



Solitary Watch

News from a Nation in Lockdown
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After three weeks on hunger strike, strike leaders at Pelican Bay resumed eating. The California Department of Corrections and Rehabilitation reportedly made several token concessions to the demands of the prisoners, who say that the strike's end is conditioned upon further review of the CDCR's policies.[1]

The hunger strike at Pelican Bay, which quickly spread to other prisons, was one of the most significant prisoner-organized actions of recent decades, and drew national attention to the issue of long-term solitary confinement.

Pelican Bay State Prison

Opened in 1989, Pelican Bay State Prison is located in Del Norte County, California. As of July 6, 2011, it held 3,156 inmates (with a design capacity of 2,380). Most notorious is its Security Housing Unit (SHU), which held 1,111 inmates.[2]

Built for \$277.5 million, it has an annual budget in excess of \$180 million. [3]

Conditions of the SHU

Inmates held in the SHU are in their cells for more than 22 hours a day, allowed out for medical visits and exercise which takes place in "individual wire cages on the prison yard." [4]

The typical cell is "concrete: the bed, the walls, the unmovable stool. Everything except the combination stainless-steel sink and toilet." It is no more than 8 feet long and wide, and "from inside, you can't see anyone or any of the other cells." [5]

The lack of education, constructive programming, and the restrictive visiting and phone call rules have been among the various reasons for the hunger strike.

Criteria for Confinement to the SHU

California, like many states, promotes the impression that solitary confinement is reserved for the "worst of the worst." In fact, the use of solitary confinement is often applied as a disciplinary measure of first resort, when other measures would have been more effective.

Inmates can be placed into the SHU for having \$5, getting a tattoo, or disobeying and order. They can be placed in solitary as "validated" gang members based on the say-so of inmate snitches, and held there indefinitely until they agree to snitch themselves. The only way out of the SHU, according to inmates, is "snitch, parole or die." [6]

Fact Sheet: Hunger Strike at Pelican Bay State Prison

The Hunger Strike

"We believe our only option of ever trying to make some kind of positive change here is through this peaceful hunger strike...there is a core group of us who are committed to taking this all the way to the death if necessary." —Todd Ashker, PBSP SHU Inmate [7]

On July 1st, approximately 6,600 inmates across the state began a hunger strike protesting Pelican Bay State Prison's conditions and calling for reforms. By July 7th, about 1,700 inmates were continuing to refuse meals. [8] On July 14th, the number was 676. [9] Support was particularly strong in other SHUs, located in Corcoran and Tehachapi prisons.

By July 16th, many hunger strikers were noted to have lost over ten pounds and were showing signs of weakness. [8] As of July 19th, the number was reported to be more than 400. An inmate in Tehachapi in Central California had lost 29 pounds. [10]

The Demands

Prisoner Hunger Strike Solidarity has released the five demands of the hunger strikers:

1. End Group Punishment & Administrative Abuse
2. Abolish the Debriefing Policy, and Modify Active/Inactive Gang Status Criteria
3. Comply with the US Commission on Safety and Abuse in America's Prisons 2006 Recommendations Regarding an End to Long-Term Solitary Confinement
4. Provide Adequate and Nutritious Food
5. Expand and Provide Constructive Programming and Privileges for Indefinite SHU Status Inmates. [11]

State Response

"They have the right to choose to die of starvation if they wish."—Nancy Kincaid, Director of Communications for California Correctional Health Services [8]

On July 7th, CDCR spokeswoman Terry Thornton insisted that "the department is not going to be coerced or manipulated" and that the strike "really demonstrates how these gangs can influence other inmates, which is one of the reasons we have security housing units in the first place." No evidence was provided of gangs coordinating the strike. [7]

On July 14th, mediators reported that the CDCR began initial negotiations alongside an outside mediation team. On July 15th, Dorsey Nunn, executive director of Legal Services

for Prisoners with Children observed that “both parties are dug in” and that “the CDCR is not offering anything substantial, and the strikers aren’t receiving anything substantial. So they’ll keep going.” [12]

On July 19th, with some inmates having lost 20-30 pounds, prison officials began to seek court orders to force-feed hunger strikers.[13]

Throughout the strike, reporters were denied all access to the prisoners and prisons involved.[14]

Commission on Safety and Abuse in America’s Prisons

The hunger strikers have cited the report of the Commission on Safety and Abuse in America’s Prisons, which recommended ending long-term segregation, making segregation a last resort, ensuring inmates “have regular meaningful contact” and providing adequate health services.

In 2006, the bipartisan commission, after more than a year examining the American prison system, found that administrative segregation was detrimental to the inmates, increased recidivism rates, and often was used unnecessarily.

The Commission recommended that prison administrators:

“1. Make Segregation a last resort...and stop releasing people directly from segregation to the streets.

2. End conditions of isolation: Ensure that segregated prisoners have regular and meaningful human contact...

3. Protect mentally ill prisoners.”[15]

Madrid V. Gomez

Madrid v. Gomez was a case aiming to remedy unconstitutionally cruel and unusual conditions at Pelican Bay on behalf of thousands of inmates.

In 1993, Dr. Stuart Grassian, based on his work with inmates at Pelican Bay State Prison, submitted testimony for the case pointing to the “specific psychiatric syndrome associated with solitary confinement.” Among the symptoms that inmates held in solitary confinement presented includ-

ed perceptual disorders including hallucinations, panic attacks, aggressive ruminations, and paranoia. [16]

Judge Thelton Henderson found “many if not most, inmates in the SHU experience some degree of psychological trauma in reaction to their extreme social isolation and the severely restricted environmental stimulation in SHU. [17]

Various reforms were instituted, including a diversion of inmates with mental health issues from the SHU. However, for most inmates, for whom the average stay in solitary is two years,[18] the reforms have proven insufficient.

Psychological Effects of Solitary

Research going back to the 1970’s has demonstrated that as little as a week in solitary confinement can alter brain wave functioning. Longer stretches produce various psychopathologies at higher rates than the general population. [19]

In California, 70% of state inmate suicides occurred among those in solitary confinement in 2005. [20]

The perpetual, long-term confinement of inmates has proven self-defeating, resulting in an endless cycle of re-offending by socially deprived and psychologically battered inmates, resulting in extended stays in solitary and higher recidivism rates.[21]

Alternatives to Solitary

California might do well to heed the lessons of the significant body of research on alternatives to solitary confinement, as well as the lead of other states.

In Mississippi, a review of inmates in solitary confinement resulted in 80% of inmates not qualifying for revised (and stricter) criteria for placement in solitary.

As part of the transition, prisoners were allowed to spend several hours out of their cells, receive education and mental health services, which had previously been lacking in availability, and prisoners were allowed to eat together.

Between 2006-2008, there was a 70% drop in “serious incidents,” and sharp drops in use of force, as well as decreases in rule violations. [23]

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22.Istanbul Statement. 2007. *International Psychological Trauma Symposium*.

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