

ROCK

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OREGON PRISONERS DRIVEN TO SUICIDE BY TORTURE IN SOLITARY CONFINEMENT UNITS

By Kevin Rashid Johnson

Introduction

I am not one prone to fits of temper. But a few days ago I almost lost it. My outrage was prompted by witnessing the steady deterioration of another prisoner, resulting from particularly acute mental torture inflicted in Oregon's Disciplinary Segregation Units (DSU), which duplicate almost exactly conditions of torture practiced at Philadelphia's Eastern State Penitentiary, that were outlawed by the U.S. Supreme Court in the 1800s.¹

The prisoner, who'd been housed in a suicide precaution cell next to me in the DSU of Oregon's, Snake River Correctional Institution (SRCI), went into an immediate depressed state upon being put into the DSU. Initially, he talked a little. Then abruptly withdrew. He stopped eating, to which the guards were unanimously indifferent. Several taunted him, "if you don't eat it I will." He then stuffed toilet paper and the cell's mattress into the cracks around the edges of the door, apparently to seal off all outside sound and "barricade" himself in.

He blacked out the camera in the cell, and began talking to himself. He sat catatonic in the corner of the cell and naked for days on end. He was confronted only twice by mental health staff who indifferently left his cell when he wasn't responsive to their half-hearted attempts to talk.

Only after I verbally protested the blatant apathy of mental health and medical staff to his condition, which was obviously due to their collaborating in his mental torture, was a nurse brought to the cell to physically examine him. Whereupon his blood pres-

sure was found extremely low and both the nurse and accompanying guard expressed his mouth and skin showed obvious symptoms of severe dehydration – in addition to not eating, he'd also apparently not been drinking water for several days, although he was supposedly in a "monitored" cell.

"Freedom of speech is not merely freedom to speak; it is often freedom to read. . . Forbid a person to read and you shut him out of the marketplace of ideas and opinions that it is the free-speech clause to protect." *King v. Federal Bureau of Prisons.*

The nurse had him immediately taken out of the unit, likely to the medical department since he didn't return. The next day I was moved to another unit as well. That was on November 14th.

A High Tide of Suicide

I never learned his full name. The guards and other officials called him only "Acosta" (presumably his last name). In the DSU where we were confined together, there are six suicide precaution cells. I was housed next to one of them.

These precaution cells have in-cell video cameras and prisoners confined to them are generally given only a blue nylon smock-like garment to wear, a nylon blanket, and a mattress. Throughout my DSU assignment at SRCI these cells were always occupied and a constantly changing rotation of prisoners were kept on watch as a result of suicide attempts and ideations. In 22 years

of imprisonment, I have never seen such a consistently high and continuous series of suicide cases, which I immediately recognized to result from the extreme sensory deprivation of DSU housing.

Compelling Idle Minds

Prior to my Oregon Department of Corrections (ODOC) assignment in February 2012, I'd spent 17 years in solitary confinement, enduring various extremes of sensory deprivation. During that time I witnessed numerous prisoners deteriorate mentally under the conditions of solitary. But in most cases, it took months to years because there was a limited amount of access to in-cell property and one could use the telephone periodically. However, in Oregon's DSU *no* personal property is allowed, beyond a pen, writing paper, and, if one can afford it and has anyone to regularly correspond with, a few mailing envelopes. One cannot use the telephone to communicate with loved ones at all. One can't have personal books even. Not even law books.

In DSU a prisoner may only receive up to three novels from a small rolling book cart kept in the unit. Many of which are missing bindings and pages. Such reading per se does little to stimulate the mind and denies one the opportunity and right to select his own subjects and fields of research and study.² The three novels may only be exchanged from the cart once per week.

DSU prisoners are heard frequently

1. *In re Medley*, 134 U.S. 160 (1890).

2. As the courts have held: "Freedom of speech is not merely freedom to speak; it is often freedom to read. . . Forbid a person to read and you shut him out of the marketplace of ideas and opinions that it is the free-speech clause to protect." *King v. Federal Bureau of Prisons*, 415 F. 3d 634, 638 (2005).

complaining that having nothing else to do, they complete novels in two to three days, and are otherwise left completely idle and “bored out of their minds.” Meantime the deterioration sets in: the constant cell-pacing or catatonic states, incessantly talking to oneself, depression, irrational searches for stimulation, and of course, self mutilation and suicide attempts.

Torture By Design

And ODOC officials *know what they're doing*. They consciously use acute sensory deprivation (psychological torture) as a behavior modification technique, with the assistance of mental health staff whose professional role and concern are *supposed* to be maintaining prisoners in healthy mental states, *not* aiding in inflicting mental pain and injury on them. This is no different from the doctors and nurses who aided the gruesome medical experiments and tortures of concentration camp prisoners in Nazi Germany.

Indeed, I was moved from the DSU with the suicide precaution cells, when I spoke out in protest to and against one of the DSU staff, D. Jennings, as she indifferently left Acosta's cell, asking why she was condoning his and all our mental torture under DSU conditions, referring to the high frequency of suicide attempts in the unit; and citing numerous studies of psychiatric and torture experts on sensory deprivation and its being a known form of psychological torture and one of the most hurtful and damaging forms at that. Her response was to walk away with guards laughing. She then gave me a scornful stare as she left the unit.

I've learned from ODOC prisoners, officials and ODOC's own publicly accessible policies – the *Oregon Administrative Rules* (OAR's)³ – that ODOC officials very deliberately use psychological torture as a behavior modification technique, which is one reason the DSU is designed as it is. Those found in violation of minor or major prison rules are invariably sentenced to months of mental torture in DSU: typically four to six months at a time, which amounts to prolonged torture as a deterrent to rules violations.

Worse still is the ODOC's Intensive Management Unit (IMU) where I am now 3. All of the ODOC's Oregon Administrative Rules can be read at: www.arcweb.sos.state.or.us. The OAR's relevant to this article are OAR 291-011 (Disciplinary Segregation), OAR 291-055 (Intensive Management Unit), and OAR 291-069 (Security Threat Management).

confined. A housing status that lasts from seven months to indefinitely, during which a prisoner must pass through four levels – which requires that he reveal his every thought to his torturers.

Those housed in IMU who receive rules infractions are automatically placed on level one for a month, which is even more restrictive and extreme in sensory deprivation than DSU housing. And for every infraction he then receives, his level one assignment is extended. Such conditions often put prisoners struggling to maintain their sanity in a catch-22, where coping prompts resisting their torturing confinement, and that very resistance prompts infractions which intensify and prolong that confinement.⁴



On the level one IMU status, the prisoner may have only one novel per week, and cannot even come out of the cell for fresh air inside the walled-in enclosure, with only a small patch of the sky visible, that passes for an exercise yard.

Then, too, as a Security Threat Management (STM) lieutenant, Schultz, here at SRCI, boasted in my presence on September 18, 2012, he personally imposes indefinite statuses on select IMU prisoners where they are left in completely empty cells all day, given bedding and linen from 10 pm to 6 am daily, and are allowed writing supplies for no more than four hours per day. He actually admitted to me this was torture and violated the prisoners' constitutional rights, but proclaimed himself immune from all liability (i.e. above the law), because ODOC policy empowered him to do pretty much as he pleases to prisoners as an STM official.⁵

I in turn sent Schultz a written request that same day pointing out that he was *not* in fact immune for violating the law because he believes his policy-making su-

4. On this phenomenon see, Dr. Atul Gawadhe, “Hellhole: the United States holds thousands of inmates in long-term solitary confinement. Is this torture?” *The New Yorker*, March 30, 2009.

5. See OAR on STM, op cit. note 3.

periors gave him authority to do so. I then pointed out the sort of character he and his colleagues are, who presume to punish others by imprisonment for breaking laws, when they in fact have no respect for the very same laws themselves – and the highest law of the land that they are under oath to uphold at that, namely the U.S. Constitution. And although ODOC rules required that Schultz respond to my request within seven days, he never replied.⁶ Yet, he sees to prisoners being tortured for them violating ODOC rules.

One prisoner who's been confined in the ODOC for some time – Damascus Menefee – informed me of an ODOC scandal a few years back, where it was exposed in the media that several DSU and IMU prisoners had committed suicide, but were not discovered by officials for hours, because guards weren't tending their posts and refused to make required security rounds in the housing units. As a result, the ODOC installed electronic devices in the DSUs and IMU that monitor and record the guards' rounds in the units. What was also exposed during this scandal was that the conditions of the DSUs and IMU were causing an extremely high incidence of suicides and suicide attempts in the ODOC. However, *nothing* was done to change these conditions that still exist, and, as I have observed, continue to drive prisoners at an extraordinary rate into suicidal ideations and actions.

History Repeats Itself

As pointed out the DSU and IMU conditions replicate abuses outlawed over a century ago, at the Eastern State Penitentiary, where solitary confinement was first tried as a method of “reforming” criminals, but only proved to drive them insane.

Whereas DSU and IMU level one prisoners are locked in solitary cells with only novels, at Eastern State they were confined in solitary with only a bible to read, where they were expected to ponder and make penance (hence the name “Penitentiary”) for their wrongs. The *actual* effects of such confinement, as the Supreme Court found, were quite different:

“A considerable number of prisoners fell, after even a short confinement, into a semi-fatuous condition, from which it was next to impossible to arouse them, and others became violently insane; others still, committed suicide; while those who stood the

6. Per OAR 291-109-1020 (4) ODOC staff are to reply to prisoners' written requests (“Kytes”) within seven days.

ordeal were not reformed, and in most cases did not recover sufficient mental activity to be of subsequent service to the community.”⁷

Unite to Fight Prison Torture

Today, as the world joins U.S. prisoners in protest against ongoing solitary confinement in prisons across the country – from the United Nations denouncing the practice of torture⁸ to mass demonstrations in support of hunger striking prisoners protesting solitary⁹ -- the ODOC has managed somehow to remain under the radar, where the most intense sensory deprivation is being inflicted on prisoners, and prisoners are literally dying to escape it.¹⁰

And it's *known* torture; of the same sort inflicted in U.S. torture research labs like at Guantanamo Bay, where U.S. military personnel in collaboration with psychiatrists and psychologists, inflicted, studied and refined various methods and effects of psychological torture on detainees (especially sensory deprivation), which came out in the U.S. military torture scandals of 2004 and led to ongoing mass protests to close down Guantanamo. Professor Alfred McCoy also wrote an extensive historical study and exposure of U.S. military and CIA involvement in refining techniques of mental torture for decades.¹¹

Experts in the field know very well that sensory deprivation causes suffering and injury at least as extensive and often more severe than physical torture and injury. As psychiatrist and torture expert Dr. Albert

Biderman observed:

“The effect of isolation, on the brain function of the prisoner is much like that which occurs if he is beaten, starved or deprived of sleep.”¹² Furthermore, studies find that sensory deprivation inflicted in solitary confinement even briefly actually causes physical brain damage.

“EEG studies going back to the nineteen-sixties have shown diffuse slowing of brain waves in prisoners after a week or more of solitary confinement. In 1992, fifty-seven prisoners of war, released after an average of six months in detention camps in the former Yugoslavia, were examined using EEG-like-tests. The recordings revealed brain abnormalities months afterward: the most severe were found in prisoners who had endured either head trauma sufficient to render them unconscious or, yes, solitary confinement: without sustained social interaction, the human brain may become as impaired as one that has incurred a traumatic injury.”¹³

As said, these hypocrites running the DOC are fully aware of what they're doing. They know they're engaged in torture of prisoners as lawless as if they were water boarding and electrocuting us. That they pretend to have a moral authority to punish others for breaking laws they don't respect themselves is what fueled my outrage, as I watched others around me retreat into insanity, mentally deteriorate and literally resort to self-destruction in efforts to stop their suffering.

Here on the inside, the hypocrisy of those in power is blatant. Because we “in here” so long disconnected from those “out there” are powerless in the face of our armed captors, our torturers feel little need to sugar coat reality and hide their true face as they do with the outside masses.

Here in Oregon the public seems oblivious to the abuses carried out in their names within its prisons; abuses that also unbeknownst to them they stand to suffer from, because these tortured souls around me will be returned back to those communities from whence they left. So for the sake of all concerned, it's in these communities' interests to end this prison torture and hold those responsible to account. ■

*Dare to Struggle Dare to Win!
All Power to the People!*

12. Albert Biderman, et al, “The Manipulation of Human Behavior” (New York, 1961) p. 29.

13. Op cit. note 4.

INCARCERATION RATE FOR BLACKS NOW SIX TIMES NATIONAL AVERAGE

By RT, February 21, 2013

The incarceration rate for American-Americans is so high that young black men without a high school diploma are more likely to go to jail than to find a job, thereby causing the breakup of families and instilling further poverty upon them.

“Prison has become the new poverty trap,” Bruce Western, a Harvard sociologist, told the New York Times. “It has become a routine event for poor African-American men and their families, creating an enduring disadvantage at the very bottom of American society.”

While few would argue against locking up murderers and rapists, many social scientists have begun to discuss the problem of imprisoning too many people – especially when those people face long sentences for nonviolent crimes. The US has the highest incarceration rate in the world, locking up about 500 people for every 100,000 residents, according to the Bureau of Justice Statistics.

The incarceration rate for African-Americans is about 3,074 per 100,000 residents, which is more than six times as high as the national average. Black men in their 20s and early 30s without a high school diploma are particularly vulnerable: with an incarceration rate of 40 percent, they are more likely to end up behind bars than in the workforce, Pew Charitable Trusts reports.

“The collateral costs of locking up 2.3 million people are piling higher and higher,” said Adam Gelb, director of the Public Safety Performance Project of the Pew Center on the States. “Corrections is the second fastest growing state budget category, and state leaders from both parties are now finding that there are research-based strategies for low-risk offenders that can reduce crime at far less cost than prison.”

But while the cost of keeping prisoners might be high for government, the cost is even higher for African-Americans – especially to poverty-stricken families who lose a relative to the penal system. The *Times*

7. See, op cit. note 1 on page 168.

8. On October 18, 2011 UN torture expert, Juan Méndez, denounced U.S. solitary confinement practices as torture and called on all countries to ban its practice except in extremely exceptional circumstances and for as short a time as possible. See “UN News: Solitary Confinement Should be Banned in Most Cases, UN Expert Says,” October 18, 2011.

9. On July 1 and September 29, 2011 six thousand and 12,000 prisoners respectively in California prisons went on hunger strikes lasting three weeks both times, protesting, among other things, long-term solitary confinement in Security Housing Units. Mass support for these hunger strikes spanned the country.

10. A prisoner confined next to me, as I write this, witnessed two suicides occurring during or about May and July 2012 at Oregon State Correctional Institutions – Segregation Units, in Salem Oregon. This witness being Zachariah Dickson.

11. Alfred McCoy, “A Question of Torture: CIA Interrogation, From the Cold War to the War on Terror”, (New York: Henry Holt, 2006).

interviewed parents Carl Harris and Charlene Hamilton, whose daughters grew up without a father. Mr. Harris, a crack dealer who received a 20-year prison sentence at the age of 24, was forced to abandon his family when he was locked up.

Unable to help out with the accumulating bills that come with raising children, Hamilton and her daughters ended up homeless on several occasions. Struggling to pay the rent and cover the costs of food, Hamilton also fought to pay for the out-of-state visits to see her daughters' father.

"Basically, I was locked up with him," she told the Times. "My mind was locked up. My life was locked up. Our daughters grew up without a father."

And the couple's story is not unique: 25 percent of African-Americans who grew up in the past three decades have had at least one parent locked up during their childhood, according to Project Muse. Police have more meticulously cracked down on crime and courts have imposed harsher sentences since 1980, causing the number of Americans – especially blacks – in state and federal prisons to quintuple.

And some believe that certain crimes shouldn't merit sentences as harsh as the US imposes. Police never caught Mr. Harris dealing drugs, but arrested him for assaulting two people at a crack den. The man is now facing a 20-year sentence for charges including assault, in which he "broke someone's arm and cut another one in the leg", as well as a charge of 'armed burglary' at the crack den.

"The cops knew I was selling but couldn't prove it, so they made up the burglary charge instead," Mr. Harris told the Times.

The high incarceration rate of African-Americans has a detrimental effect on the black community. Epidemiologists have linked high incarceration rates to an increase in sexually transmitted diseases and teenage pregnancy, since the majority of those incarcerated are men, leaving a prevalence of females and greater occurrences of unprotected sex.

"A man will have three mistresses, and they'll each put up with it because there are no other men around," Hamilton said. Epidemiologists believe the AIDS rate among African-Americans would be lower if the incarceration rate dropped.

A high incarceration rate also affects children growing up without parents, brothers or sisters. Children are more likely to grow up impoverished, uneducated and emotionally strained. They are also more likely to

become aggressive or depressed and could eventually end up in prison themselves.

"Education, income, housing, health – incarceration affects everyone and everything in the nation's low-income neighborhoods," Megan Comfort, a sociologist at RTI International, told the Times.

Since the incarceration rate is highest for African-Americans, it makes it more difficult for blacks to rise out of poverty, receive higher levels of education, and escape a life of crime. Young African-Americans are more often imprisoned than employed.

"The social deprivation and draining of capital from these communities may well be the greatest contribution our state makes to income inequality," Dr. Donald Braman, a George Washington University Law School anthropologist, told the Times. "There is no social institution I can think of that comes close to matching it."

While mass incarceration might temporarily reduce crime, in the long run, more Americans end up impoverished and more likely to commit a crime themselves. ■

SOLITARY CONFINEMENT REVIEWED BY CA ASSEMBLY AS PRISONERS THREATEN NEW HUNGER STRIKE

By Sal Rodriguez, February 26, 2013

On February 25th, the California Assembly's Public Safety Committee, chaired by Assembly Member Tom Ammiano, held a hearing on the state's Security Housing Units (SHUs). The hearing comes 18 months after the committee held a similar hearing prompted by a three-week long hunger strike in June 2011 that involved thousands of California prisoners across the state. The 2011 hearing, which was subsequently followed by an additional three-week long hunger strike in September 2011, led to significant attention on the controversial SHU system. Chief among the demands of the hunger strikers was an end to long term solitary confinement and the controversial gang validation process. Corrections officials have officially stated that reforms first announced in March 2012 were considered

and crafted independently of the demands of the hunger strikers.

Monday's hearing focused on the implementation of new CDCR policies and considerations of their appropriateness.

In California, prisoners determined ("validated") by prison investigators (Institutional Gang Investigators, or, IGI) to be members or associates of one of seven prison gangs are placed in a SHU at one of three prisons (Pelican Bay State Prison, Corcoran State Prison, and Tehachapi State Prison). Prisoners in the SHU typically spend 22 1/2 hours in solitary confinement, being allowed out for exercise and showering on an infrequent basis. At Pelican Bay State Prison SHU cells have been described as "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."

Currently, over 3,000 prisoners in California are held in a SHU. More are held in Administrative Segregation Units (Ad Seg), which are designed similarly to the SHU, pending openings of SHU cells. Prisoners validated as gang members or associates have been held for indeterminate terms in the SHU, with over 500 prisoners spending over 10 years in isolated confinement, and over 70 prisoners spending over 20 years in the SHU. Until recently, the policies around SHU confinement of gang validated prisoners required that prisoners prove that they have not been active in gang activity for six years, or they must "snitch" on fellow prisoners in order to be transferred out of the SHU.

At Monday's hearing, California Department of Corrections and Rehabilitation (CDCR) Deputy Director in charge of the Division of Adult Institutions, Michael Stainer, defended the gang validation as a



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necessary component to institutional and public safety. It was argued that restricted housing is necessary to curtail the ability of gang leaders to continue to operate their criminal enterprises, order murders, and orchestrate attacks within the prisons and on the streets.

Also at issue has been the criterion used for gang validation. As the August 2011 hearing revealed, prisoners may be validated for reasons ranging from the use of “confidential informants” to possession of reading materials. The latter has been noted, for black prisoners, to lead to SHU terms in part for possession of black nationalist literature and writings pertaining to deceased California prisoner George Jackson, founder of the Black Guerilla Family, the sole black prison gang that leads to indeterminate SHU terms.

Assemblywoman Holly Mitchell, a vocal critic of CDCR policy at the 2011 hearing, commented that as an African-American with tattoos who reads political literature, even she could be validated as a gang member and thus a security threat under the criteria currently in place.

Assemblyman Ammiano also critiqued the current process on the grounds that the current system of gang validation is conducted completely internally by individual prisons, without independent oversight. CDCR Associate Director Kelly Harrington explained that while the process is internal, it does constitute effective Due Process.

In March 2012, the CDCR announced that it was in the process of crafting new policy for the SHU. Chief among the new proposals has been the creation of a Step Down Program, in which prisoners in the SHU may transition out of the SHU over a four year period of gradually increasing privileges (e.g. visitation, out of cell time). Further, CDCR has announced a review of all prisoners in the SHU to determine whether or not it is necessary to keep them confined in the cell. The Los Angeles Times recently reported that, as of February 21st, 144 SHU prisoners had been reviewed, and that 78 had been transferred to the general population, while an additional 52 were to be placed in the Step Down Program.

Asked how long the reviews of all SHU prisoners is expected to take, Stainer replied that it would take a “few years.”

Prisoner Terrance White, incarcerated in Ad Seg at North Kern State Prison, told the San Francisco Bay View in late December 2012 that prison officials appeared to be

slowing down the rate of gang validations, was clearing prisoners to have cell mates, and was releasing prisoners to general population.

When asked if the fact that so many prisoners have been released from the SHU means there is an underlying flaw with the current process, Stainer denied this.

Among CDCR’s revised policies is a change to the point system that enables prisoners to be validated as gang members or associates. Formerly, the point system made it possible to be placed in the SHU, for example, for a combination of: a confidential informant telling prison investigators that a prisoner is a gang member, drawings, and tattoos. The revised policies, according to CDCR, made the process of “source items” more strict and demanding.

Assemblyman Ammiano asked “In the new rules, aren’t you using the same kinds of evidence to gang validate – tattoos, art, books?” He went on to comment that the revised “point system seems even worse than the old system.”

Attorney Charles Carbone, who has litigated on behalf of SHU prisoners and testified at the 2011 hearing, blasted the CDCR’s revised policies. Carbone argued that the revised system allows for an expanded definition of gang activity, and thus would make it easier for prisoners to be placed in the SHU. He specifically commented that refusal to make ones bed or possessing artwork may be factored into the consideration of placing prisoners in the SHU.

Prisoners have been skeptical of the reforms. In an undated letter published by the Prisoner Hunger Strike Solidarity coalition on February 14th, 2013, hunger strike leaders announced that they were planning to launch a work stoppage and hunger strike



starting on July 8th if CDCR did not comply with various demands. The prisoners, said by CDCR to be high ranking members of the Black Guerilla Family, Aryan Brotherhood, Mexican Mafia and Nuestra Familia, reiterated their 2011 demands for an end to solitary confinement, improved nutrition, and educational opportunities, and listed dozens more demands.

Several family members of prisoners in the SHU spoke at the hearing, including Marie Levin, sister of SHU prisoner Sitawa Nantambu Jamaa, who was deemed a member of the Black Guerilla Family over two decades ago. Levin testified that her brother, like many others in the SHU, is a threat to no one and echoed concerns that the current policies may only serve to keep her brother in segregation at Pelican Bay. Jamaa is among a few Pelican Bay SHU prisoners who has a cellmate, Mutope Duguma, though both report that they have been in solitary confinement for far longer periods of time. They share a cell designed only for one prisoner.

Michelle Martinez spoke of her husband, who has been incarcerated for 31 years, and has been in the SHU at Pelican Bay for 26 years. Martinez stated that prisoners and even prison guards have not observed the implementation of revised policies. She recalls that her husband asked a perplexed corrections officer why he had not been reviewed yet, despite the fact that he had spent so long in the SHU and should have been among the first to be reviewed. Martinez expressed doubts that the current system will change.

Irene Huerta testified on behalf of her husband Gabriel, who has been in the SHU since 1986 and is currently incarcerated at Pelican Bay. Gabriel has previously submitted testimony to the United States Senate, excerpts of which can be read here. Huerta quoted her husband as saying: “Every time you act like a human being and talk to another human being, it’s called gang activity.”

Cynthia Machado, sister of the late Alex Machado, was among two dozen individuals to speak during a public comment period. She spoke of her brothers experience in the California prison system. Alex Machado was validated as an associate of the Mexican Mafia, a charge that he vigorously denied, and was ultimately sent to Pelican Bay in 2010. Alex Machado, known for having been an intelligent man who assisted fellow prisoners with legal work, is documented to have mentally deteriorated

rated in solitary confinement before committing suicide on October 24, 2011. His story, which was first published by Solitary Watch, was cited by Amnesty International as an example of what prolonged solitary confinement can do to prisoners. Cynthia Machado questioned the rehabilitative value of the California prison system.

Assemblyman Ammiano has promised further hearings on the controversial Security Housing Units. Solitary Watch will continue to provide updates on the situation in California as information becomes available. Here is a recent video from KQED, featuring an interview with a Pelican Bay SHU prisoner and includes footage of the exercise yard. ■

EDITORIAL 2-4

As regular readers know, there has been much discussion in recent issues regarding the question of interracial ceiling. Some have said I let fools get into my head, or even worse. For those folks I would suggest they read the first letter on page seven (“Another Voice”).

While I talked about dope-fiends and the like in my December editorial, I was only aiming at those who only want out of the SHU so they can go back to the destructive practices that got them in there in the first place—practices that have transformed the California prisons system into the stinking puss pot that it currently is.

We are all against racism, even though sometimes it does not seem like that’s the case. Look down deep and you’ll see that I’m right. That said, were I a shot caller, I would promptly work to desegregate all mainline mess halls. Doing away with the current seating arrangements in the state’s prison chow halls would send a very powerful and long overdue message to the world that racism is not our friend. The sooner prisoners learn this basic lesson the sooner they will come to understand what the struggle for justice is all about, and the sooner they will be in a position to start winning that struggle.

Some of you think that you need to write more articles and such in an effort to educate the public around the issue of isolation and the SHU. That’s never a bad idea. But let me tell you, it was your peaceful struggle that sent the message out world-wide.

As a direct result of your hunger strikes the whole issue of isolation is being rethought on a national scale. Last week the

front page of the *Seattle Times* headlined this state’s need to rethink its use of solitary confinement. Similar articles have been in the *Boston Globe*, the *LA Times*, the *New York Times*, etc.

Prisoners first tried to get prison officials to recognize the wrongness of what was being done to them in the name of justice. That effort quickly failed. Prisoners were next rebuffed by the courts (who today seem to care great deal about retribution and very little about actual justice). These are the very same courts who uphold the ban on media access to prisoners. But what won the day was the unity and the strength of the prisoners’ struggle (and the righteousness of their cause) that is continuing to forcing this nation to shift away from the use of SHUs.

It’s a slow process, but, thanks to all of you who sacrificed and suffered (the original fighters), it is now happening. It is a first step in the direction of extending democracy to all—including the right to vote and to have your status changed from that of a slave-of-the-state to that of a citizen of this country (which is a righteous and just status for you to have). We must all agree that the deprivation of citizenship should never be part of any criminal punishment.

As of this date donations to the *Rock* newsletter have reached \$1,451 in money and 3,188 stamps (mostly all from prisoners). Your adoption of this publication as something you value is not only heartwarming, it is essential to the continuing effort to keep this newsletter going.

With this issue we are a quarter of the way into our second year of publication, yet there are those who have been on the mailing list since the very beginning who have not helped out. The mailing list started out as 100 people but has now grown to over 300. Of that number 113 have never contributed a single stamp, and 70 of you have contributed less than ten stamps. This means that about a third of the readers are carrying almost all of the weight.

Back when I only had a hundred readers I would put two issues out with four reams of paper and one toner cartridge for my laser printer. Paper is \$50 a case (10 reams) and toner is \$153 per cartridge. Thanks to the third of you who contribute to this effort, I am not presently hurting for either stamps or money.

I would nonetheless like to see those of you who have enjoyed a free ride for all this time kick down a little financial help. Maybe you don’t see this newsletter as be-

ing of any value to you? If that’s the case you should ask to be removed from the mailing list. I don’t want to just whack that 113 from the list. It shouldn’t come to that. Yet if finances do get tight I’ll give folks fair warning before doing any mass deletions.

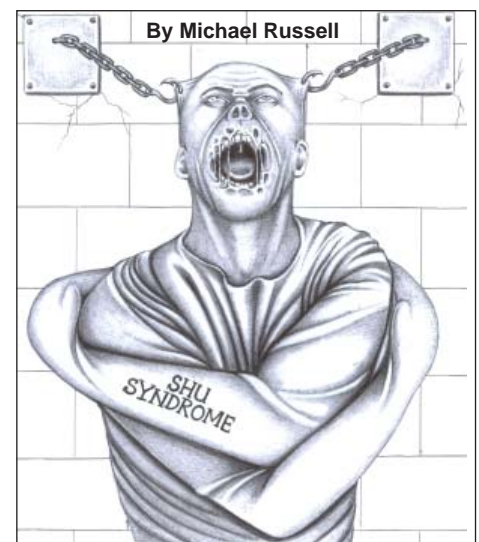
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PALESTINIANS PROTEST OUTSIDE OFER PRISON, HONOUR HUGO CHAVEZ

As part of the ongoing series of mobilizations and demonstrations throughout Palestine in support of Palestinian prisoners, Palestinian activists protested outside Ofer prison on March 6, 2013. They were attacked by Israeli occupation forces, who shot live ammunition and rubber bullets at the protesters, wounding 16 protesters. Among others, Hassan Karajah, youth coordinator for the Stop the Wall campaign, is scheduled to face a military hearing today at the prison.

Protesters carried Venezuelan flags to honor Venezuelan President Hugo Chavez, who died on March 5, sparking tributes around the world in honor of his support for Palestine. ■

Freedom Archives



LETTERS

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

The Reasons I Struggle

I am writing to share my humble views/opinions as someone who has read and followed your *Rock* newsletter. I'm a lifer who has been down since I was 16; I am now 34 with a chance at a date but I've been validated.

I must say that I was happy to read that you'll continue to press for us. As someone who has and will participate in our struggle for change, I've relived you'll not quit as we need all the help we can get. Now I will not be critical neither of you or anyone of our efforts toward change because the fact that we are standing up, discussing, and acting for a just cause that benefits us all is what I feel is the most important aspect of things. With that said, I respect your bringing up the interracial ceiling. You got your feedback and even responded. I believe that the discussion itself was constructive in its own right—at least it was discussed.

Let me just suggest that for me this struggle is about being treated fairly as a human being. It's about being judged for my own actions and not for what is made up about me or fabricated against me or, for that matter, who I hang out or associate with. It's about getting attention to bringing back rehabilitation through family ties, such as family visits back for lifers. It's about receiving proper educational programs, longer visiting hours, etc. That's what this struggle means to me. Let's be honest, where's the rehabilitation when you throw someone in a box with none-to-limited family contact and no proper means or opportunities to better his or herself—to just throw away the key! Why did CDCR even put in the R? What a sick joke. This is why I'm standing up, and others may have the same reasons or even different ones, but one thing we all want is a change in the way we are treated.

It does not matter if our reasons are different; the common goal seems to be the same. The important thing is that we should not stop or give up, regardless if my reasons may seem minimal to another—they are important to me. I may not get all I'm fighting for, but hey, at least I'm standing up, instead of lying down in this box and

letting CDC throw away that key.

[*Name withheld*]

Step Down on This!

My opinion on the step-down program is simple. How can I sign a paper saying I will no longer forward gang activity when for eighteen years I have told them I am not associated with gangs? Basically they are saying admit that I am lying (even though I am not) or stay in the SHU forever. How is that any different than their “debrief or die” policy? Two decades and nothing has changed. People better wake up.

[*Name withheld*]

Looking For Answers

Greetings to you and all *Rock* Staff at the office. I just received the latest issue and, as always, it's full of information and answers to some of my personal questions. I'm glad I subscribed as through your newsletter I am educating myself around the dynamics of our peaceful struggle for change.

I've been suppressed for over 20 years, 8 of those have been in Ad Seg and the SHU. I'm currently in the Tehachapi SHU. We keep hearing different things about the other SHUs but one thing I know for sure is that we all reject the Step-Down program. One thing is confusing people, however, and that is especially true for those who have gone before the DRB. Many were told that they were going to get released to GP and put on Step #5. What's up with that? One of the Representatives wrote a letter in a recent issue of *Rock* saying they would go for a 15 or 18 months confinement, with a Step-Down of 3 to 6 months program.

In my humble opinion the whole label STG and Step-Down program should be tossed out the window. We should not accept any labels on ourselves more than the system has already placed on us. [The rest of the letter deals with various labels and is being omitted to save space.]

[*Name withheld*]

[**Ed's Note:** There is no *Rock* office nor a *Rock* staff, just an old man pounding away on the keyboard of his aged computer, cranking out a newsletter each month. Well, I do have a friend come over and help me with the mailings, an ex-con named Mark Cook, and he's like 76 years old. In any event, a big thanks to everyone in Tehachapi's 4B-3C section of the SHU for the 40 stamps. You guys rock! You help keep this “office” going.

I get a lot of letters from the Tehachapi SHU asking me Step-Down related questions. I do not have answers. Perhaps some of the fellas at the Corcoran or Pelican Bay SHUs could write an opinion article on that subject.

As for the letter from a representative you are referring to, the collective group of reps have stated that anything written by an individual representative is merely that guy's personal opinion.]

Stamp Donation

I am locked up in here at CSP/SAC Folsom SHU and am writing on behalf of all the men here in the SHU who stand in solidarity behind the Five Core Demands. We as a whole would like to submit this contribution of 80 forever stamps to help in your efforts. We all appreciate all you do, and especially your support for the struggle.

David Hollars

And Another

Enclosed are 58 forever stamps from all of us here in Corcoran SHU 4B-3R as we continue to support this newsletter's efforts as well as yours. Just to give you a quick update at Corcoran, regular yard releases was quickly restored to its original way in regards to double cells. So it's again optional if one or both cellies want to go out. Some people gradually refused any new incoming cellies in order to deny CDCR bed space in the SHU, since SHU living is actually solitary confinement. CDCR here has retaliated to this stance of remaining single by giving the 115s and actually taking their TVs and threatening to send all their property home. Not sure if this is legit?

As someone once said, hopefully people can endure the storm because there's a lot at stake and now is the time. Also, staff has attempted to move people to a “Step Down” block, but since no one agreed to move, people are being threatened with 115s for failure to move to the step down block.

Angel Mendoza, Corcoran SHU

In Solidarity

Greetings from Death Row prisoners in the Adjustment Center SHU unit at San Quentin. Our utmost respect, support and solidarity to those in SHU and Ad-Seg torture chambers across the U.S.

We have read the December and January issues of *Rock*, as we have read every issue

that has been printed concerning the upcoming peaceful protest. The *Rock* newsletter is very informative, educational and thought-provoking. Therefore, the Adjustment Center prisoners are now mentally and physically prepared to stand with all prisoners who are similarly situated and all those of like mind and heart in July to peacefully protest decades of abuse, brutality and torture by CDCR and all prison officials who operate SHU and Ad-Seg torture units, including Death Row's Adjustment Center SHU!

The Adjustment Center has a long documented history of brutalizing, torturing and murdering prisoners! A Prison Law Office attorney once said, "SHU units breed the worst kind of abuse of authority"! This statement speaks volumes.

We would like to sincerely commend all the prisoners of various ethnicities and race groups in the Short Corridor for demonstrating remarkable courage by not only setting aside their differences but resolving them for the greater good of all, and bringing us together as one! We are not only enormously impressed but also inspired by their noble and courageous accomplishment.

Thus, we are also going to display the same kind of courage and strength as those in the Short Corridor and stand proudly with all of them and everyone of like mind and heart to the end. Nothing gives us greater pleasure than to fan the flames of justice with all those in the Short Corridor until all the injustices in the SHU and Ad-Seg units have been exposed and rectified!

With great respect and solidarity,
Reynaldo Ayala, Smokey Fuiava, Hector Ayala, Jesse Gonzales, Richard Penunuri

More on Inter-Racial Celling

You took some heat for that editorial in 1-12 December issue. I thought you said some things that really needed to be said. I might disagree with the name calling but only because people will react to that without engaging the far more important things you had to say. I enjoy reading your comments and I want to share them with others in order to have further discussion on the overall content of what you say. A lot of people idolize these guys you imply are "predatory dope fiends" so it's hard directing the conversation toward the real issue once somebody gets their feelings hurt.

In the following issue you pointed out that racial and regional divisions are undermining the struggle. I don't see how any

prisoner who takes an honest look at what we're up against can come to a different conclusion. However, you also stated that "the gang mentality needs to be replaced with a class perspective—that prisoners see themselves as a strata of the social order rather than as members of this or that race or region" which is also a profound truth but that prisoners themselves seem to be the ones who least understand that undeniable fact. It's ironic that one prisoner said that "You speak about interracial cell living from an ideological standpoint as opposed to a grounded understanding of reality", as if being *non*-ideological keeps one more grounded and better equipped to understand reality.

Prisoners don't spontaneously understand how this struggle fits into the larger picture of the oppressive nature of this system—we need ideology for that. We also need ideology to move a struggle forward in the most effective and lasting way. There is a long history of violent conflicts between these groups, and there are many reasons why prisoners will resist celling up with people from a different race.

Despite the nonsensical comment made by one prisoner about his being "2012" and "modern America" and "social progress" not escaping prisons. Well, racism does have a lot to do with it. There are no divisions between Black, Brown, or white correctional officers as they carry out the state's repressive policies. When it comes to oppressing prisoners the state is pretty unified and unwavering in its stance. As SHU prisoners struggle to change their conditions in the face of this, the need to set aside their differences and come together asserted itself, that need also led to the Agreement to End Hostilities. The need to go further in deepening the unity achieved so far will continue to assert itself the more things come to a head.

Prisoners are going up against the state, wrenching any kind of meaningful victories out of a peaceful confrontation with such a powerful foe will require a higher level of unity that we've yet dared to imagine. The notion that racial divisions are necessary and must remain forever is something that newer generations are *conditioned* to believe—not because it's true but because of what was established before they came to prison. Most prisoners have not been doing time since the 1960s. They came into the system long after that and were led to take up the idea that "this is the way it's been since the beginning and the way it for-

ever shall be" (amen, like some religious gospel).

The resistance of California prisoners to discarding outmoded ways of thinking will undermine the struggle that prisoners have decided to take up. The path that must be taken if all of this is going to lead to success won't be the path that prisoners anticipated, it will be filled with choices and sacrifices that most never intended to make. CDCR doesn't want to integrate the prisons; they love it just the way it is. But if things continue to get out of their control they will take advantage of the fact that prisoners are even more resistant to integrating than CDCR is itself. They will use this contradiction to break our ranks.

[Name withheld]

Written for *Rock* Publication

This is Robert D. at Corcoran SHU, an "Active" prisoner. Many people know my commentaries. Many also disagree with what I have to say. However, whether one likes or dislikes what I say, nobody can say that my opinion is not heartfelt and worth of consideration. What creates meaningful change that has lasting value is dialogue. It is okay to have a body of consensus, but to become locked in a paradigm is a dead end. I often comment about our struggle as validated prisoners. Race enters my opinions. Many say, "Why?" I would like to explain:

I'm a man who identifies as "White" and I do encompass ideology like an old-schools whiteboy. However, I also am a study in change. Look around our state and our country. The media finds no excuse not to espouse the fact that "white" citizens make up less than 49 percent of America today and we are shrinking rapidly. Our country is changing. It is not changing in 50 or 100 year time blocks either. The information age has elevated the rate of change and assimilation.

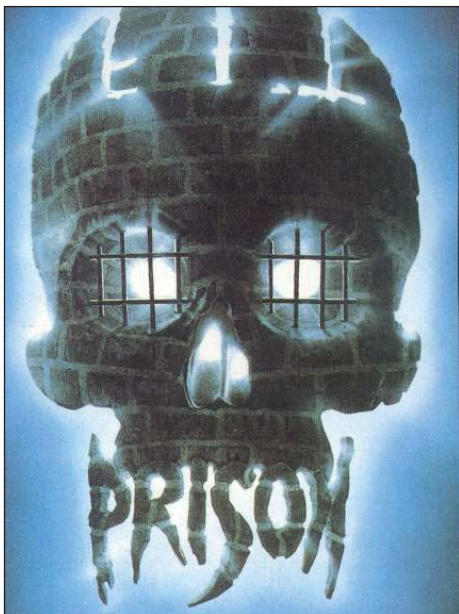
I am 44 years old. My contemporaries are now obsolete in our view by today's standards. Some may say, "so what! Who cares what goes on out on the streets!" The thing is this: Our prisons are a microcosm, a subculture that is representative of a greater society. We are not exclusive from society. The idea that the men who identify as "white" will continue to live on mainline as sovereigns is ludicrous. Most of the "old guard" who run our prisons who have been in SHU units are naïve to the realities of today's mainlines. I'm sorry to say, but if it were not for the "camaraderie" of our ally (who often abuse their superior numbers in

our union), we would have long past failed to exist as an entity.

Look, the highest ranking members have done an unbelievably exceptional job of running our prisons for 44 years. What do we possess though? Oppression from our captors and similar oppression from our peers. Is this what we want? A lot of guys in this struggle are living a dual idea. On the one hand they want SHU to end. On the other, while adhering to the stand-down of hostilities and laying back to give things a chance, on the other, I think that most believe that things are going to be the same, socially. That is delusional. If anyone believes that prisoners or our captors are going to tolerate the same 'ol, well you're not seeing the realities of societal, social consensus. Today people have very different ideas on race, politics, social issues, and sexuality. It's a reality. America is not going to go back, ever. It's only going to continue to evolve.

Now is a time for consensus, for inclusiveness, for dialogue, for change. Nobody's saying that the ruling members need to roll over. I'm saying that like a parent who has done their job raising their children—it's time to let go and allow prisoners to make their own choices, right and wrong. You can do this and still be revered as our legends if you do it now in a meaningful way. However, prisoners are now tasting the temporary end to hostilities, and freedom is infectious. Can I interracial cell? I have my doubts. However, I and everyone else must be willing if this new day, new page in our story is to play out well. Peace to all actively classified prisoners.

Robert Dragusica



WHY WAS THE JANUARY ROCK WAS BANNED?

Your captors were fine with issuing blanket denials of your censorship-based 602s that contained no information one could possibly use to prepare an appeal. Some prisoners and I drafted a lawsuit based upon the banning of several issues of the *Rock* newsletter. Once they saw the draft of the Title 42 section 1983 complaint (it was sent into prisoners as non-legal mail since I'm not an attorney), however, the alleged reasons for the censorship started appearing. The following quotes are taken from a March second level (Wardens Level) decision on the censorship of the January issue of *Rock*:

"Lieutenant Barneburg states, it has become apparent to he and his investigators [that] the Short Corridor Collective, made up of influential members of the Aryan Brotherhood, Mexican Mafia, Nuestra Familia, and Black Guerrilla Family prison gangs are utilizing publication sent to inmate subscribers in order to publish their directives to multiple CDCR facilities. The *Rock* newsletter is one of these publications. Lt. Barneburg further stated, investigations conducted into the matter has resulted in the recovery of communication from a general population associate of one of the above cited prison gangs. The communication instructed other associates to find a copy(s) of the *Rock* newsletter because the 'Elders' (members) are utilizing the publication to spread updates.

"Lt. Barneburg also stated, during a debrief of an influential gang leader in early 2012, that individual reported that he hunger strike leadership was utilizing publications to get their information out to other inmates without utilizing covert methods, instead they were having staff deliver the needed information right to the inmate's cell door."

The document goes on and on, but you get the picture. On the back of most issues of *Rock* is the statement that "communication is human right." Nowhere is that right more important than in the darkest reaches of the government's apparatus of repression—the prisons. This is particularly important in California, where state law prohibits the media from interviewing

prisoners.

Here we have a population of people, many of whom have been held in strict isolation for decades, and all kept in a perpetual state of dependency and irresponsibility, denied the fundamental right of citizenship guaranteed to all citizens—the right to participate in the political process that would work to change their conditions of existence. That condition is one of state sanctioned slavery, a sorry condition authorized by the Thirteenth Amendment to the U.S. Constitution.

If ever there was a population that needed to communicate with each other, and to communicate their condition to the world, it is these prisoners. Yet the clouded goggles worn by the state's prison guards only allow them to see gang this and gang that. This is a struggle for justice, and it has moved beyond gangs. The gang boogiemanager has worked well for those who earn their living by suppressing the rights and freedoms of the already oppressed, but those days are quickly drawing to a close.

Who is against the full rights of citizenship for all Americans? Who supports the slavery of 2.3 million Americans, and the restrictions place on 14.7 million formerly incarcerated individuals? With our friends and family members we are 25 million strong. Let's pull it all together. Let's build a struggle for democracy, let's work to extend democracy to all. ■

Ed Mead

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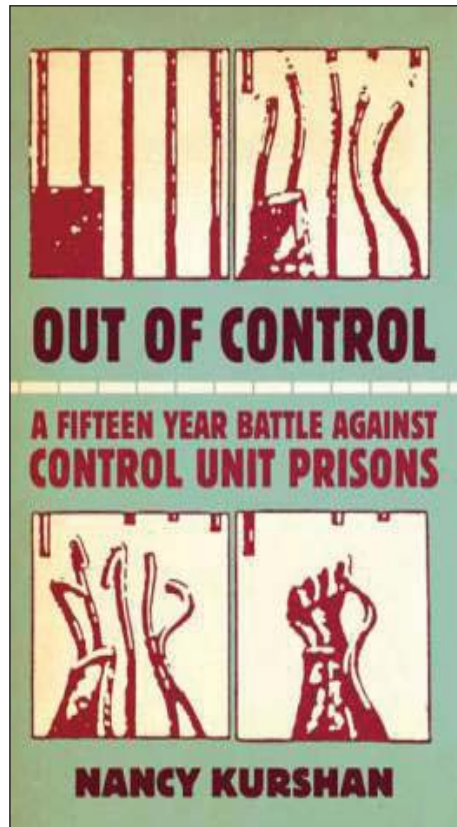
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OUT OF CONTROL IS NOW AVAILABLE

The Freedom Archives is happy to announce the arrival of *Out of Control: A Fifteen Year Battle Against Control Unit Prisons* by Nancy Kurshan. This important book documents the decade and a half struggle of the Committee to End the Marion Lockdown in challenging the barbaric practices at Marion Federal Prison in Illinois, opposing the proliferation of control unit prisons across U.S. and illuminating the racist and inhumane nature of U.S. incarceration. Additionally, a special version of this book can also be found on the internet. While the internet version is shorter and more concise, it provides direct links to documents, pamphlets, audio and video segments as well as other materials created by and related to the Committee to End the Marion Lockdown. We have shared the link to access the internet book and will continue to add media to supplement the narrative. We are really excited about this book, the historical context it provides and the interactivity of the online version.

Order from: Freedom Archives, 522
Valencia Street, San Francisco, CA 94110.



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Notice

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 *Rock* as it only delays receiving them and adds to the workload of those asked to do the forwarding.

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