United Nations and the European Court of Human Rights. Research conducted over the last 30 years confirms that stretches in solitary produce psychopathologies that include panic attacks, depression, inability to concentrate, memory loss, aggression, self-mutilation and various forms of psychosis. But in the United States, the courts have been reluctant to limit its use. In the 1995 case [Madrid v Gomez](#), a federal judge sharply criticised conditions in Pelican Bay's SHU, writing that nearly round-the-clock isolation in windowless cells may press the outer borders of what most humans can psychologically tolerate. Yet, he fell short of declaring long-term solitary confinement unconstitutional.

Largely unrestrained by courts, legislatures or public opinion, solitary confinement has become routine a punishment of *first resort* for all sorts of prison infractions. Today, a prisoner can be placed in solitary not only for violence, but for any form of insubordination towards prison officials, or for possession of contraband (which includes not only drugs but cell phones, cash or too many postage stamps). Some inmates are sent to solitary confinement for exhibiting the symptoms of untreated mental illness. Others, including juveniles in adult prisons, end up in isolation for their own protection because they are targets of prison rape. Many of the men in Pelican Bay's Security Housing Unit are there because they've been validated as gang members, based on their tattoos or on the say-so of other inmates, who are rewarded for snitching.

In 2006, as one of its primary recommendations, the bipartisan [US Commission on Safety and Abuse in Prisons](#) called for substantial reforms to the practice of solitary confinement. Segregation from the general prison population, it said, should be a last resort, and even in segregation units, isolation should be mitigated and terms should be short. The Pelican Bay hunger strikers adopted the commission's recommendations into their core demands, along with an end to the system of gang validation, and provision of adequate food and constructive programming for SHU inmates. The demands were far from radical. Yet a spokesperson for the California department of corrections and rehabilitation insisted that the state was not going to concede under these types of tactics.

While its tangible results were few, the hunger strike received surprisingly widespread press coverage, in spite of the CDCR's complete ban on media access to participating prisons and prisoners. And the visibility wrought by the hunger strike builds upon the work of a growing number of advocates. Earlier this year, the [National Religious Campaign Against Torture issued a statement](#) calling for an end

to prolonged solitary confinement across the nation, and urged people of faith to sign on. They joined the American Civil Liberties Union and American Friends Service Committee, along with several smaller or state-based groups, in opposing solitary confinement as it is practised in the United States today.

If the public at last begins to acknowledge long-term solitary confinement as a form of torture and a major human rights issue, it will be owing largely to the efforts of these activists and to a group of prisoners who, for a few weeks this summer, starved themselves in solitude to bring their torment to light.

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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Maybe this explains the growing war on police in this country, the deliberate killings. I expect that might extend later to those who work the prison system too. I'm actually surprised gangs haven't targeted some of the worst prisons for invasion, like one would a concentration camp in Germany.

Brakeing new the legal system is really strong and scary lol i just got an answer that i tried to learn the answer to for years and the answer is grim news even without using the same a judge can use solitary as a condition of a sentence now that's scary if anything is that be it if that's not bad a nuff the bop can do that to lol welcome to the plane of justice we have hit the tribunals age lol

This article is well written: Unfortunately, too few people are listening: Perhaps they are not listening because it is not happening to their families.

In my observation, I have found, that silence by society in general, is an agreement to condone human violations, by any means necessary.

I do not have the source(s) to call for a nationwide protest march, in relationship to, the (political) prisoners that are held in solitary confinement, but I would be willing to march right along beside the ones that does have the source and means to put together such a march.

As Philip A. Randolph once said, freedom is won, it is not extracted can become true for all prisoners from the prolonged isolations within the SHU and SuperMax prisons; at least here in California.

My prayers, are with all of these young men, no matter how they have ended up in prison and how they are placed within these conditions.

Second, their hunger strike was not just for themselves, they were also fighting by going hungry for all prisoners: whilst at the same time, the 6,600 that participated, allows anyone to see just how wide spread this abuse is, with no end in sight.

I spent 10 years in California prisons and know the Pelican Bay SHU personally. I wrote a drug war novel Roll Call by Glenn Langohr to show the public the path we are on by incarcerating petty criminals is only breeding bigger ones who are displaced from society when they are released. The U.S is not the leaders of the free world; we are the leaders of the incarcerated world! I started <http://www.lockdownpublishing.com> when I got out of prison to help other prisoners change their lives through writing. I pray more people stand up and look at the five demands asking for humane treatment! <http://youtu.be/jEQ8Gh1-bFs>

well done to those who gave every last bit of fight in them on the field of war and like Spartans have given there all i hope they win what they should get a end to the cruelty though i sadly doubt the state will do much in the long run i hope that this shows all in justice that they can stand as one no matter the races or gang that if they stand as one they can overcome the darkness of justice and bring light this war is not close to over though this chess game is seemingly never ending sadly but for now be glad in your winning you have earned it and i hope

meny more to come may thare be light in the darknes of justice

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