

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 duplicates almost exactly conditions of torture first practiced at Philadelphia's Eastern State Penitentiary, that were outlawed by the U.S. Supreme Court way back 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 Correc-

tional 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 pressure 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.

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 14, 2012.

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

CONTENTS

Oregon's Solitary Prisoners	1
Help Women In Prison	3
Black Incarceration Rates	4
CA Assembly Reviews SHU	5
Editorial Comments	6
Letters	7



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 complaining that having nothing else to do, they complete the 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 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

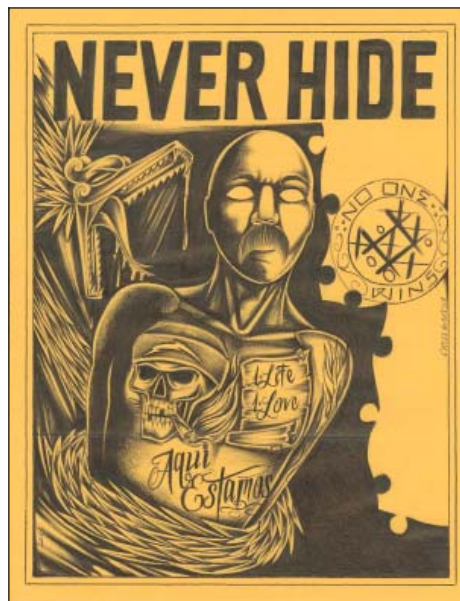
their sanity in a catch-22, where coping prompts resisting their torturing confinement, and that very resistance prompts infractions which intensify and prolong that confinement.⁴

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.

hen, 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 superiors 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 their violations of 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 at-



tempts 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 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 as we remain disconnected from those “out there,” are powerless in the face of our armed captors, therefore 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 came in a much worse state than when they left them. 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

(Endnotes)

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).
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).
4. On this phenomenon see, Dr. Atul Gawadne; “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.
6. Per OAR 291-109-1020 (4) ODOC staff are to reply to prisoners' written requests (“Kytes”) within seven days.
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 Zachary Dickson.

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

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

13. Op cit. note 4.

JUDGE REJECTS CALIFORNIA'S BID TO REGAIN CONTROL OF PRISONS

By Sam Stanton and Denny Walsh

A federal judge today rejected Gov. Jerry Brown's bid to regain control of the state's prisons from federal oversight of inmates' mental health care, ruling that the state has not done enough to improve conditions inside the prisons.

U.S. District Judge Lawrence K. Karlton, in a 68-page order, found that "systemic failures persist" in anti-suicide measures and other mental health care needs.

The judge's ruling came just over a week after attorneys for the inmates and the state squared off in a contentious hearing before Karlton over whether California had done enough to improve conditions inside its prisons.

The Brown administration served notice in January that it believed it was far past time for California to regain control of the prisons from federal oversight and filed documents outlining improvements that have been made in the system since the inmate lawsuit was first filed in 1990.

But the inmates' attorneys contend the state's mental health care for inmates still is woefully inadequate and cite suicide rates among inmates as evidence of that.

They also charged that the state improperly gained access to their clients - the inmates - by having experts tour various prisons and talk to inmates about the state of their care.

The inmate attorneys classified these sessions as "secret" interviews that violate inmate rights to have their own lawyers present, something the state dismissed as absurd.

The governor already has indicated that he would pursue the matter to the nation's highest court, if necessary.

"I have no doubt that if we can get this back before the Supreme Court it will agree," Brown told *The Bee* last month.

The mental health case is one of two legal battles the state is waging over federal oversight. California also is seeking to get out from under a federal court decree that it reduce its inmate population to 137.5 percent of capacity by the end of the year, which would require cutting population by about 9,000 inmates to reach a total of about 110,000.

The state's prisons originally were designed to hold about 80,000 inmates, but the Brown administration contends it already has reduced the inmate population tremendously and that further cuts will endanger public safety.

A hearing on that issue, which will take place before a panel of three federal judges in San Francisco, has yet to be scheduled. ■

<http://blogs.sacbee.com/crime/archives/2013/04/judge-rejects-state-bid-to-regain-control-of-prisons.html>

PRE-EMPTIVE RETALIATION AGAINST CORCORAN SHU 2011 HUNGER STRIKERS?

“We’ve been working for the past 2 days to put our cell back together after they came in here and just tore it up. It really looked like a bomb went off in our cell. Hopefully you received my postcard that I sent on the 12th, which is the day the raid occurred.

If not, here’s a quick recap:

“They pulled us all out of the cells after strip-searching us - then walked us through metal detection wands - they then spent 7 hours tossing up our cells - in me and Zah’s [his cellmate] case, they threw away all our canteen, my deodorant, all my Bayview newspapers and most anything they could find having to do with our Human Rights struggle.

“They then walked us all up to visiting in plastic flex cuffs and walked us through another metal detector. There were boot prints on my bunk where they stood on it

to tear down our antenna wire and clothes lines - tossed out most of our laundry and so much more that it’s really pointless to catalogue it all.

“Someone took the extraordinary step of breaking our toilet so it won’t flush. By sheer luck, a brother officer who came on the next shift went into the pipe chases upstairs and downstairs and found what was done and fixed it. Only our toilet was done this way.

“It’s clear that this entire thing was an act of pre-emptive retaliation leading up to the July 8th protests, they cut off our hot water then, and haven’t cut it back on yet. Please, if you haven’t, notified [name omitted] and the Coalition, as well as my family of what has/is transpiring here.” ■

Shannon Heshima Denham J-38283

CSP-Cor-SHU 4BIL #43

P.O. Box 3481

Corcoran, CA 93212

WHY ARE WE SO BEHIND?

In 1779 Thomas Jefferson proposed a law that would mandate castration for gay men and mutilation of nose cartilage for gay women. Considering that homosexuality was a crime routinely punished by death penalty at the time, his was actually a rather liberal position. The US gay rights and the marijuana legalization movements took off in the early seventies in the US, as did the prisoners' right movement. Estimates of the gay population vary between 2 and 4% of the US population, about the same number of people who are behind bars or under some form of penal supervision. Gay marriage is legal in nine states and growing, while recreational marijuana is now legal in both Washington and Colorado and medicinal use of the drug is far more widely accepted.

Why are the relatively small gay and drug user communities so successful in overcoming the strong prejudices while the prisoners' movement just fizzled away? Why has the gay and drug rights movements built so much political clout while prisoners are still considered pariahs and prison reform still retains its political toxicity? Why is it that millions of prisoners can be disenfranchised and held in deplorable conditions of state-sanctioned slavery and nobody seems to notice?

The answers lie in the lack of any meaningful or organized effort on the part of

prisoners to make their case to the public. This can only be done through the active participation of prisoners, through peaceful struggle, as a sub-class of the social order. With passion, will and determination, along with the right strategy, prisoners can overcome even the deepest-rooted biases and the most entrenched institutional injustices. The recipe for success is rather straightforward: stand up, unite, mobilize, organize, and participate. ■

THE COLORADO DOC HEAD KILLING

A new potential motive has emerged in last month's killing of Colorado prisons chief Tom Clements: According to *The Colorado Independent*, the slain suspect Evan Spencer Ebel may have committed murder less out of loyalty to white supremacists, as has been suspected, but rather out of mental anguish produced by years spent in solitary confinement deprived of regular human contact. We're joined by *Colorado Independent* Editor Susan Greene. A longtime reporter for *The Denver Post*, Greene discusses the investigation, as well why she has left the corporate media to preserve and revitalize the *Independent* as a vital source of political and investigative journalism in Colorado.

Susan Green:

I've known a lot of prison chiefs. This guy was different, in that the first time I met with him, he said, when he took the job—and he came as a sort of out-of-state appointee by our governor, so he's new to the system—one thing really shocked him. And it was a statistic that 47 percent of inmates who were being released from solitary confinement were being released directly onto the streets. He said that number haunted him. And he immediately reversed policies, from a state that had been touting a poll saying solitary confinement is actually neutral, sort of semi-OK psychologically for prisoners, to closing our most recently built prison, which was entirely a supermax, meaning it was entirely housed by people in solitary. He closed that. It was, I think, at the time, 18 months old. And he started moving people out of solitary into general population, and then also making sure that people—less people were going from solitary to the streets. He was worried about the kind of violence, what would

happen to them emotionally if you just, after keeping them in a cell 23 hours a day with no human contact, let them out on the street.

Spencer Ebel was released exactly in a way that Mr. Clements worried about. He was released onto the street after years and years of solitary, living in a box. And what that means is, 23 hours a day, no human contact except the food tray that comes—you know, that a guard shoves through your—through a slot or the mail. And then, actually, in Colorado, we have this peculiar thing where the 23rd hour of exercise happens indoors, not outdoors. So these guys are not only alone all the time, but they're alone in our beautiful state exercising in a room without any fresh air. ■

THE WAGES OF SOLITARY

By Mumia Abu-Jamal

The story is quite recent, and therefore, much is not known. A state prison system commissioner opens his front door, and is greeted by flame and bullets.

A grieving governor (John Hickenlooper-Dem.) laments the killing of his friend, and initial reports suggest that the state's highest prison official met his end because of a tiff with a disgruntled Saudi Arabian citizen in his state's custody.

Solitary confinement, experts tell us, is torture that drives men mad.

Then, within hours, another narrative emerged, but once again, the media concentrated on the sensational, missing the story within the story.

The press sped to tell of an Evan Ebel, the son of a friend and contributor to the Colorado governor's campaign. The son, we are told, was close to a white supremacist prison gang.

Suddenly, we are knee-deep in speculation about white supremacist groups, as if this was the motivation for the slaying of the state's prison chief.

Lost in all the hoopla is a comment by state officials that Ebel left prison in January, 2013, after significant time in solitary.

Think about that.

If a man leaves prison, and in a mere matter of weeks, embarks upon a killing spree (again, we don't know this, but it is

alleged), shouldn't we examine his experiences in prison?

What forces so embittered him that he would rather die than endure them again? What, pray tell, must the conditions have been like to charge a man's heart so, that (if initial reports are true), he slew three people in less than three months after release?

Questions unasked and unanswered.

Solitary confinement, experts tell us, is torture that drives men mad.

One thing is certain. Evan Ebel resolved to never return – no matter what. ■

CONS, GUARDS CLASH AT GUANTANAMO

By Ben Fox, *Associated Press*

Months of increased tension at the Guantanamo Bay prison boiled over into a clash between guards and detainees Saturday as the military closed a communal section of the facility and moved its inmates into single cells.

The violence erupted during an early morning raid that military officials said was necessary because prisoners had covered up security cameras and windows as part of a weeks long protest and hunger strike over their indefinite confinement and conditions at the U.S. base in Cuba.

Prisoners fought guards with makeshift weapons that included broomsticks and mop handles when troops arrived to move them out of a communal wing of the section of the prison known as Camp 6, said Navy Capt. Robert Durand, a military spokesman. Guards responded by firing four "less-than-lethal rounds," he said.

There were no serious injuries from the rounds, which included a modified shotgun shell that fires small rubber pellets as well as a type of bean-bag projectile, said Army Col. Greg Julian, a spokesman for Miami-based U.S. Southern Command, which oversees the prison at the U.S. base in Cuba.

Tensions had been high at the prison for months. Lawyers for prisoners said a hunger strike began Feb. 6 in protest over their indefinite confinement and what the men believed were tighter restrictions and intrusive searches of their Qurans for contraband. Prisoners offered to give up the Muslim holy book that each one is issued by the government but officials refused, considering it a tacit admission of wrongdoing. ■

EDITORIAL 2-5

As many of you may know, I am also the editor of the *Prison Focus* newspaper, a position I've held alone or jointly for the past thirteen years. *Prison Focus* #39 was mailed out to readers in early March. This week California Prison Focus received word from several Pelican Bay prisoners that their captors had rejected that issue. One man sent us the rejection form 1819 given to him. It says the "pages which meet disapproval criteria" are 8, 9, and 10, and the description of the problem is "correspondence that contains security concerns CCR 3006(c)(5) plans to disrupt the order of any facility".

What was on pages 8, 9, and 10 that would undermine the order of the state's most secure prison? Why it was the Open Letter to Governor Brown and the new corrections boss written by the Reps. The open letter has been reported on in such lofty publications as the Los Angeles Times, yet I'll bet that newspaper was not banned. The Times even reported on an event that was to take place on a certain future date, a date this publication cannot mention lest we be banned yet again. CPF is currently working on a response to this heavy handed censorship, a banning based solely on the fact that it contained a copy of a letter to public officials. As was the case with banned issues of the Rock newsletter, *Prison Focus* #39 reached subscribers in every other facility in the state.

On the good news front, the issue of solitary confinement is getting wider and wider support. Even conservative columnist George Will has jumped on the band wagon. He recently wrote: "Tens of thousands of American prison inmates are kept in prolonged solitary confinement that arguably constitutes torture. Isolation changes the way the brain works. The mental pain of solitary confinement is crippling: Brain studies reveal durable impairments and abnormalities in individuals denied social interaction."

Now I would like to apologize to readers for another lame issue of this newsletter. I have articles from the Reps, all kinds of letters from readers, and other good information that I am not publishing this month as a direct result of the censorship Rock has suffered in the past. April's issue did get in, and so will this one because the content is so watered down and contains a lot less material than you have a right to expect. The enemies of democracy and freedom of

speech have won, at least for this month.

As the number of subscribers/readers surpasses several hundred so does the amount of material used to produce it, which at this point is about four reams of paper at \$5 each and close to a toner cartridge per issue at \$154 a shot. So far my old laser printer is holding up under the load. The good news is that this not a plea for stamps or money. I have enough of both for now, thanks to the generosity of Rock readers. I'm good for at least a couple more months. If you are a new reader who wants to subscribe, however, the price is 30 stamps or \$15 (or else a good story, I'm pretty easy).

We up here in Seattle have been organizing against the SHUs, as are folks in San Diego, LA, the Bay Area, Portland, and elsewhere. Here we have union endorsements, churches, community activists, and have many events planned. The closest one is a hip hop educational to be held on April 29th. Our group, we call ourselves "Free Us All", has weekly planning meetings. On May 18th we'll be hosting a united front meeting with representatives of immigrant communities, gay and lesbian, union representatives, church leaders, and many others, for the purpose of developing support for the struggle against Security Housing Units. We are planning major demonstrations for July.

If you have people in the Seattle area who might want to get involved, have them e-mail this writer at ed@rocknewsletter.com. If you have people in any of the other cities mentioned, let me know and I'll send the contact information to the appropriate folks.

That's it for this month. Take care in there and continue to stay strong. ■



Quote Box

"My fellow citizens, at this hour, American and coalition forces are in the early stages of military operations to disarm Iraq, to free its people and to defend the world from grave danger... My fellow citizens, the dangers to our country and the world will be overcome. We will pass through this time of peril and carry on the work of peace. We will defend our freedom. We will bring freedom to others and we will prevail."

George W. Bush - March 19, 2003

"Make the lie big, make it simple, keep saying it, and eventually they will believe it."

Adolf Hitler

"People do not believe lies because they have to, but because they want to."

Malcolm Muggeridge

"A group of PEOPLE came from as far as America with Tanks, Machine gun & jets, killing innocent people in our villages. Yet they claim we are terrorist."

Abed Rahmani

"What is morally wrong can never be politically right."

Lord Shaftesbury

"Defend EVERY ONE of your rights. When any one is given up none of the rest can last."

Rick Gaber

"Over grown military establishments are under any form of government inauspicious to liberty, and are to be regarded as particularly hostile to republican liberty."

George Washington

"The spirit of this country is totally adverse to a large military force."

Thomas Jefferson

"As People crushed by laws, have no hope but to evade power. If the laws are their enemies, they will be enemies to the law; and those who have much to hope for and nothing to lose will always be dangerous."

Edmund Burke

LETTERS

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

Note From Mark Cook

I am Mark Cook, helping Ed with the folding, stamping, labeling, etc of the *Rock*. I formally met Ed in 1972 while I was doing prisoner support work. We have been comrades since that day even though we have critical difference. However, we stand strongly together in this prisoner support work as a class issue because we also were prisoners.

Getting out of prison does not release a felon from the oppressive conditions of being a felon. There is a great loss of citizenship legal rights and privileges that last for the rest of a felon's life. Those oppressive conditions will not be overcome unless we take a leadership role as prisoners and felons. I have followed the struggle you California prisoners have engaged in and am awed and impressed. I will not use up more of your valuable space in *Rock* but I have to say with all enthusiasm; I look forward to you folks peacefully on [date omitted] to "Keep on kicking ass for the felon class!"

Whose Dirt is Dirtier?

The drivel in the letters section of the latest edition of *Rock* newsletter was disheartening. One gentleman writes that justice "sees no faces, races or colors..." and later that, "This struggle is for the masses, for all SOLID individuals, etc". This same individual purports to speak for me when he writes, "... because the truth is that we DON'T want to cell with other races."

Aristotle would argue that Truth relies on the actual existence of the thing which a thought or statement is about. Well, the comment that "WE don't want to cell up with other races" must be considered false because it presupposes (or asserts) a truism that would more better be labeled an opinion with a strong emotional bias.

I am a human rights activist who has stood shoulder to shoulder with migrant workers on a picket line. I have marched with gay men and women to protest homophobic discrimination, and by the way, I am heterosexual. I have attended rallies, lending my support to women; disenfranchised people of color, etc.

I believe the majority of the men in the SHU have been totally indoctrinated into a pathological, racist, xenophobic, misogynist, and patriarchal mindset. Carl Jung once wrote that the faults of others has the tremendous potential to teach us things about ourselves. On a deeper level we can replace FAULTS with FEARS. See, it is fear that imprisons these men from accepting a cellmate of another race.

Liberation will never come to a people encased in primitive culture mores based on a false, self-promoting warrior-aggressive ethos.

Remember my friend, these men who you are supporting live a life of contradiction; because the very liberation they seek, they violently deny to others by stabbing and attacking people who are not SOLID enough for their taste.

I have been on so-called ACTIVE mainlines for fifteen (15) years. I am not SNY and find the distinction trivial. Because until we learn that the cause that unites us is far greater than the racial and cultural diversity dividing us; we are doomed. Unless we quickly develop a class consciousness and get away from this "My dirt is cleaner than your dirt" mentality, we will be forever dead in the water politically.

Trust and believe that not all of us are afraid of progressive change, and change, like birth, is a painful process. I would be honored to accept a Black, White, Asian, Hispanic or Other as a cellmate. Once we learn to humanize our collective fears and unite as a political class; the field of battle will belong to us as a people.

I remember hearing your name years ago Ed, I believe that you were either in Walla

Walla or McNeil Island with a friend of mine. I have long love and tremendous respect for you and bow deeply to your spirit of activism. Anything Ed, and I mean anything, that I can do to help you, please let me know and I would be more than honored to assist. Walk strongly and take care.

[Name withheld by Ed]

[Ed's Note: As I've written in these pages over and over again, mandatory interracial celling is not being called for, all that is requested is that those who want to cell with someone from another race or region be allowed to do so without intimidation or threats of violence. Yet I keep getting letters from fearful whites about being forced to cell up with a child molester of some other race, etc. Control your fear! Nobody is going to force you to do anything. Just allow other people the freedom to cell with who they want. Isn't freedom what this struggle is all about?]

On another subject, many letters I cannot print in this issue, such as statements of solidarity with the Reps from both men's and women's prisons, material issued by the Reps, and so much more. This is of course due to censorship.]

Kudos for Ed

We acknowledge receipt of the latest issue of *Rock*! Aside from a couple instances of censorship the *Rock* has arrived on a regular basis. There is only one subscription in this block but we make due and follow the motto: "Read and keep it moving." It's been an indispensable source of information for us, in bringing clarity to the issues, separating fact from rumor, and keeping us updated on the latest events related to our struggle (the "Red Meat" you serve up on occasion is also always a plus).

[Portions of this letter are being omitted because it references a date that cannot be mentioned.] With [date omitted] rapidly approaching the administration here are scrambling to install pull up bars, which we see as nothing more than another hollow concession as it does not address the five core demands. In closing we say Gracias to you Ed, we recognize all the energy and work you pour into this. Here are 74 stamps from all of us here in 4B2L as evidence of our gratitude.

Brian James, Corcoran SHU



INTERNATIONAL BODY SLAMS U.S. SOLITARY CONFINEMENT PRACTICES

By Ian Kysel, Aryeh Neier, ACLU 4-9-13

There are more than 80,000 people in solitary confinement in the United States. Last week, the widespread misuse and abuse of solitary confinement in jails and prisons across the country drew international condemnation when the Inter-American Commission on Human Rights criticized the United States following weeks of hearings on human rights practices across the Americas region.

Before the hearings started, the United States government declared itself a “strong supporter” of the commission and stated that “[p]reserving the [commission’s] autonomy is a pillar of our human rights policy in the region.” The U.S. must live up to this commitment by making sure prisoners across the country have their basic human rights protected.

At a hearing on solitary confinement, the ACLU testified about the excessive use of solitary confinement in the U.S. and submitted testimony alongside a coalition of human and civil rights groups. The ACLU informed the commission that in the U.S., children, persons with mental disabilities, and non-citizens in immigration detention are held in solitary confinement, often for weeks and months. The ACLU suggested that the commission immediately recommend that the U.S. government and all members of the Organization for American States strictly limit the use of solitary confinement on all individuals and prohibit its use on persons below 18 years of age and persons with mental disabilities.

In its concluding statement, the commission stated that: based on the fact that the prohibition of torture and cruel, inhuman, and degrading treatment may not be abrogated and is universal, the OAS Member States must adopt strong, concrete measures to eliminate the use of prolonged or indefinite isolation under all circumstances ... [T]his practice may never constitute a legitimate instrument in the hands of the State. Moreover, the practice of solitary confinement must never be applied to juveniles or to persons with mental disabilities.

At a hearing on the United States, the

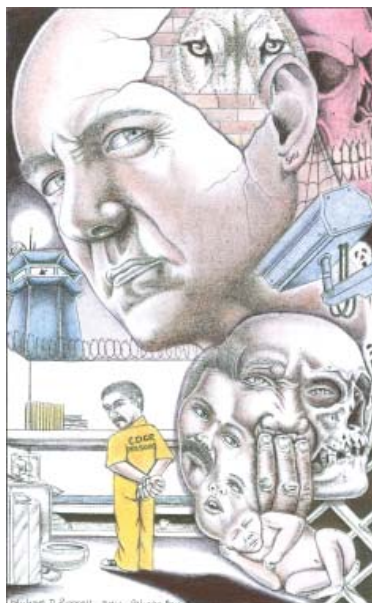
commission heard from human and civil rights groups – as well as U.S. government officials – about how children across the U.S. are charged as if they are adults, held in adult jails and prisons, and put at serious risk of physical and sexual assault. The ACLU, jointly with Human Rights Watch, detailed how officials in adult facilities use solitary confinement to supposedly “protect” children from adults, and to punish them when they break rules. The ACLU urged the commission to engage the United States about the issue, and has called on Attorney General Holder to ban the solitary confinement of children in federal custody.

In its concluding statement, the commission specifically criticized the United States for its mistreatment of children, expressing:

deep concern over the practice in the United States of incarcerating children under 18 years of age in prisons for adults, without any effective separation between the two. It is also cause of concern to the Commission the abuses, sexual rape and cruel, inhuman and degrading treatment, such as solitary confinement. The Commission urges the United States to identify and urgently implement a federal mechanism to identify anyone under the age of 18 as a child, to keep them from being tried as adults or incarcerated alongside adults.

The world has again taken note that abuses in U.S. jails and prisons can’t be squared with our human rights commitments. On solitary confinement, the U.S. should demonstrate its leadership and prove that change starts at home. ■

<http://www.aclu.org/print/blog/prisoners-rights-human-rights-criminal-law-reform/international-body-slams-us-solitary>



JUDGES THREATEN GOV. JERRY BROWN WITH CONTEMPT OF COURT

Federal jurists demand Brown and the state quickly produce a plan to remove thousands of convicts from California’s packed prisons. They reject Brown’s bid to end court-ordered restrictions on the prisons.

By Chris Megerian, Los Angeles Times

A panel of federal judges Thursday threatened to hold Gov. Jerry Brown and other state officials in contempt of court if they do not quickly produce a plan to remove thousands of convicts from California’s packed prisons.

In a blistering 71-page ruling, the jurists rejected Brown’s bid to end restrictions they imposed on crowding in the lockups. The state cannot maintain inmate numbers that violate orders intended to eliminate dangerous conditions behind bars, they said.

Brown and other officials “will not be allowed to continue to violate the requirements of the Constitution of the United States,” the judges wrote.

“At no point over the past several months have defendants indicated any willingness to comply, or made any attempt to comply, with the orders of this court,” they said. “In fact, they have blatantly defied them.”

The judges gave the state 21 days to submit a plan for meeting the population target by the end of the year. Administration officials said they would appeal the decision to the U.S. Supreme Court.

The order arrived amid escalating tension between Brown and the judges, who have handled a series of cases involving California prisons, and is a setback for the governor.

In January, Brown declared the prison crisis over and launched a legal and public relations crusade to end court oversight of inmate healthcare, which has been in place since 2006, calling it unnecessarily costly and otherwise burdensome.

But his efforts have been rebuffed. In a related case last week, one of the three judges said mental healthcare in prisons

had not improved enough to end oversight in that area.

On Thursday, all three jurists stood behind the population caps they previously ordered — and the U.S. Supreme Court upheld — as a remedy for what they have called substandard conditions due to overcrowding, resulting in unconstitutionally poor inmate care.

The judges specifically criticized Brown in their ruling, saying he had provided “no convincing evidence” that overcrowding is no longer a problem. They said his recent actions raise “serious doubts as to the governor’s good faith in this matter and in the prison litigation as a whole.”

They said the governor must comply with the court’s decisions even if he disagrees with them, and “the rule is applicable to Governor Brown, as well as the lowliest citizen.” The judges wrote that they had “exercised exceptional restraint” by not holding contempt proceedings already.

Deborah Hoffman, a spokeswoman for the California Department of Corrections and Rehabilitation, criticized the judges’ decision in a prepared statement.

“The truth of the matter is that California has invested more than a billion dollars to transform its prison health care system into one of the best in the country,” her statement said. “Our prisons now provide timely and effective health care to inmates that far exceeds what the Constitution requires.”

Currently, the prisons hold 119,542 inmates, or 149.5% of the number they were designed to hold, according to a report released this week by the corrections department.

The jurists — U.S. District Judges Lawrence Karlton in Sacramento and Thelton Henderson in San Francisco and Stephen Reinhardt of the U.S. 9th Circuit Court of Appeals in Los Angeles — have ordered the state to reduce crowding to 137.5% of capacity. About 9,500 inmates would have to be removed to meet that goal.

The original deadline for the reduction was June, but the judges granted a six-month extension.

California has been trying to reduce its inmate population by keeping low-level offenders in local jails instead of sending them to state prisons. State officials say the worst problems are over and inmates are no longer housed in gymnasiums and activity rooms.

Progress toward meeting the cap has

slowed, however, and officials have been reluctant to consider other ways to ease crowding. Hoffman said further steps to free up space in prisons would “unnecessarily jeopardize public safety.”

The judges disagreed. “Releasing comparatively low-risk inmates somewhat earlier than they would otherwise have been released has no adverse effects on public safety,” they wrote.

Donald Specter, director of the Prison Law Office and the lawyer leading the lawsuit that resulted in the population cap, said he expected the order to be upheld, calling it “airtight.”

“The decision demolishes any argument the governor has to get out from under the prison population cap,” Specter said. ■

Times staff writer Patrick McGreevy contributed to this report.

<http://www.latimes.com/news/local/la-me-prisons-20130412,0,6359134.story?track=rss>

HELP END TORTURE

On Tuesday, April 23, the California Senate Committee on Public Safety will host a hearing to consider Senate Bill 61 (Yee), a bill that would limit the harmful practice of solitary confinement of youth in the juvenile justice system in California. The hearing marks a critical opportunity for people of faith to express support for ending solitary confinement of young people in California. We urge you to take action today by expressing your support for S.B. 61 to members of the committee using the sample email we have prepared.

Research consistently demonstrates that the long-term psychological effects of solitary confinement, particularly among children, are devastating, resulting in hallucinations, paranoia, and increased rates of self-mutilation and suicide. SB 61 seeks to curb the overuse and abuse of solitary confinement in juvenile facilities in California. It is in keeping with efforts in many states to ban or limit the use of solitary confinement—a practice widely defined as torture due to the long-term effects on the mental health of the confined.

Write to the California Senate Public Safety Committee today!

As people of faith, we recognize that solitary confinement denies the essential developmental need for community and

is damaging to the psychological and social development of youth. We urge you to raise your voice in support of S.B. 61 today to ensure greater access to flourishing for California’s young people.

Thank you for your commitment to end torture in U.S. prisons. ■

*Laura Markle Downton
Director of U.S. Prisons Policy
Religious Campaign Against Torture*

PELICAN BAY INMATES’ SUIT CAN PROCEED

Bob Egelko, S.F. Chronicle, April 10, 2013

A federal judge has given the go-ahead to a suit by inmates of Pelican Bay State Prison on California’s North Coast who are held in isolation for a decade or more in windowless, concrete cells, with no way out, they say, except the potentially lethal choice of turning informant.

The inmates’ allegations, if proved, could show that conditions in the prison’s Security Housing Unit violate the constitutional ban on cruel and unusual punishment, Chief U.S. District Judge Claudia Wilken of Oakland said Tuesday.

She said the inmates may also be able to show that prison officials deny them due process of law by placing them in the housing unit based on secondhand allegations of gang affiliation and by keeping them there until they agree to “debrief” by admitting their gang ties and becoming informers.

State officials say they no longer require debriefing as a way out of the housing unit. Under a pilot project that started in October, they say, inmates in high-security housing around the state are having their cases reviewed individually, and 86 prisoners, including 35 at Pelican Bay, have been approved for transfer to the general prison population.

Wilken noted that the project is scheduled to end in October 2014 and rejected the state’s request to put the case on hold until then. At a hearing last month, she said the inmates’ complaints about debriefing might be removed from the suit if the new review process became permanent.

Solitary debated

Charles Carbone, a lawyer for the inmates, said the ruling showed that “the handwriting’s on the wall” for “long-term solitary confinement. ... It violates the U.S.

Constitution and it violates the bounds of common decency.”

There was no immediate comment from the state Department of Corrections and Rehabilitation, which had asked Wilken to dismiss the suit. The department has denied that inmates in the Security Housing Unit are kept in solitary confinement, noting that they have contact with guards and can see visitors on weekends through a Plexiglas screen.

The suit was filed by 10 prisoners as a proposed class action on behalf of the 1,000 inmates in the Pelican Bay Security Housing Unit, the largest unit of its kind in California. It seeks changes in conditions and release procedures, and a 10-year limit on placements in the security units.

Harsh allegations

The inmates said they are held in their cells at least 22 1/2 hours a day, are fed through a slot, have no access to vocational or educational programs, sleep on a concrete bed with a lumpy mattress, and can be punished for trying to speak to other inmates.

As of 2011, the suit said, 78 inmates had

been held in the unit for more than 20 years.

State law denies security-housing inmates the sentence reductions other prisoners receive for good behavior or prison employment. In addition, the suit says, housing unit inmates serving potential life terms are uniformly denied parole under an unofficial but binding state policy.

The inmates say most of them have never been charged with gang-related conduct behind bars, and instead are classified as gang “associates” based on a tattoo, a drawing of a gang-related symbol, an exchange of greetings with a gang member or the word of an undisclosed informant.

Those allegations would have to be proved at a trial that is at least a year away. But Wilken said an inmate’s “prolonged social isolation and lack of environmental stimuli,” resulting in psychological and physical harm, can amount to cruel and unusual punishment.

She said the state may be violating inmates’ right to due process of law by “assigning inmates to the SHU indefinitely and then allegedly denying them realistic opportunities for release.” ■

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