

ROCK

★ Working to Extend Democracy to All ★

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TO ALL OUTSIDE SUPPORTERS ON THE ABOLITION OF SOLITARY CONFINEMENT

From: Main Representatives, PBSP, SHU, Short Corridor, July 8, 2012.

Greetings to all of our supporters who stand with us in solidarity for our collective struggle to force an end to CDCR’s indefinite Security Housing Unit/Administrative Segregation (SHU/Ad-Seg) policies and practices.

More than a year has passed since our July 1, 2011, peaceful protest hunger strike actions, calling for an end to decades of SHU/Ad-Seg abusive confinement; and, we’re still waiting for CDCR to meet our five core demands, all of which CDCR’s top administrators admitted were reasonable! Thus, at this stage of our struggle, we believe your outside support efforts should focus on pushing CDCR to grant one, or two, of the most important main issues relevant to our core demands!

At this point, these are the non-negotia-

ble demands that CDCR must grant, as follows:

1. CDCR MUST ABOLISH “INTELLIGENCE” BASED SHU/AD-SEG CONFINEMENT!

This is short, attention grabbing, and goes to the heart of our first three core demands, because most of us are in SHU/Ad-Seg based on alleged gang-activity “intelligence” and, can be followed up with the following explanatory summary.

For more than 25 years, CDCR’s policy has been to place/retain thousands of prisoners classified as gang members/associates in SHU/Ad-Seg indefinitely, based on so-called “intelligence” indicating alleged gang-activity. Now it’s important to note that CDCR’s definition of “intelligence,” as applied to, and used for, “sanctionable gang-activity” purposes by CDCR, is in reference to innocent associational activity; political type activity; and/or, unsubstantiated allegations of involvement in gang-activity, by confidential prisoner informants!

Most of these prisoners have never been found guilty of committing a gang-related, criminal act, while spending decades in SHU/Ad-Seg, subject to the torturous conditions therein, with no end in sight!

Equally important to note is the fact that CDCR’s NEW proposed gang management policy changes claim to be behavioral based, i.e., sanctions will be imposed upon those found guilty of “criminal gang behavior,” implying one has committed, been charged for and found guilty of, a criminal act!

However, the truth is that CDCR will continue to rely on “intelligence” based

information to keep alleged “members” in SHU/Ad-Seg indefinitely, without any requirement for CDCR to formally charge them with a rule violation! See, e.g., CDCR’s March 2012 Proposal at pages 7-8, 25, re “intelligence” references, and pages 19-24 re “intelligence” categories. This equates to ZERO change from the present “inactive gang status” policy that’s proven to be a SHAM for 13 years!

Such a policy/practice regarding STATUS” gang-label and intelligence based indefinite SHU/Ad-Seg confinement for decades amounts to TORTURE, condemned by the international community, and, WE collectively condemn this practice in California!

We hereby demand an end to this illegal practice immediately! SHU/Ad/Seg confinement should be reserved for prisoners found guilty of committing a serious rule violation that merits a SHU term--period!

2. A FOUR YEAR STEP DOWN PROCESS IS TOO LONG!

Any Step Down Program should be no longer than 18 months MAX; and, the incentives need to be meaningful, e.g. contact visits, etc., ASAP!

These are two solid points to focus on, and leave CDCR with no wiggle room. These are non-negotiable, mandatory reforms, while the rest of our core demands (including our supplemental demands) are open for negotiations after the above referenced two demands are met! •

In Solidarity & With Respect

Todd Ashker, Arturo Castellanos, Sitawa N. Jamaa, Antonio Guillen, PBSP, SHU, Short Corridor, Main Reps.

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MESSAGE TO ASSOCIATE WARDEN

To: SHU Assistant Warden P. T. Smith
From: Arturo Castellanos, C17275, SHU Representative

Re-Opening D Facility SHU Visiting Room:

Summary: D Facility SHU visiting room needs to be re-opened so that prisoners in both C and D facilities can receive their mandated 12 hours per week visits, under CCR Title 15, Section 3172.2 (a), which mandates that “each institution/facility shall provide visiting for no less than 12 hours per week ...” which is a CDCR state created right!!

PBSP-SHU Visiting History: In 1989-90, in order to intentionally cause mental anguish to SHU prisoners, their families and friends, which was meant to discourage visiting and to encourage prisoners to debrief or go crazy, and under the guise of giving us court mandated access to the law library, IGI-CCI Briddle and IGI Lt. Devin T. Hawkes (both now retired) came up with the idea to convert D Facility SHU visiting room into the SHU Law Library, and forced all C and D Facility SHU prisoners and their families, etc., to visit in the C Facility visiting room -- All to reduce the time and space available for visiting in order to discourage families and friends from travelling long distances for less than 12 hours per week of visits.

This arbitrary action cut our 12 hours per week down by half, to 2 - 3 hour visits (4 - 6 hours per week). And in 2005, when the long and short corridors were created, IGI-CCI Devin T. Hawkes and his IGI Lt., came up with the “additional” idea to further and arbitrarily reduce that 4 - 6 hours of time and space available for visiting, down into 3 time slots (i.e., 8:45 to 10:45 for D-5 through D-10; 10:45 to 12:45 for D-1 through D-4; 12:45 through 2:45 for C-1 through C-12). In addition, under the false premise of “security,” IGI Hawkes further required that the visiting room first be emptied before bringing the next visiting time slot prisoners, so prisoners from one time slot would not be able to talk to prisoners on the other time slots. And to date, we consider ourselves lucky to get 90 minute visits.

The Present: Now, keeping the above in mind, and Mr. Kernan’s and this Administration’s statements, that SHU prisoners will receive extended visits “if” there is space and time available -- that is just not

possible with the three time slots, because as demonstrated, there is absolutely no space and time available. So, we suggest that CDCR and this Administration now abandon that statement that goes no-where.

The bottom line here, is that D Facility SHU visiting room was originally constructed to be solely used for D Facility SHU prisoners to visit with their family, friends and their attorneys. And it was never intended to be utilized as a law library. Therefore, we would like our D Facility visiting room back so that both C and D Facility SHU prisoners can have their mandated 12 hours of visits per week (i.e., Non-holidays: 6 hours Saturday and 6 hours Sunday. Holidays: 4 hours for each of the 3 days, totaling 12 hours.)

Furthermore, under CCR Title 15, Section 3170, CDCR encourages “maintaining family and community connections.” However, prior to the hunger strike, IGI-CCI Briddle, Hawkes and past administrations seemed to have been hell bent on destroying all our outside relationships in order to try to break us down to debrief or go crazy!! Thus, we now hope and expect this Administration to act a lot more responsibly and do the right thing and assist in maintaining family and community connections, by doing everything within its full authority to Re-open our D Facility SHU visiting room ASAP.

Law Library, etc: Finally, as for a new area for the Law Library, these are just several suggestions. Since there are 22 law computers in the law library with disks with up-to-date case law mandated by the court, we suggest: (1) Convert the holding cells across from the C and D Facility main control booths - where the originally intended law library was - where SHU prisoners can securely use the law computers; (2) Build new cages outside (like those in Ad-Seg and COR), where SHU prisoners can securely use the law computers; (3) Secure one law computer in each of the 22 SHU units dry-cells for law library use, where unit floor and control officers can run the unit law library. As for the legal forms, legal copy machine and recreational books, they need to be moved to an empty room somewhere else because, this administration needs to do whatever it takes to give us back our visiting room time and space. ●

Thank you very much,

Arturo Castellanos, C17275
PBSP - SHU, D-1-121

Quote Box

“When the prison gates slam behind an inmate, he does not lose his human quality; his mind does not become closed to ideas; his intellect does not cease to feed on a free and open interchange of opinions; his yearning for self-respect does not end; nor is his quest for self-realization concluded. If anything, the needs for identity and self-respect are more compelling in the dehumanizing prison environment. Whether an O. Henry writing his short stories in a jail cell or a frightened young inmate writing his family, a prisoner needs a medium for self-expression. It is the role of the First Amendment and this Court to protect those precious personal rights by which we satisfy such basic yearnings of the human spirit.”

Thurgood Marshall, U.S. Supreme Court Justice, Procunier v. Martinez, 416 US 396 - 1974

“We artists are indestructible; even in a prison, or in a concentration camp, I would be almighty in my own world of art, even if I had to paint my pictures with my wet tongue on the dusty floor of my cell.”

Pablo Picasso (1881–1973), Spanish artist

“Civil disobedience is not our problem. Our problem is civil obedience. Our problem is that numbers of people all over the world have obeyed the dictates of the leaders of their government and have gone to war, and millions have been killed because of this obedience. . . . Our problem is that people are obedient all over the world in the face of poverty and starvation and stupidity, and war, and cruelty. Our problem is that people are obedient while the jails are full of petty thieves, and all the while the grand thieves are running the country. That’s our problem.”

Howard Zinn, "Failure to Quit", p. 45

“Where is the justice of political power if it executes the murderer and jails the plunderer, and then itself marches upon neighboring lands, killing thousands and pillaging the very hills?”

Kahlil Gibran - 1883 - April 10, 1931

TIDBITS

Corcoran Prison On Lockdown Following Riot

August 07, 2012

CORCORAN — Authorities are investigating an 80-inmate riot that broke out at California State Prison Corcoran on Monday night.

The violence erupted at 8:21 p.m. on the facility's level one yard for minimum security inmates. Wielding manufactured weapons, the convicts assaulted each other until staff members hit them with pepper spray and blast grenades, officials said.

Five inmates were injured during the melee, Public information officer Theresa Cisneros said, and were taken to local hospitals for treatment. They have since been returned to the facility.

No injuries were reported among the staff.

Minimum security inmates have been placed on a modified program, or lockdown, since the attack occurred. The prison's Investigative Services Unit is still trying to determine the cause of the violence.

The last prison riot to hit Kings County happened early January at Corcoran's Substance Abuse Treatment Facility. Around 60 inmates were involved in that incident.

Both facilities have seen their fair share of inmate-related violence this year. Four inmates have been murdered at Corcoran SATF in the last seven months and another was killed at Corcoran State Prison in July.

Last week, another inmate at SATF made headlines when he assaulted a nurse with his handcuff chain and tried to strangle her to death.

Monday's riot remains under active investigation.

<http://www.hanfordsentinel.com>

Each One Teach One

A prisoner in Ad Seg because of his political education work with other prisoners writes: "I have two points towards my validation, but I'm not worried about that. If that's some form of scare tactic, it's not going to work. I will continue to build schools of liberation wherever I go, and I've been here two weeks and already have the whole tier reading the SF Bay View and the PHSS and ROCK Newsletters. I also let my neighbor read Professor Michelle Alexander's book, and David Gilbert's book to another neighbor. The reality is very alive that Each One needs to Teach One, in order

for all oppressed to be free. This so far is the best study cell I've created and everyone who comes to this building has wanted to partake of the study sessions."

New Orleans Stats

New Orleans, Louisiana ranks number one in world prison rate. Louisiana imprisons more of its people, per head, than any of the other 50 states. Louisiana rate is five times higher than Iran, 13 times higher than China and 20 times Germany. In Louisiana, one in 86 adults is in prison. In New Orleans, one in 14 black men is behind bars. In New Orleans, one of every seven black men is in prison, on parole or on probation. Source: Times-Picayune.

New Orleans ranks second in rate of homelessness among US cities. Source: 2012 Report of National Alliance to End Homelessness.

New Orleans ranks second in highest income inequality for cities of over 10,000

Source: Census

CDCR Will Not Meet Deadline To Reduce Prison Population

SACRAMENTO, CA - Even after being ordered by the U.S. Supreme Court to reduce its prison population, the California Department of Corrections and Rehabilitation admits it probably won't be able to meet the mandate of 137.5 percent of capacity by the June 2013 deadline.

There are roughly 6,000 to 8,000 more inmates in the system that need to be moved. Instead, the agency will ask to raise the cap to 145 percent, defending the move by saying it's not the number that counts.

"We are making great progress towards improving the quality of health care in the prison system and that's really what the federal courts were interested in." CDCR spokesperson Jeffrey Callison said.

Widow Claims Intolerable Working Conditions At California Department of Corrections Caused Husband's Suicide

"The widow of Scott Jones, who corroborated reports of illegal doings in the High Desert State Prison, claims the California Department of Corrections and Rehabilitation subjected her husband to such intolerable working conditions that he killed himself, in Federal Court."

Courthouse News, 8/22/12

BATTERY ON A PEACE OFFICER AT HIGH DESERT STATE PRISON DURING A RIOT

On August 21, 2012, at High Desert State Prison (HDSP), Facility C Yard #1, had 2 African American inmates engage in a fist fight. The yard was ordered down and all inmates complied, including the 2 African American inmates involved in the fight. Due to the location of the fight the initial responders, approximately 12, ordered a number of inmates to move out of the response path. Two of the inmates being moved were Southern Hispanic inmates. They were slow to comply with staff's orders and move out of the way so staff could safely advance to the incident. The 2 African American inmates involved in the fight were removed from the yard without incident.

Prior to the yard resuming, 2 Officers and a Sergeant went over to remove the Southern Hispanic inmates from the yard. One inmate was ordered to stand up to be escorted off of the yard and he stood up and faced one of the Officers. The Officer ordered the Southern Hispanic inmate to turn around and submit to a clothed body search; the inmate refused. The inmate also refused orders to submit to handcuffs. The Officer then ordered the inmate to lie down on the ground and the inmate struck the Officer in the face, with his fist. The other Officer utilized his physical strength to force the inmate to the ground and injured his shoulder taking the inmate down.

At the same time, 7 other Southern Hispanic inmates to the left of the officers, jumped up and attacked staff. Then, a group of Southern Hispanics on the right and a group of Southern Hispanics from behind jumped up and ran for the staff line that had 5 staff members left. There were 42 Southern Hispanics on the yard and they all charged the skirmish line, from 3 directions.

Due to the prior incident, secondary response was located just outside of the facility gate and they entered Facility C Yard #1. The 8 staff members on the yard were assaulted and utilized O.C. pepper spray, batons, C.N. and physical force, as well as a 40MM loaded with XM-1006 Direct Im-

Battery..... Continued on page 10

NEW REPORT EXAMINES THE HARDSHIPS OF LIFE AFTER SOLITARY CONFINEMENT

August 10, 2012

By Jean Casella and James Ridgeway

An important new report, released yesterday by the American Friends Service Committee in Arizona, is the first to focus on the effects solitary confinement has on its survivors after they leave prison. *Lifetime in Lockdown: How Isolation Conditions Impact Prisoner Reentry*, finds that spending time in solitary leaves people “deeply traumatized and essentially socially disabled.” These “crippling symptoms” combine with “the extensive legal and structural barriers to successful reentry” to create “recipe for failure.” It is hardly surprising, then, that the report is able to “directly link conditions in Arizona’s supermax prisons with the state’s high recidivism rate.”

Lifetime in Lockdown raises issues that have been largely absent from research and discussions on prisoner reentry and recidivism. As the report points out:

Much of the discourse...has focused on what are referred to as ‘collateral consequences’: the structural barriers erected by institutions that bar people with criminal convictions from voting, housing, employment, welfare assistance, and other factors critical to ensuring success upon release. Rarely is there discussion of the direct impact that prison conditions have on a person’s cognitive, emotional, social, and behavioral functioning and therefore, on that person’s ability to function as a member of society post-incarceration.

The most serious problems, of course, result from the “deleterious mental health impacts of incarceration in super maximum-security—or “supermax”—environments,” which remain with people long after they leave solitary for the general population, or leave prison for the free world. In addition, the report finds, “policies limiting visitation and prohibiting maximum-security prisoners from participation in education, treatment, and employment have a negative impact on these prisoners’ reentry prospects.”

Yet the Arizona Department of Corrections, like most prison systems, does little to “prepare prisoners who have been held in supermax during their incarceration for reentry to the community,” and on the outside, “social service agencies are largely unaware of, and unprepared to address, the

special needs of this population.” Many survivors of solitary “slip through the cracks,” while others self-isolate and deliberately avoid social service agencies.”

The report is based largely on research done by Dr. Brackette F. Williams, Associate Professor of Anthropology at the University of Arizona, under a Soros Justice Fellowship. Under the name “Project Homecoming,” Brackette worked with the AFSC in Arizona to study the impact of solitary confinement on prisoner reentry. As the report notes:

Psychologist Dr. Terry Kupers makes the comparison between prisoners who have just been released from solitary confinement in a supermax facility and persons who were recently on suicide watch. The most likely and dangerous time for violence, acting out, or another crisis to occur is immediately after one is released. Dr. Kupers says, “Whether a prisoner leaves the isolation unit and gets into trouble on the yard or ‘maxes out...’ and gets into trouble in the community, we are seeing a new population of prisoners who, on account of lengthy stints in isolation units, are not well prepared to return to a social milieu.” This is an institutional and systemic problem that is created by the conditions of incarceration...

The participants reported that they would often avoid the areas where the few available social service agencies, transitional homes, and homeless shelters are located, because these are areas where they made poor choices previously. Likewise, available shelters offer very little in the way of privacy, are always crowded, and difficult to get into. For prisoners who have spent years in isolation, such an environment would be the last place they would want to turn. While deciding to avoid problem locations would usually be considered wise, the reality is complex—in these cases, it renders the individuals even more isolated and lacking any support networks or services. Here, the self-inflicted social isolation that was created by the extreme isolation in prison is most noticeably debilitating.

In describing his life on the outside, one participant who avoided old neighborhoods and contacts said that “life is way harder out here for me than it is in there.” He is not alone in this nostalgia for prison life and for the isolation of the supermax cell.

A female participant, also homeless and barely getting by at the time of the interview, said almost ashamedly, “The worst thing that I can honestly say about trying to get back into society is I miss my cage more and more everyday. I just can’t function out here.” When asked, “Do you want to the small cage back or the big cage?” she replied, “The smaller the better. I can control everything in it.” They make repeated efforts to avoid people, for example moving to the edge of the city or living alone in a tunnel. It is strikingly reminiscent of the social withdrawal that Craig Haney describes as endemic to persons held in isolation for long periods, except now they are outside the supermax cell, in the great wide open of supposed freedom, which terrifies them.

Thoughts of suicide permeated many of the participants’ interviews, especially when the conversation turned toward plans for the future. At least 10 of the male participants (50 percent) from Pima County had considered suicide between their release from prison and their first interview. Each participant who reported suicidal thoughts mentioned them in more than one of their interviews. Strikingly, some of these men had been out of prison less than one week when the first interview took place. They reported the inability to see a viable way to remain out of prison, yet at the same time could not imagine doing more prison time. By their final interview, three of these men stated that they considered suicide on a daily basis, but had yet to act on these considerations. A few also considered committing some crime that would land them back in prison and allow for more time to devise a better strategy for handling life on the outside.

Anyone leaving prison is faced with an unwelcoming social landscape. The simultaneous necessity and absence of housing and work are experienced immediately. The freedom of release is truncated by limited housing options, partially as a result of neighborhood bans on people with felony convictions, and a job market that has very little inclination or incentive to hire former prisoners. Add to this reality significantly higher rates of mental illness; tendencies toward social withdrawal; lack of support networks or family to rely on due to the added social distance of a supermax pris-

on; and no transition services after spending years in the most extreme isolation, and the experience of a former supermax prisoner begins to take shape. More notably it begins to demonstrate the compounded effects of supermax confinement and the additional limitations once released. In the same way, one prisoner's perceived ease of life in prison compared to his experiences of life on the outside, as well as another's longing for a space she can control even if it is a cage, demonstrates precisely the extra layer of difficulties created by prolonged isolation.

A press release from AFSC calls the report's findings "a wake-up call to corrections officials, state leaders, and social service agencies, who are often completely unaware of the prison experiences of their clients or how to assist them in this transition. AFSC hopes that this research will add to the growing body of evidence that the practice of long-term solitary confinement in supermax units creates more problems than it is purported to solve and should be abolished."

AFSC also notes that "the release of this report coincides with the launch of Arizona is Maxed Out, a joint campaign with the ACLU of Arizona against the planned expansion of maximum-security prisons in Arizona. The latest state budget allocated \$50 million to build 500 more maximum-security beds in the next two years." •

<http://solitarywatch.com/2012/08/10/new-report-examines-the-hardships-of-life-after-solitary-confinement>

SOLITARY CONFINEMENT: AN "ECOLOGY OF CRUELTY"

For the first time, on June 19, 2012, a U.S. Senate subcommittee held a hearing on the use of solitary confinement in prisons and the question of human rights. A replica of a solitary cell—just 7 feet by 10 feet and bare except for a cot and a toilet—was placed at the front of the hearing room during the proceedings as a stark reminder of the prison conditions that face inmates in prolonged isolation. This is an issue of great concern for many people and 80 people were seated in the room and another 180 people filled an overflow room. Only three senators participated in the hearing. These hearings came shortly before the

first year anniversary of the heroic hunger strike of the prisoners in California who put their lives on the line to tell the world about the inhumane torture of solitary confinement. And the horrific nature of solitary confinement—in which prisoners are being brutalized, deprived of human contact, and literally driven crazy—underscores how mass incarceration in this country has nothing to do with rehabilitation or justice, but is about locking up a whole section of society—especially poor Black and Latino men—to whom this system offers no future. Prisons in the U.S. are aimed at punishment: degrading, dehumanizing, and breaking people.

The following excerpts from one of the testimonies at the hearing were submitted by a volunteer in the mass incarceration project of *Revolution newspaper*.

Testimony of Professor Craig Haney, Senate Judiciary Subcommittee on the Constitution, Civil Rights, and Human Rights Hearing on Solitary Confinement, June 19, 2012.

Craig Haney has been studying the psychological effects of solitary confinement for well over 30 years. He was a researcher in the 1971 Stanford Prison Experiment where, as Haney explained, "My colleagues and I placed a carefully screened group of psychologically healthy college students in a prison-like environment, randomly assigning half to be guards, half prisoners. We observed with increasing concern and dismay as the behavior of the otherwise psychologically healthy volunteers in our simulated prison rapidly deteriorated into mistreatment and emotional breakdowns."

Haney said, "I have conducted systematic psychological assessments of approximately 1,000 isolated prisoners, most of whom have been confined in solitary confinement units for periods of years, and even decades, during which time they have been kept separate from other prisoners, and denied the opportunity to have any normal human social contact or to engage in any meaningful social interaction."

On what solitary confinement is, he said:

"The units all have in common the fact that the prisoners who are housed inside them are confined on average 23 hours a day in typically windowless or nearly windowless cells that commonly range in dimension from 60 to 80 square feet. The ones on the smaller side of this range are roughly the size of a king-sized bed, one that contains a bunk, a toilet and sink, and all of the prisoner's worldly posses-

sions. Thus, prisoners in solitary confinement sleep, eat, and defecate in their cells, in spaces that are no more than a few feet apart from one another."

"Virtually all of the solitary confinement units with which I am familiar prohibit contact visits of any kind, even legal visits. This means that prisoners go for years—in some cases, for decades—never touching another human being with affection. Indeed, the only regular 'interactions' that prisoners housed in these units routinely have occur when correctional officers push food trays through the slots on their doors two or three times a day in order to feed them. The only form of actual physical 'touching' they experience takes place when they are being placed in mechanical restraints—leg irons, belly chains, and the like—in a procedure that begins even before their cell doors are opened, and which is done every time they are taken out of their cells by correctional staff, on the relatively infrequent occasions when this occurs."

"...There are two very problematic but little publicized facts about the group of prisoners who are housed inside our nation's solitary confinement units. The first is that a shockingly high percentage of them are mentally ill.... The other very troublesome but rarely acknowledged fact about solitary confinement is that in many jurisdictions it appears to be reserved disproportionately for prisoners of color."

"...We know that prisoners in solitary confinement suffer from a number of psychological and psychiatric maladies, including: significantly increased negative attitudes and affect, irritability, anger, aggression and even rage; many experience chronic insomnia, free floating anxiety, fear of impending emotional breakdowns, a loss of control, and panic attacks..."

"...What might be termed an 'ecology of cruelty' is created in many such places where, at almost every turn, guards are implicitly encouraged to respond and react to prisoners in essentially negative ways—through punishment, opposition, force, and repression."

"There is some recent, systematic evidence that time spent in solitary confinement contributes to elevated rates of recidivism."

"Solitary confinement continues to be used on a widespread basis in the United States despite empirical evidence suggesting that its existence has done little or nothing to reduce system-wide prison disorder or disciplinary infractions." •

LETTERS

[*Note: Names of letter writers will be withheld unless the author of the letter explicitly approves printing of their name.*]

Muzzling The Struggle

Thank you for the August 2012 issue of the Rock. I was glad to hear about the positive response on the financial support—the spirit's alive!

Just so you know, this past June, a newsletter was stopped from coming in (*Under Lock & Key* by MIM distributors), because it printed writings of prisoners in different prisons. On appeal it was said "it contains writings and information gathered by on person, who types up the newsletter and distributes it to persons who subscribe to it. This is considered third-party mail." So according to them any publication can be third-party mail. They were specifically tripping on an article by a prisoner in Corcoran that spoke of the retaliation for the hunger strike and new protest ideas that scared them—must have been pretty good.

I think the best part of our strategy in the protest was taking it to the public, making them aware of what's going on over here, and doing it in a non-violent way. When I write I'm writing to the public, I'm trying to explain to them what's going on in here. Sure others are going to read it also, but that's beside the point and makes no difference.

CDCR wouldn't have to worry about new protest ideas if they would have dealt with the last protest in an adequate manner. Instead they shut us out completely on developing the step down program, and treated us as though it were beneath them the deal with us. Now they have ended up with a program they know is inadequate and they're fearful of a renewed protest. So now they are going to violate our First Amendment rights by trying to muffle our outrage.

Name Withheld

Housed with Debriefers

We've read several of your articles, each one more inspiring than the other... and even though our struggle is far from over, we remain 100%! And grateful for the support of our friends, families and loved ones such as yourself.

It's an understatement to describe how

sacrificing our meals was hard in both hunger strikes last year. Though this validation policy affects us in the SHU/ASUs. It was great seeing how many mainlines also stood up in solidarity, recognizing the harsh dubious and arbitrary CDC policy that has and will affect them in a matter of time. So it leaves one to ask... why not deny the state annual TB testing? Since CDC has already demonstrated not caring for our mental health (health care in its entirety) and well-being. CDC cherry-picks which policies they will enforce and which inmates will be allowed work, school and other trades of productivity. So what happens if everyone refuses to program/work?

Next issue is bed space. For example, here in the SHU/ASU. IGI has been purposely housing debriefers in the same vicinity as validated inmates, in attempt for those debriefers to gather info. However, since these attempts are far from effective. Instead, these debriefers "make up" info (exaggerate) which enables IGI to keep us in the SHU indefinitely. And causes others to be placed on single cell status (for what IGI calls 'safety concerns'). Thus, CDC time and again harps how bed space is needed. Solely to sponge more money from tax payers. [So what next?] ... Whatever is agreed upon, we stand in solidarity with respect!

*Andy Rodriguez, CDC# D-89239,
Corcoran State Prison SHU
Postmarked July 27 2012 and transcribed by Kendra Castaneda*

Senat Bill X3-18 Challenged

I'm writing to answer a question in your Rock newsletter. The question from an inmate at Pelican Bay SHU. He wanted to know if anyone is and /or was challenging the effects of the recently passed state legislation on the duration of sentence, on October 26, 2009. Then Governor A. Schwarzenegger signed into law legislation (Senate Bill X3-18) amending Penal Code Section 2933, and creating new section 2933.05. This new law directly affects an inmate's credit earning and eligibility status, mostly for SHU and Ad-Seg inmates.

Among other things, this legislation eliminates the Bridging Education Program (BEP). Basically, prisoners who are denied the opportunity to earn credits due to housing SHU/Ad-Seg are awarded no credit reduction. I am and have been appealing this senate bill since 2010. My appeal has traveled throughout the state courts of appeal.

The case number C-12-02045-EJD (PR), is now in the U.S. District Court, Northern District of California at San Jose. It is in this court we will have that strongest case as the law being challenge (SB X3-18) violates our very constitutional rights.

1. The claims are that revoking our good time credits violates the ex post facto clause.

2. That the revocation violates our right to due process.

[Case law citations omitted.]

So to answer that person's question, yes. The law is being challenged.

Michael D. Russell

[**Ed's Note:** *The art in the lower right of the next page was drawn by Mr. Russell.*]

Guard Green and Maggot Blue?

I'm writing to share a few issues with you:

1. There an article that appeared in the June 2012 issue #45, Volume 8, number 3, of the *California Lifer's Newsletter* called "The Two Faces of CCPOA" that states in part:

"How we feel about Blacks or Mexicans on the street is how we feel about them, but when we step through that gate there are only two colors, guard green and maggot blue." (Page 50)

Name Withheld

[**Ed's Note:** *I was not able to find a copy of the California Lifer's Newsletter online in order to verify the above information. I trust the letter writer so am publishing this. I'll print a retraction in a subsequent issue in the remote event this is wrong.*]

Spread The Unity

I share your desire for a boost in circulation in the GP and with friends and family. I will do what I can on my end to contribute to making that happen. You're doing a great job.

As always, I find something moving and that gets my hopes up when I read the Rock. The pictures of the activists using a replica of a SHU cell to raise public awareness or the compassion that comes through in Jessica Escobar's distressing story as she tells us of her friend on the inside recently getting validated. These things let us know that there are people out there who care.

Though our struggle is part of a larger class struggle that takes place both inside and outside these walls, it is mainly in here,

inside the prisons, where our battle must be fought. So I am especially enthused when I read prisoner articles that recognize the need for us to change ourselves and come together across racial and regional lines. Our battle is in here and we can't depend on no one out there to fight them for us.

Our struggle, as the prisoner who wrote "Time For Change" says, is going to take a brave sacrifice from and for all (my emphasis). We want to close down the SHUs, we want to put a stop to all of CDCR's arbitrary policies and we can accomplish these things. We must keep ramming that wall until there's enough of us to knock it down. When we get knocked back down on our asses we must not only look for new ways, strategies, methods to unite all those who must be united, we must also recognize encumbrances and discard all the baggage that's weighing us down. If an idea, custom, or norm is preventing greater unity, then that idea is outmoded and works to reinforce that very wall we're trying to knock down. Lines must be drawn sharper than ever before between us and CDCR. So long as it's prisoners against prisoners and also CDCR then we will share a great deal of the blame for the conditions we find ourselves in.

If prisoners are really committed to this struggle, and are determined to keep pushing forward until we've done away with the outrages that have compelled us to act, then the need to rupture with racism and all the forms of factionalism that exist among the prisoners population will continue to present itself at every step of the way. The racism and rivalries that permeate prison politics do not, and cannot, conform to any long-term prisoners' struggle that has any chance of success. On the contrary, racism and rivalries among prisoners better correspond with and serve the interest of those who want to keep the SHUs open.

It is very encouraging to see prisoners of all races come together in the SHU to kick off this struggle. This kind of unity needs to spread out to the mainline yards.

Name Withheld

A Hostage Rumbles

Those who do not understand the SHU, meaning those who don't know or don't care, would most likely believe the CDCR's contention that it's about gang, race, and crime. In fact, it is an experiment! All human beings locked up and locked away from everything that sustains life deal as one against an unseen antagonist. A nefari-

ous clandestine group of social engineers whose job (experiment) is to keep us all inextricably woven into a mentally intensive repressive draconian rule created to dismantle equanimity. They get away with it because we are out of sight, therefore out of mind.

Charles Dickens wrote of solitary: "I find this slow and daily tampering with the brain to be immeasurably worse than any torture to the body."

As I sit here in my windowless incubation of indignation. As these plumes of pain steer through my veins. As I daily confront this long, arduous battle of attrition. As I wait for this concrete to soak up my soul, I wonder when will the people of the greatest nation on earth realize we have the most insidious, feckless, vacuous, and destructive prison system on the planet.

Signed: Pelican Bay SHU Hostage

Thank You Jessica Escobar

I read the article "America's Disgrace, The Use of Solitary Confinement Against American Prisoners" by Jessica Escobar [*Rock*, Vol. 1, No. 8, pg. 1]. I merely wanted to say that it was a well written article. I was surprised that in the span of two years she managed to become so knowledgeable about this prison and the way it operates. But then again, when one has a vested interest (a loved one or friend at PBSP) they unfortunately inherit some of the same hard [the PBSP SHU rubber stamp obscures this word] the prisoners does.

A lot of us who opened PBSP-SHU back in 1989 have seen those same issues she wrote about repeat themselves over and over again. The only thing that changes are the names and faces. So I hope people don't forget that the types of things written about have been going on for years. They are not merely some recent phenomenon.

And neither is this struggle to change the draconian policies of the CDCR regarding SHU placement and the treatment of prisoners. The CDCR put in too much work over the years through their propaganda to dehumanize SHU prisoners in order to justify their application and use of solitary confinement, to give up so easily, this fight is long from over and really has no end. Because the day we stop fighting to keep any positive gains made, the CDCR will try to take it all back.

To date the CDCR has not given us one thing that SHU prisoners did not have at some point of time before. The things we prisoners have gotten (watch caps, sweat

pants, etc.) were all items we used to be allowed in the SHU years ago. We used to be allowed many more items in our annual packages, and we used to have much better canteen purchase items, we used to be able to take pictures on the SHU yards and used to have exercise equipment on SHU yards. All of that was pre-Corcoran SHU and pre-Pelican Bay SHU. So all of these items are merely the [PBSP SHU rubber stamp obscures this word, I'll use the word "crap"] we are getting back.

I'm not saying we prisoners should not appreciate these items we are getting once again. I'm just pointing out that prisoners should not become complacent and think that the struggle is anywhere near over. Being comfortable while in SHU is nice, but you're still in SHU. And even making it to the mainline, if the CDCR manages to pass its STG I and II scheme that it proposed a few months back, it won't be a possibility that most prisoners will be placed in SHU again—it will be a certainty that most prisoners will end up back in the SHU. SHUs are the bread and butter of the CDCR. Any time they (custody staff) can get paid more for just keeping a guy in a box, they are going to do it.

And the courts are not going to show any sympathy to prisoners. Cases are getting harder to litigate. As soon as the courts lifted their orders regarding law library (*Gilmore v. California*) and the *Madrid v. Gomez* order, PBSP has gone back to some of its same old tricks. They know the courts are more reluctant to intervene unless people (prisoners) are actually dying in droves because of CDCR's treatment of its prisoners.

Letters Continued on page 9



THE LIVING DEATH OF SOLITARY CONFINEMENT

By Lisa Guenther, August 26, 2012
NY Times

There are many ways to destroy a person, but the simplest and most devastating might be solitary confinement. Deprived of meaningful human contact, otherwise healthy prisoners often come unhinged. They experience intense anxiety, paranoia, depression, memory loss, hallucinations and other perceptual distortions. Psychiatrists call this cluster of symptoms SHU syndrome, named after the Security Housing Units of many supermax prisons. Prisoners have more direct ways of naming their experience. They call it “living death,” the “gray box,” or “living in a black hole.”

In June the Judiciary Subcommittee on the Constitution, Civil Rights, and Human Rights, headed by Senator Richard J. Durbin, Democrat of Illinois, held the first Congressional hearing on solitary confinement. Advocates and experts in the field were invited to submit testimony on the psychological, ethical, social and economic issues raised by punitive isolation. Among the many contributors was Anthony Graves, who spent over 18 years on death row in Texas, most of them in solitary confinement, for a crime he did not commit. Graves describes his isolation as a form of “emotional torture.” Two years after his exoneration and release, he still feels trapped in isolation: “I am living amongst millions of people in the world today, but most of the time I feel alone. I cry at night because of this feeling. I just want to stop feeling this way, but I haven’t been able to.”

We tend to assume that solitary confinement is reserved for “the worst of the worst”: violent inmates who have proved themselves unwilling or unable to live in the general population. But the truth is that an inmate can be sent to the hole for failing to return a meal tray, or for possession of contraband (which can include anything from weapons to spicy tortilla chips). According to the Bureau of Justice, there were 81,622 prisoners in some form of “restricted housing” (code for solitary confinement) in 2005. If anything, these numbers have increased as isolation units continue to be built in prisons, jails and juvenile detention centers across the country. Given that 95 percent of all inmates are eventually released into the public, and that many of these will be released without any form of transition or therapy, solitary confinement

is a problem that potentially affects every one of us.

In my own statement for the Senate subcommittee, I made a philosophical argument against solitary confinement, drawing on my research in phenomenology. Phenomenology is a philosophical method for uncovering the structure of lived experience by describing what it is like from a first person perspective. Rather than attempting to prove a set of objective facts, phenomenology tracks the way that a meaningful experience of the world emerges for someone in the total situation of their Being-in-the-world. It’s not that facts are unimportant, but rather that they are not meaningful in themselves; they become meaningful when they are experienced by someone in relation to a wider context or horizon. What happens when that horizon shrinks to the space of a 6-by-9 cell?

Consider the following testimony from prisoners interviewed by the psychiatrist Stuart Grassian in Block 10 of Walpole Penitentiary in 1982:

“I went to a standstill psychologically once - lapse of memory. I didn’t talk for 15 days. I couldn’t hear clearly. You can’t see—you’re blind —block everything out—disoriented, awareness is very bad. Did someone say he’s coming out of it? I think what I’m saying is true—not sure. I think I was drooling—a complete standstill.

“I seem to see movements - real fast motions in front of me. Then seems like they’re doing things behind your back - can’t quite see them. Did someone just hit me? I dwell on it for hours.

“Melting, everything in the cell starts moving; everything gets darker, you feel you are losing your vision.

“I can’t concentrate, can’t read... Your mind’s narcotized ... sometimes can’t grasp words in my mind that I know. Get stuck, have to think of another word. Memory is going. You feel you are losing something you might not get back.”

Deprived of everyday encounters with other people, and cut off from an open-ended experience of the world as a place of difference and change, many inmates lose touch with reality. What is the prisoner in solitary confinement at risk of losing, to the point of not getting it back?

The prisoner in a control unit may have adequate food and drink, and the condi-

tions of his confinement may meet or exceed court-tested thresholds for humane treatment. But there is something about the exclusion of other living beings from the space that they inhabit, and the absence of even the possibility of touching or being touched by another, that threatens to undermine the identity of the subject. The problem with solitary confinement is not just that it deprives the inmate of her freedom. This harm is already inflicted by our prison system, and depending on how you feel about justice and punishment, depriving people of freedom may be justifiable. But prolonged isolation inflicts another kind of harm, one that can never be justified. This harm is ontological; it violates the very structure of our relational being.

Think about it: Every time I hear a sound and see another person look toward the origin of that sound, I receive an implicit confirmation that what I heard was something real, that it was not just my imagination playing tricks on me. Every time someone walks around the table rather than through it, I receive an unspoken, usually unremarkable, confirmation that the table exists, and that my own way of relating to tables is shared by others. When I don’t receive these implicit confirmations, I can usually ask someone - but for the most part, we don’t need to ask because our experience is already interwoven with the experience of many other living, thinking, perceiving beings who relate to the same world from their own unique perspective. This multiplicity of perspectives is like an invisible net that supports the coherence of my own experience, even (or especially) when others challenge my interpretation of “the facts.” These facts are up for discussion in the first place because we inhabit a shared world with others who agree, at the very least, that there is something to disagree about.

When we isolate a prisoner in solitary confinement, we deprive them of both the support of others, which is crucial for a coherent experience of the world, and also the critical challenge that others pose to our own interpretation of the world. Both of these are essential for a meaningful experience of things, but they are especially important for those who have broken the law, and so violated the trust of others in the community. If we truly want our prisons to rehabilitate and transform criminal offenders, then we must put them in a situation

where they have a chance and an obligation to explain themselves to others, to repair damaged networks of mutual support, and to lend their own unique perspective to creating meaning in the world.

We ask too little of prisoners when we isolate them in units where they are neither allowed nor obliged to create and sustain meaningful, supportive relations with others. For the sake of justice, not only for them but for ourselves, we must put an end to the over-use of solitary confinement in this country, and we must begin the difficult but mutually rewarding work of bringing the tens of thousands of currently isolated prisoners back into the world. ●

Lisa Guenther is an associate professor of philosophy at Vanderbilt University and the author of the forthcoming book "Social Death and Its Afterlives: A Critical Phenomenology of Solitary Confinement."

EDITORIAL NOTES

Prisoners have asked me to make this newsletter available to outside people using the Web and/or e-mail. That is now done. There are a couple of ways to share the *Rock* newsletter with family and friends on the streets: First, by directing them to www.prisonart.org, where they can click on the "Rock Newsletter" link. From there they can read, download or print current and past issues for free. Secondly, they can send an e-mail to rock@prisonart.org and ask to be put on the newsletter's electronic mailing list. They will then receive a free copy of each issue by way of e-mail, which will be sent to them a day or two before the printed versions get mailed out to prisoners and "free world" (read minimum custody) subscribers. Lastly, outside folks can actually subscribe to the hardcopy version by sending a small donation (to cover my costs) to Ed Mead, P.O. Box 4743, Seattle, WA 98146-7439.

Now for a few house cleaning items: Please do not write to me with stories of how you were wrongly validated. These kinds of stories are very important but should go to other publications and to reporters on the outside. The public needs to have access to this information. Readers of *Rock*, however, already know full well how tainted and unfair the validation process is. We do not want to waste too much newsletter space talking about the obvious, about what everyone already knows. Next, when I was doing time I liked to get mail.

I'd get free subscriptions to all sorts of publications, not only to get mail but also because I was interested. Now the shoe is on the other foot, I'm the one sending in the subscriptions. If someone in your area is already getting *Rock* and you can all share it, please do so. Don't be like I was and get your own subscription just so you can get some mail. Let's try and keep costs down. And speaking of costs, I still don't need any more stamps or money thanks to the generous donations of readers. I'll let you know when that changes.

I've tried to keep *Rock* as apolitical as possible so as to focus only on aspects of the struggle against the SHU and the draconian policies that put people in there. Hence you may have noticed the absence of my usual commie rhetoric or my failure to print potentially divisive material on subjects such as Black August. This is not *Prison Focus*. But I do get letters from prisoners asking me to comment "on what is going on in current events as far as Syria, the really dumb elections, and so forth...." These are things I want to talk about, too. But for the immediate future *Rock* will only be about the SHU and related issues. Later, if enough prisoners want me babbling about radical politics, I'll do so. Of course I'll always be reporting from a class conscious perspective. I know of no other way.

Okay, until next month, take care in there and continue to stay strong. Keep those letters, articles, and artwork coming. ●

Letters (Continue from page 7)

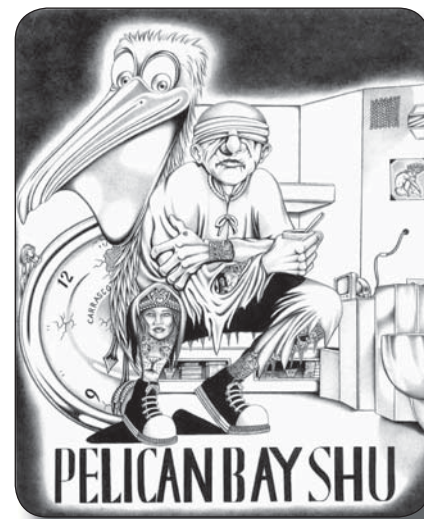
[**Ed's Note:** *When the U.S. district court made a finding of fact that one California prisoner was dying every week due to medical neglect, largely caused by malpractice and overcrowding, a finding that was accepted by the U.S. Supreme Court more than ten years later, and yet the high court gave the state two years to address the problem, with an open option for unlimited extensions of time—a time in which hundreds of prisoners could die.*]

So there is no one front that assures achievement of the reform we have been requesting. This is my person opinion. It takes everything. Whether it's litigation, strikes, or whatever, when the time and opportunity calls for presents itself prisoners do need to take that step. Community support is vital also. But if prisoners don't care what happens to themselves, the community will care less.

This gets me back to the article. In two years Miss Escobar has learned and experienced personally much of the plight we indeterminate SHU prisoners have suffered. And she is placing effort to attempt to change what she feels are unjust practices of the CDCR. And that is why I have to admire her dedication to help correct the wrong that has been done to individuals she corresponds with. She did not allow herself to become intimidated by prison officials. Instead, she did what we prisoners should all do, that first step of educating ourselves. Knowing the history of an issue helps to understand it. How many people are even aware that there were hunger strikes here at PBSP-SHU ten years ago for issues regarding the validation process? Prisoners should know what the five core demands entail, so they can understand what they are fighting for. Also, too many times we prisoners discover the pitfalls of the validation process only after we have been validated. Knowing what to avoid makes it more difficult to get caught up in the traps of the CDCR. But at Miss Escobar's story shows, even knowing what to expect my not be enough to stop prison officials from doing what they want.

We too often forget about the family members and friends of prisoners, and the injustices and intimidation they suffer. That is one more reason to appreciate Miss Escobar's article. The prisoner perspective is one thing, but the non-prisoner perspective adds validity to those complaints we repeatedly lodge. It goes to show not only are we not embellishing our truths, but also show first-hand the emotional stress friends and family actually suffer. So I end this by saying, thank you Miss Escobar for that article you wrote.

Name Withheld



Battery..... Continued from page 3

compact Sponge rounds. The Officer with the 40MM fired 16, XM-1006 rounds into the advancing Southern Hispanic inmates. Responding staff forced the Southern Hispanics back an additional 2 times. In all, the Southern Hispanics charged the staff line 3 times.

Due to the magnitude of the incident and the reasonable belief that the incident would result in great bodily injury or death, the C-2 Control Booth Officer fired 2 warning shots from his state-issued Mini-14 rifle into the C Facility Gym wall. In addition to the Mini-14, there were multiple less lethal force options used by multiple staff members.


All injured staff and inmates were taken to the Correctional Treatment Center (CTC) and 7 staff members and 1 inmate were transported to Banner Lassen Medical Center where they were treated and released for minor injuries.

The case is under investigation by the Lassen County District Attorney's Office and the Investigative Services Unit at HDSP. The Office of the Inspector General's Bureau of Independent review was notified.

High Desert State Prison, located in Lassen County, opened in 1995 and houses 3,696 minimum-, medium-, and maximum-custody inmates. The institution provides academic classes and vocational instruction and employs more than 1,275 people. ●

Source: <http://cdertoday.blogspot.com/2012/08/battery-on-peace-officer-at-high-desert.html>

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Articles and letters sent to the *Rock* newsletter for publication are currently being delivered and received in a timely manner. Please do not send such materials to third parties to be forwarded to me as it only delays receiving them and adds to the workload of those asked to do the forwarding.

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