

# ROCK

★ Working to Extend Democracy to All ★

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## AMERICA'S DISGRACE...

### The Use of Solitary Confinement against American Prisoners

By Jessica Escobar

As we commemorate the one year anniversary of the Pelican Bay State Prison Hunger Strike this July, I'd like to share the story of a man, a father, a brother, a son, a friend, and most importantly a human being who is being unjustly and wrongly held in the worst forms of solitary confinement at this prison. My story begins two and half years ago when I began to correspond with a prisoner at Pelican Bay State Prison, a prison build in 1989 under the administration of then Governor George Deukmejian. Its intention was to house CDCR "worst of the worst." In reality Pelican Bay houses lower level offenders in a ranch area on prison grounds, as well as high level prisoners. The prisoners held in the ranch area are primarily used as prison laborers to help maintain the prison. Pelican Bay is California first super-max prison, and known to be one of the toughest prisons because of its isolation units, most commonly referred to as Secure Housing Units, or simply the SHU. In 2010 before I wrote that letter, I knew very little about the horrors of this prison or any prison for that matter, I only knew that I would be a great mentor, and friend to any prisoner. I naïvely believed that I could be an inspiration, but it would be this prisoner that would shape me and educate me more than I could have ever imagined.

Omar Villasenor was just a teenager when he first came to prison. He had already served 11 years at Pelican Bay State Prison when I first saw his ad requesting friendship, in it he states "There are lots of great people out there in the world and hopefully I am fortunate to get to know

some of you. I made a mistake when I was young that cost me my freedom, with that said I am not a bad person. As you get to know me, you will see that I am a good person at heart that cares about people, and likes to learn from others." I was so moved by his words and felt compelled to write him. He would be the first prisoner that I would write to, and though I had worked with prisoners on a professional level, I had mixed emotions about my decision to personally get involved. I'm glad that I overcame my fears of writing to a prisoner because I would have missed the opportunity of having known him. We quickly became extremely close friends. In fact, I can't really remember a time when Omar has not been a part of my life; it was as if he and I had always been in each other's lives and that we were destined to meet. In April 2012, after a year of correspondence I traveled the more than 355 miles from the Bay Area to Crescent City to meet him.



Omar is originally from Orange County, he was almost 800 miles from home, and had not seen his family for over 8 years at that point. I would later learn that the vast majority of prisoners being held there are

for the most part originally from Orange County, a plan, no less to keep prisoners isolation, making visits for families a hardship, especially for disabled elderly mothers like Omar's.

Pelican Bay State Prison is nestled in the middle of the most beautiful redwoods I'd ever seen, and aligned with a gorgeous beach called Pebble Beach. Sadly, most prisoners will never have the opportunity to see it. The drive is most beautiful, but wavy, long and tiresome. The hotels are costly; some offer special deals to prisoner families but often don't advertise this. The gas price in Crescent City is much higher than even in the Bay Area where I live. There is only limited airport service and no train, nor any buses that take you to Crescent City, which forces many families to drive the 800 miles, more than 14 hours in order to visit their loved one from Southern California.

While I waited for my visit to be processed, there stood an elderly father crying. He begged to see his son; he had driven more than 14 hours by himself only to get denied a visit. The co's passed by him, barely acknowledging him, as we stood by shaking our heads at the lack of compassion given to his man. He was deemed unworthy of their kindness simply because his son was being housed there. That same day a mother, was there with her daughter, her daughter was also in tears because they would not allow her to see her brother. Pelican Bay is most known for denying prisoner's families visits for any number of reasons. Earlier this year, a mother and her son were kicked out of visiting for discussing a Raider's game, because they labeled

that talk gang activity.

When we were processed through the metal detector, they are put on such a high level that it requires you simply to stand in the middle of it, and wait. If you failed to pass thru the metal detector on the third time, your visit will be denied. Once we were seated in the visiting room, we waited, and waited. After forty five minutes, I grew weary, and started to get up, when a mother began to silently cry begging me not to say anything. She had traveled thru the night in order to see her son, and she was fearful that they would use any excuse to deny us the family visits. Finally after an hour, the men were allowed to come in. When I asked Omar what was the delay, he said he didn't know, all the men were sitting right there behind the door waiting. I would learn after many more family visits that this specific female guard would continually do this to families for no other reason than to be cruel to visitors. We often called her the "juggling lady" because as small as the visiting room was, whenever the mood would strike her she would run across the room making her large set of keys juggle to reprimand someone for the most smallest of things, from holding hands, to standing too close to your loved one. Granted everyone cherishes their contact visits because they were so rare, and not too many prisoners were allowed to have them. The vast majority of prisoner's visits at Pelican Bay State Prison are behind glass.

Months prior to my first visit with Omar, I became mindful of things that were going on, perhaps because we had grown close. There were reports of violence, riots, months of lockdowns, and stories of guards abusing prisoners. Sometimes the lockdowns would last for years. Most alarming to me was the announcing of an impending hunger strike which for the most part went ignored for more than 6 months until July 1<sup>st</sup> when more than 6 thousands prisoners took part on the 1<sup>st</sup> day. Up until that day in 2011 it was the largest hunger strike in prisoner history, but two months later when demands went unmet another would begin that doubled that number. Despite the fact that the hunger strike was announce six months prior to taking place CDCR would state they had no prior knowledge of it even though many publications printed the prisoner's declarations many months before.

At that time, I put my concerns aside about the upcoming hunger strike because a tsunami was getting ready to sweep thru Crescent City. Although some residents

were forced to evacuate by prisons officials, no plan were ever made to safely evacuate the prisoners. In fact, prison officials came on record to state that Pelican Bay was built so that in a state of emergency it would cave in, not out, killing the prisoners. The cell doors were also built to open in a state of emergency. To rectify that, co's were ordered to manually chain each individual cell, guaranteeing that no prisoner would be able to save themselves should a tsunami come over the prison.

I was utterly disgusted at how irresponsible and negligent prison official's actions and statements were during that time. You can call them what you want, but those men are human beings before they are anything else. These government officials are entrusted to care for thousands of prisoners, and their total disregard for their families and the well-being of their loved ones was a sign that much was wrong with Pelican Bay and things were just about to get much worse.

In the month of July of 2011 as the prisoner hunger strike began, I joined other families, and prison advocates to build support and raise awareness to the Pelican Bay State prisoners 5 core demands, I received a call from Omar, he asked me to come urgently. I gathered my things that week, and camped out there in Crescent City with another woman who was camping there for her loved one who was on his third week of not eating.

During our visit, I would learn that Omar was being targeted by Institutional Gang Investigations. He was being subject to weekly interrogations, his cell was being trashed and his letters were taken from him. I was very confused because two months earlier Omar met the criteria to transfer to a lower level prison. How could this be happening? He was even asked to select a prison of his choice, and he selected Centinela, a prison that would bring him closer to his family. I felt it was a mistake that we could clarify, and for sure they would see how much he had changed, in fact, Omar hadn't had a write up in years, and 10 months earlier he was selected to be a prison mentor for at risk youth. He was selected out of hundreds of other prisoners, if they were any concerns why would they have permitted him to participate in a program that required that he be in close proximity to teenagers. In fact, Omar was also serving as a mentor to my very own son who was struggling with his aggression in school.

At the end of the hunger strike, IGI

closed the case against him and told him that the allegations against him were unfounded. But Omar was uncertain, and my beautiful friend became distant, and withdrawn, he no longer found joy in using the phones, and didn't write as often fearful that anything he may say would be used against him. I told him I missed him, I wanted my friend back, so his family and I wrote numerous supportive letters to the warden and his counselor urging that they honor his transfer that was granted by a committee in May of 2011. The response we received originally cited budget cuts for the delays, but the last letter cited disciplinary reasons, despite the fact that he had not had any write-ups in years.

Towards the end of September 2011 the day before the 2<sup>nd</sup> hunger strike was set to begin, Omar agreed to a family visit and my son and I traveled to see him. Omar spirits were high, and he greeted us with his gorgeous smile and warm hug. We happily took pictures and ate together. Omar and my son devoured the ice cream in those vending machines. On Sunday, we played games together; all seem to be going great. While my son and I took a bathroom break, we return to find IGI sitting there in the middle of the room insight of other families, and prisoners talking to Omar. My son was upset, and Omar again grew silent, and withdrawn. IGI used our visiting time to announce that the case against Omar was reopened, and he would provide them with gang information or he would go to the SHU. The IGI officer told him that he could make this all go away and he would get his transfer to be closer to his family if he informed on the activities of other prisoners.

Two weeks later on Oct 4, 2011, while Omar was at work at his kitchen job IGI officers entered, handcuffed him in front of other prisoners and staff and placed him in a small cage for four hours, a cage not even fit for an animal, while they waited on a bed to open in administrative segregation unit, more commonly referred to as the 'hole.' When I received his letter, I had no idea how I would relay the news to his elderly mother. When I called her, we both silently cried unable to comfort one another as we both knew Omar was being housed in the worst living conditions, he was now in solitary confinement for 23 hours a day, every day, with no access to phones, or contact visits.

You see, I may not have known much when I sent that 1<sup>st</sup> letter out to Omar two and half years ago, but what I know now,

is that this isn't justice to do this to someone. This doesn't have anything to do with keeping prisoners safe, controlling gang activity, this is pure psychology torture in its cruelest and ugliest form done to prisoners in the United States every day.

If you think solitary confinement has nothing to do with you, think again. Correctional officers who work these units are paid more than regular co's that don't, they do less work and get paid more, pretty good deal at the expense of taxpayers money. Solitary confinement costs California taxpayers an additional \$175 million to run, Pelican Bay yearly budget alone is \$180 million a year. While cuts are being taken from schools, the poor and the disabled, more money is given to corrections and Pelican Bay sure brought a lot of money into Crescent City, a city with a population of no more than 7000 people, that number includes the prisoners that live there. That's a whopping load of incentives to keep these units running.

After 5 months of isolation, my beautiful friend was validated indefinitely as a Mexican Mafia prison gang associate, stemming from a letter the prison refused to produce, as well as a finding of his CDCR number in a fellow prisoners phone book, that prisoner was later validated which make this a contact according to prison officials. The final and third validation point they used was a write up for his participation in another peaceful protest against the movement of prisoners into management units 6 years ago, which he was already punished for, and had two years of good time credit taken away from him. When I question prison officials they stated it was okay to continue to use something that a prisoner was already punished for previously. I was also later told by prison officials that they often validated prisoners to impel them into providing information on gang activity.

Months into Omar isolation, I traveled to visit him. After checking in at the guard's station, I turned to see the visiting booths before me. I searched for Omar, but I could not find him. I asked the guard again which booth he was at, and I turned to see a prisoner smiling and waving at me. I hardly recognized him. My beautiful friend's eyes were sullen from lack of sleep; his cheeks were sucked in and he had lost weight from shortage of food provided to him. He had been moved from to a different cell, and the correctional officers refused to allow him his commissary that month because it require the co's to bring it to him themselves.

He was unshaven, and he had a rash on his neck from scratching his newly grown beard, as razors are provided at the convenience of guards. His lips were chapped and his skin was sunburned from being left on the yard longer than usual. He also had visible bruises on his wrists, and a little bleeding from the handcuff's placed on him too tightly. Prisoners held in isolation are to be handcuff every time they are released from their cells. Feeling overwhelmed by his appearance and the news of his validation, I cried silently before him, unable to find the right words to comfort him.

As a result of his validation he had an additional four years of good time credit that he had earned taken away, and his release date was bumped up to 9 years, which means he will more than likely spend the next 9 years in Pelican Bay SHU and will be released directly from there. In the meantime he will be housed in ASU pending the opening of a SHU bed, all this because he wanted to be transfer to be reunited with his family.



My friend is not a murderer, a rapist, or a dangerous man; he had not done any criminal acts on behalf of any gang, or attacked any prisoners. He was subjected to gang injunctions which target Latinos, and had his sentence enhanced three times then what should have been given to him. His inability to provide gang information was rewarded by punishing him and those that love him as well. When Omar's mother learned of the news that her son was validated indefinitely, she screamed, and cried. She was inconsolable for days, feeling powerless to help her son; she fell under a deep depression. She finds it hard to talk about him without getting emotional.

The punishment does not end with isolation, although that would be enough to destroy any human being, it extends much more than that. Prisoners in isolation are only allowed one book per month, whereas general population prisoners are entitled to have two. Mainline prisoners can use up to \$210 monthly from their own accounts to

buy food, and toiletries, prisoners held in isolation are only allowed to spend up to \$55 each month, having to choose between having more toilet paper, soap or eating a bit more that month. In addition, they are allowed only one yearly package compare to quarterly that mainline prisoners are allowed to have. They cannot use the phone, and their visits are behind glass for only an hour to hour and half. Mainline prisoners are allowed to have up to 6 hours with their loved ones. Whereas prisoner on the mainline can earn good time credit, prisoners in the SHU cannot, they want to make sure you feel each and every day of isolation.

Prisoners held in solitary confinement not only have the highest recidivism rates, but they also have the highest suicide rates then general population prisoners. Solitary confinement does not discriminate; men, women and children of all nationalities have been place in isolation throughout America's prisons. A minor infraction can cause a prisoner to spend months and even years in the hole, as it is mostly controlled by prison staff with no more than a high school diploma.

Ashley Smith was just a teenager when she came to prison. Videos of her show her demise into mental illness as correctional officers, sometimes six at a time, are on top her, often she was hogtied like an animal with her face covered in a black mask, other times officers covered her mouth with their hands as she screamed for them to stop touching her. Other videos released of Ashley Smith show her alone in her cell with no more than a blanket. After her suicide, her family sued prison officials, their lawyers called Smith prison treatment as barbaric and abusive. Indeed, solitary confinement is torture and abuse at the highest level. The family won an undisclosed amount of money as a result of their settlement, and made many videos of Ashley incarceration public to build awareness of the harmful effects of solitary confinement against prisoners.

During the August 2011 legislative hearing, CDCR top prison official Scott Kernan acknowledged that prison officials had error, and had over validated too many California prisoners. A year later, not much has changed and my dear friend Omar has already spent close to 10 months in solitary confinement, deprived of any form of sensory or human contact for his refusal to name another prisoner to take his place. As the Prisoners Hunger Strike unfolded that summer in 2011, while most mainstream

media outlets refused to cover the story, Iraq reporters were closely monitoring the situation. One reporter was seen watching youtube coverage of the hunger strike, and he pointed in disgust at the T.V. saying “look at how these Americans treat their own prisoners.” He is right, this reflects poorly on our society, and it is a disgrace the way American prisoners are treated, and abused in American prisons.

If the goal was ever to rehabilitate, then California officials don’t know the first thing about it. To continue to use methods that don’t work is irresponsible, and a waste of taxpayer’s money by using methods that destroyed family bonds, and create mental illness to prisoners, instead of using effective programs like education, vocation, as well as community and work programs that help prisoners become successful. Most prisoners held in solitary confinement are directly released from these units without any form of therapy or tools to help them succeed upon release.

Sadly, the vast majority of prisoners held in SHU in the State of California are of Latino descent, more specifically Mexican American descent. Accurate statistics for how many prisoners are held in solitary confinement in the United States are hard to find, prisons officials are not required to publicize their numbers, making public accountability even more difficult.

In the preface of the book *The United States and Torture*, Dianne Ortiz an American nun who was gang raped and tortured while doing missionary work in Guatemala wrote “In a world where torture is so prevalent, in a nation that mixes self-proclaimed leadership in human rights with its own practice of torture, it may be difficult to hope. I have been to a place where there seemed none at all and will not go there again. As hard as it may be to justify, I still hope. I still do hope for a world that one day will be torture free.”

I too also have hope, along with many families that Pelican Bay, the worst prison in this state will one day be closed, along with all the SHU’s in California and that many people will stand up and continue to demand better treatment of our prisoners. When we choose to turn our backs on the suffering of thousands of people, we have yet to truly evolve as people, as noted by Dostoevsky and Churchill when they said “The real measure of civilization in any society can be found in the way it treats its most unfortunate citizens - its prisoners.”

I dedicated the writing of this article to

Omar’s beautiful mother Consuelo Vilasenor, who made the long 16 hour journey to be alongside her son, if only for an hour behind glass. As well as to my dear departed friend Irma Hedlin, who quietly passed away this month, a mother with two sons held in solitary confinement at Pelican Bay. Irma stood alongside me and gave me strength during rallies, press interviews, and traveled with me to Pelican Bay several times, I will miss you more than I could ever say. I also would like to devote this to all the mothers who have incarcerated loved ones in solitary confinement in United States prisons, as well as prisoners held in these torture chambers, I’d like to let you know, that there is still hope, and people just like me who will continue to fight this struggle on your behalf.

To learn more on solitary confinement please follow the following links,

<http://prisonerhungerstrikesolidarity.wordpress.com/>

<http://www.nrnat.org/>

<http://www.nrnat.org/>

### Quote Box

“A new fascism promises security from the terror of crime. All that is required is that we take away the criminals’ [or terrorists’] rights—which, of course, are our own. Out of our desperation and fear we begin to feel a sense of security from the new totalitarian state.”

*Gerry Spence, lawyer and author*

“It should be no surprise that when rich men take control of the government, they pass laws that are favorable to themselves. The surprise is that those who are not rich vote for such people, even though they should know from bitter experience that the rich will continue to rip off the rest of us.”

*Andrew Greeley (Chicago Sun-Times, February 18, 2001)*

“Every step toward the goal of justice requires sacrifice, suffering, and struggle; the tireless exertions and passionate concern of dedicated individuals.”

*Martin Luther King, Jr.*

“Never doubt that a small group of thoughtful and committed citizens can change the world. Indeed, it is the only thing that ever has.”

*Margaret Mead, American cultural anthropologist*

## THE ECONOMICS OF A WORK STOPPAGE

*By Gabriel A. Huerta, March 25, 2012*

I’ve been watching the progress of the Occupy Movement for some time now and I’m really happy to see that it hasn’t fizzled out. In the same spirit that formed the unions of today’s dock workers, auto workers and miners when they challenged the injustices of what “Big Business” was doing at the expense of the common worker, today’s protestors are demonstrating great tenacity, that inner strength, as they struggle for the rights of the 99 percent – which includes even us prisoners.

We, the 99 percent, are fighting against that business psychology that calls out for “do more with less regardless of who it hurts.” The only thing the “fat cats” are interested in is the bottom line. If there’s no incentive for them to pay higher wages or to improve working conditions, then they’re just not going to do it if it cuts into their profits.

It’s very simple: If they’re paying 100 people \$5 an hour to do a job and if they can get away with firing half of those workers and have the rest pick up the slack – while still paying them only \$5 an hour – then that’s just what they’re going to do, and who cares about those they fired? Not the fat cats.

Increasing profits and increasing efficiency is the name of the game. Concepts like compassion, fairness and justice are not going to be factors considered by the fat cats, unless they somehow affect the bottom line.

The economics of a work stoppage does get their attention because it goes straight to the bottom line, and that’s exactly why what the Occupy Movement is doing makes perfect sense. If the fat cats are faced with a strike that will shut down their entire business for weeks or months, then all of a sudden they’re a little more understanding. It’s called “collective bargaining,” and it’s what the unions of today were built on to bring about fair wages and decent working conditions for millions of workers. I wholeheartedly support the Occupy Movement and I hope that more people wake up to push it through so that it can truly be successful.

Back in July of 2011, many of us here in Pelican Bay State Prison initiated a hunger strike that ended up spreading to many oth-

er prisons. In that same spirit of stubborn resistance that the Occupy Movement is showing, we were protesting the torturous and inhumane conditions of these isolation units in U.S. prisons.

I want to stress that our struggle is not over – not by a long shot – but some of our modest demands have already been met. One of the most important demands was a realistic way to work our way out of these isolation units. The CDCR representatives who met with our mediation team on Oct. 13, 2011, to stop the second hunger strike had promised that within 60 days they would present substantive changes to our mediation team for comment.

As of this writing, they still haven't presented anything. [Since this letter was written, CDCR has released a new proposed gang management strategy.] We all expected that though because we're all very familiar with how CDCR operates, and that's why we all know that whatever program they come up with, which will come eventually, they're going to set it up to fail. They want to sabotage it because that helps their bottom line. So expect it!

But I say to those it concerns: "Do not bite into their manipulations! Do not lash out against each other!" All that would do is work against us and keep the rest of us from getting out to that first step. Support from the mainlines in the form of stopping the madness is vital. The madness will only keep us from getting out.

So once this program starts, it's important to make it work, to stay on the same page and not let the fat cats manipulate us to suit their "bottom line." Just make it work, as we continue in our nonviolent push to be free from torture and to be treated as human beings. •

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## AND A FOLLOW UP

By Gabriel Huerta C30766, July 15, 2012

In July 2011, during the first of two hunger strikes that were initiated in Pelican Bay State Prison, as I starved myself, I actually got down and wrote a short story, giving voice to the thoughts that ran through my mind. The story was about human beings that were being forced to row a large boat. These human beings finally got fed up and rocked the boat, in protest. The idea of the story was that no one individual could have rocked the boat on his own, that it took cooperation of people to act in unison—just as I viewed our mass hunger

strike. I sent copies of this story to a handful of friends, including the *S.F. Bay View*, who printed it in their November 2011 issue, well after both hunger strikes had already ended. I continued to share the story with friends, then all of a sudden PBSP stopped my mail and confiscated the story because I'm said to be "promoting solidarity." Can you believe that?! As if promoting solidarity was some kind of rule violation. I was also accused of promoting a work stoppage during our protests—it didn't matter that both of the hunger strikes had long ended and that there was never any work stoppage as a part of the protests. My story was considered contraband as it threatened the security of the fat cats.

This is a perfect example of how CDC tries to control our thoughts in prison. We're supposed to have a First Amendment right of expression, where we can have thoughts and wonder about things. I wonder about a lot of things: What came first, the chicken or the egg? If a tree falls in the forest and no one's around to hear it, does it make a sound? And in July 2011, as I starved myself in protest, I wondered ... what would happen if we prisoners in mass refused to work? What would happen if we, as a whole, started refusing to finance our own incarceration? Of course the CDC would immediately retaliate. They would write everyone up and bring in other prisoners [scabs] to do the work. Visiting would be cancelled, as well as canteen; no packages, and the chow would be lousy and very short. Everyone would probably be confined to their cells the whole day—it would be pretty lousy. *But*, if they held fast, if the prisoners endured, would other main liners finally realize that *this is the time*, that they can actually get their family visits, etc., back? There's over 30,000 lifers in California prisons alone, is there any one of them that feels the parole board works fine the way it presently operates? So I wonder ... would enough prisoners be able to endure? Board reform, family visits for everyone (on top of other positive programs), and shutting down the SHUs. These are powerful incentives that benefit *everyone* across the board. Would the scabs themselves realize that it's to their benefit, as well, and not be a scab? Would the number one demand, even before getting the governor up here to talk, be to dismiss and expunge any and all write ups for the protest? I mean, I 'm just wondering! Don't I have a right to wonder? •

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## HUNGER STRIKE IN GA PRISON ENTERS 5TH WEEK

By BAR managing editor Bruce A. Dixon

The hunger strike begun on June 11 by nine prisoners at Georgia's massive Diagnostic and Classification prison, the same place where Troy Davis

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**...these nine were among the 37 singled out by corrections officials in late 2010 and early 2011 after the peaceful work strike by Georgia prisoners of December 2010.**

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was murdered last year, continues into its fifth week. Though reports published in the Atlanta Journal-Constitution declare the strike over, the families and one of the attorneys of inmates insist that the nine prisoners remain resolved, and continue to insist on administrative review of their status, adequate medical care, and access to mail and visitation privileges with their families and attorneys which have been arbitrarily denied them.

Our sources claim that these nine were among the 37 singled out by corrections officials in late 2010 and early 2011 after the peaceful statewide work strike by Georgia prisoners of December 2010. They were rounded up, many severely beaten, and transferred to close confinement and constant lock-down at Jackson, where they have remained ever since.

On Monday July 9, about 30 people showed up at Georgia's state capitol to visit the governor's office, where they left letters of support for the hunger strikers. Through direct and indirect contacts with their families and attorneys and other inmates, the prisoners know that they DO have significant support on the outside. The warden, for example, remarked to Miguel Jackson his surprise that the Georgia Green Party was supporting the strikers. Your phone calls to the prison warden, to the Department of Corrections, and the governor of Georgia have already made a difference.

Whether or not the hunger strike lasts much longer, the nine prisoners involved have already demonstrated their unshakable resolve, and deserve your continued concern and support, and your calls, which are still needed. •

# LETTERS

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

## More of the Same

I am a validated inmate here in the Te-hachapi SHU (4A) and I would like to be put on your mailing list for the *Rock* newsletter of yours. I have been a long time reader of C.P.F. and I thank you for all the work you do to shed light on the things going on here in these Security Housing Units. Enclosed are a few stamps for the next issue or *Rock*. I will send more as soon as I get more sent in. You definitely got that coming.

I am one of those validated (A.B. Associate) inmates that feels this new proposal by CDCR regarding gang validation is a joke. They're giving people more points for simply saying good morning/good night to others in your section whether you're saying it to other whites or Hispanics. And they will continue to do this because they know it will derail any effort made to get out of the SHU—even though saying good morning/good night is in no way gang behavior. The new validation proposal is just more of the same, just in different words. Thank you for your time and effort and help. We all truly appreciate it.

*Danny Boy Cisneros "Maniac"*  
CCI SHU

## On Gang Policy Revisions

I am a class representative of the Pelican Bay Human Rights Movement, by way of the recent hunger strikes in California's slave camps & abroad. The revisions, that were done to the SHU management gang policies, well, that is exactly what has taken place – "Revisions" (e.g. "Reform"). Hence, more of the same, in that, the revisions have only strengthened C.D.C.R. officials power & ability, to label and validate "every" prisoner in C.D.C.R., as belonging to a security threat group – e.g. "prison gang". In other words, one form of fascism, has simply been replaced by another form of fascism.

At the crux of the revisions, is a lack of a "definitive" and/or a "behavioral – based" criteria, as to what, actually constitute as being gang activity. Meaning, any and everything, can and will still be considered

gang activity, in spite of, how "innocuous" the activity may be.

In addition to this, we still have untrained and unqualified C.D.C.R. officers/officials, determining & assessing what "gang activity" is. And this point is critical for two very important reasons: 1.) There is no qualitative over-sight mechanisms in place, meaning, there is absolutely nothing to prevent C.D.C.R.'s prison guards, gang, unit, etc. from being vindictive, retaliatory, punitive, etc. via the application of these "revised" gang management policies. A prime example of this type of tyranny is noted in a lawsuit that was filed against I.G.I officer E. Duarte, for abusing his powers, during a gang validation of a prisoner at Calipatria State Prison. – See: *Valarde v. I.G.I. E. Duarte*, case no: 11-cv-00287-AJB-CAB, dated 2/10/11; and 2.) It has been proven that C.D.C.R.'s prison guards and their I.G.I. gang unit staff do not properly investigate the evidence, that is used in each prisoner's gang validation. – See: *Lira v. Cate*, case no: 00-0905-SI-PR, dated 9/30/09

And the new revisions do not do anything to correct this contradiction.

Hence, the support of the people is still needed, in order to put pressure on C.D.C.R. officials, local legislators/politicians, etc. and demand that an "alternative" to solitary confinement be constructed & implemented, with regards to housing and the management of alleged prison gang members, etc. Because, if C.D.C.R. can construct & operate "sensitive need yards" (e.g. general population main lines") for rapists, child molesters, informants, etc. then they should also be able to construct & operate general population mainline yards for alleged prison gang members, as predicated upon, clearly identified security interests of compatibility factors. As "torture" (e.g. "solitary confinement") should never be, the "only" solution for this circumstance!! The Pelican Bay Human Rights Movement have constructed a proposed, qualitative alternative to solitary confinement (e.g. "torture") which can be viewed by logging onto [www.prisonerhungerstrikesolidarity.wordpress.com](http://www.prisonerhungerstrikesolidarity.wordpress.com).

Dare 2 struggle!!

Dare 2 win!!

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## One Victory

I've no great news nor any loud horn to toot on my own but we together have triumphed this time over the retaliatory 115-RVR's for the hunger strikes. *Particularly* those of us here in P.B.S.P./SHU who received the RVR *as titled*: "Participation in a Mass Disturbance/ Willfully delaying or Obstructing a Peace Officer in the Performance of Duty." This should be challenged on the latter half because according to my Appeal #PBSP-D-12-00717 "the RVR does not meet the criteria for a guilty finding of willfully delaying or obstructing any peace officer in the performance of duty therefore RVR dated: January 17<sup>th</sup> 2012 log #D12-01-0026 Participation in Mass Disturbance be dismissed and removed from his Central file is GRANTED."

I believe many of us don't mind these RVR's for such a true and worthy cause but trust me... for those of us with LIFE our fight has to be "tooth and nail" down to the wire because one day many years from now you may find yourself in front of a parole board that is weaponizing every bit of your past.

So then, to each of you, fight hard and forge forward deporting yourselves like diamonds in the rough because it is only with this great pressure and intense heat that such a hard and beautiful substance comes into being from dirty old mineral rocks trapped in the deep bowels of the earth.

Dare to Struggle! Dare to Win!!!

Thank you Genuinely!

*Donnie Phillips, PBSP SHU*

## New Policy a Joke

I am one of those validated (A.B. Associate) inmates that feels this new proposal by CDCR regarding gang validation is a joke. They're giving people more points for simply saying good morning/good night to others in your section whether you're saying it to other whites or Hispanics. And they will continue to do this because they know it will derail any effort made to get out of the SHU—even though saying good morning/good night is in no way gang behavior. The new validation proposal is just more of the same, just in different words. Thank you for your time and effort and help. We all truly appreciate it.

*Danny Boy Cisneros "Maniac"*  
CCI SHU

LETTERS

## More On Form and Content

If I may, I would like to comment on the article entitled "On Form and Content" which proposes a sub-demand be made to the Five Core Demands calling for the allowance of "association" (See *Rock*, Vol. 1, No. 6), including such specifics as group yard, day room, cellmates, etc. This proposal does seem like an attractive idea and may be an appropriate response to CDCR's continued failure to meaningfully overhaul its gang validation practices.

On its face, amending section 'A' of Core Demand number three to specify and define the parameters of 'End Conditions of Isolation' could draw even greater outside support due to the existing Abolish the SHUs/Supermaxes movement that has been campaigning nationwide long before the hunger strikes in 2011 were initiated. However, I do not agree that the current strategies or objectives are incorrect or doomed to failure. The arbitrary gang validation policy and practices have been the vicious hammer CDCR has used to bludgeon us with and must be reformed.

While it is not up to me to evaluate and assess the impact, appropriateness and timeliness of such an amendment, I have complete faith that whatever course the hunger strike (short corridor) representatives choose is the correct one. Personally, I see the current on-going protests as an unmitigated success regardless of all objectives and demands being met. A slumbering giant has been awakened. A collective consciousness has been sparked among prison masses that real change can be obtained if we unite and demand reform. Unfortunately for CDCR, this genie cannot be put back in the bottle.

I do have a suggestion for the representatives to consider. It may prove beneficial to retain one or two qualified corrections experts, preferably with prison gang expertise, to review and prepare a report on the amended STG proposal CDCR is about to shuffle out. CDCR has taken the position (thus far) that the frivolous and innocuous information it relies on in its gang validation practices is customarily relied on in the prisons of other states. This flawed justification can be countered with credentialed testimony that points out the risk of erroneous identification inherent in the current vaguely worded criteria as well as pointing out the other flaws in the proposal.

The SHU Mediation Team expects the next battleground to be in the state legislature in front of the public safety com-

mittees. Favorable expert testimony could prove persuasive there and in the court of public opinion. However, I am just a lone voice in the wilderness; I leave the wisdom of such a tactic to minds sharper than my own. I for one would definitely answer the call for donations to retain experts.

*Vincent C. Bruce, PBSP SHU*

[**Ed's Note:** The "next battleground" has been and will continue to be inside the state's prisons. Everything has and will flow from that struggle. Putting too much faith in the legislature, the courts, in anything but your own strength, will be unenforceable and ultimately lead you to your knees.]

## More of What Has Worked?

In response to Mr. A.C.'s request for suggestions, thoughts, etc., I as well as those within my quarters, collectively agree that CDCR has not made a sincere effort to rectify their policies. They continue to sweep our first three demands under the rug, without offering a fair compromise. They obstinately continue to pursue their best interests with disregard to ours. This causes one to question their credibility.

I Support the idea of a peaceful demonstration being conducted in here in concert with simultaneous pressure placed upon CDCR and the legislature by our outside sympathizers. That seems to be our best and most effective option. I understand that we are not trying to dictate what we want, but rather we are merely asking for what we have coming. If we have to put our health in jeopardy to convey how serious this issue is to us, then that's a small price to pay for the prospect of a long term solution that will satisfy our demands. At the present moment I find myself at the down slope of my sentence, three years to go to be exact. Although the journey in that regard is about to end, my journey in regards to this reform movement has just begun for I am fully committed to this cause. My commitment to the movement will not end once I parole. I firmly believe our efforts are best served by using our energy and focusing it on what has been working.

[A paragraph of acknowledgements to inside and outside supporters omitted due to space considerations.] We all agree with Mr. A.C. that we will not sit on our hands and get treated like a doormat, or more appropriately, like commodities. Enough is enough! In solidarity we remain,

*Erik Mata and Frank Gomez, PBSP*

## A Step Nowhere Program

I am writing in response to the last issue or *Rock* in which input was asked for concerning the different opinions/ideas as to moving forward with this collective struggle.

One thing that is clear to all is that the step-down program is actually a step-nowhere program for the vast majority, not just those of us in here in the short corridor but even for those very few who may actually work their way out of SHU. You *will* be right back! No different from the few guys who "got out" during the first wave of the Six Year Inactive Review Process. And it is now clear that CDCR plans to shove version 6.0ICU812 down everyone's throats.

"Everyone" being the key. It's no longer just the old tired CDCR labeling of associate or member of one of the four major prison gangs ... It's now literally everyone. Thousands stood up (inside and out) to demand reforms and CDCR's answer was to give SHU/ASU token material gains while pushing through measures to free their hands to slam hundreds if not thousands of more men and women into these SHUs for a minimum of what appears to be four years. It is audacious to the extreme.

Everyone *is* involved, regardless of whether they choose to be or not. We received great support during the first two hunger strikes on the inside (6,000 and 12,000) but many of us feel that we must change tactics. Another hunger strike will undoubtedly play out the same ... empty CDCR promises and okie-dokes. My belief is that Georgia put forward the best patten of non-violent, peaceful resistance. Hunger strike is severely limited and restricted by time itself. CDCR is simply too big and too bureaucratic to respond in that window of time. Georgia showed a way forward that could go on indefinitely without anyone else dying. We have absolutely shown through the unified collective sacrifice of these first two strikes that we, without question, hold the power of change within *our own hands*. But it is now time to change our tactics and equal CDCR in their audaciousness. However, it has to be everyone. As everyone now stands under the same STG 1 and 2 threats of being slammed, just as we all have been slammed here for the past ten to forty years.

Whatever path is agreed upon, I personally will support. But I do urge that serious consideration be given to shifting away from hunger strike.

*James B. Elrod, PBSP SHU*

## EDITORIAL EIGHT

Over the years I've put out a lot of prisoner-oriented publications, one of the first was called the *Lady Finger*, which was aimed at combating prisoner sexism back in the mid-1970s while confined at the Washington State Penitentiary. Someday I'll bore you with the whole list, but for now I want to say this little rag, the *Rock*, is my proudest moment—the one in which I feel the most connected with my readers. I put out the call for your financial support and you've responded in spades, with both cash and stamps. Yet it is more than the financial support you've provided, it is the tone and content of your letters and articles that makes this little newsletter what it is—you give it substance.

As I write this, with tears are welling up and run down my cheek, I send you my heartfelt thanks for your support. In all my years of doing this I've never had a publication that was so well supported by its readers. You've done me proud. There is currently no need for stamps or money. I'll let you know when that changes.

Thanks to inside and outside contributions, I have over \$600 in the newsletter fund and enough stamps to send this issue out. I'm buying a case of address labels for \$147 and another box of paper for \$50. I'll print this tomorrow and the next day a couple of ex-convict buddies are coming over to help with the folding, stamping, stapling, and sealing.

I am mostly healed from my surgery, all other systems are up and running. We are good to go. The next step is to boost circulation, particularly in the GP and with friends and family members. That's the priority. Think of this newsletter as the scaffolding that goes up around the construction of a building as it goes up—for the structure to grow the scaffolding must first rise.

As reported in the June issue of *Rock*, and elsewhere, the big law suit against long term isolation has been filed. This law suit will drag on for anywhere from three to fifteen years while SHU prisoners patiently wait, looking to the class enemy's courts rather than to themselves as the motive force for change. And as I've written before in these pages and elsewhere, the court serve as a pressure relief valve, the purpose of which is to drain the steam from the struggle for justice.

Anyone expecting meaningful change from the bourgeois courts is delusional. Oh, because there were thousands partici-

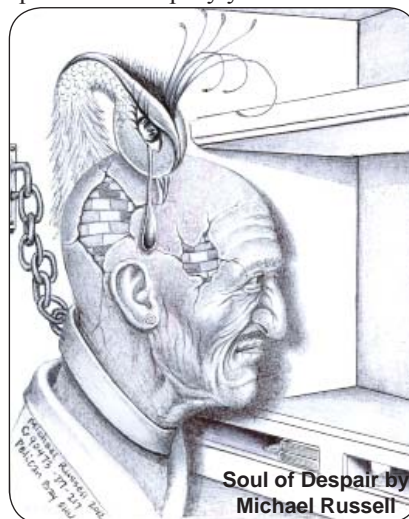
pating in hunger strikes, and because the likes of the Center for Constitution Rights became involved in the litigation, there is a good chance the courts will tinker with the validation process and such, but there will be no fundamental change from the courts in terms of the substance or purpose of the SHU.

Today I received a letter from a hunger striker in general population. He and I have been talking about why there was not more support for the strike in GP. His letter was lengthy, but I'll quote one sentence: "I believe the failure to gain more widespread support was mostly the fault of us strikers ourselves." He goes on to detail the reasons why he thinks that's so, such as not enough reaching out to GP prisoners or providing an adequate amount of information on what the HS was about. My point is that he is looking for answers—he is questioning.

On the other hand, I get letters from prisoners who believe that any examination of our current practice is "blasphemy" (the actual word one prisoner used). It's like he's on this ship that steering straight for an iceberg, but he'd destroy the boat rather than adjust course.

Anyone who does not think this struggle is heading for an iceberg should give their life jacket to someone with better vision. Read the letters in the last issue about the status of the ongoing discussions with CDCR and then tell me you think negotiations are on the right track. For any struggle to be successful the strategy and tactics implemented must always be subject to revision as the material conditions enveloping that conflict change or morph.

Like so many letters writers in this issue have said, I too back whatever you all decide. I try to provide some context here, but at the end of the day I'm merely a voice amplifier—to amplify your voice. ●



## TIME FOR CHANGE

Let's try to understand that as we struggle to seek for change, one must want to change, and one must know what change is, as well as willing to help others change, and how can we change the system if we don't change ourselves? My point here is, we must change the way we think, act, or treat self, and others, we must be willing to be able to separate our personal difference to a collective body of work, because with any change in the system that change begin with us as a whole people of all color, because whatever the resolve of the outcome of the hunger strike is, it benefits all race and or class of people. We must realize that our struggle with the change we ferret for is going to take a brave sacrifice from and for all, united we stand, divided we fall, and this is not just for those in short-corridor, it takes all our voices 1-10 block, because we are all in this together, the ground work has been laid-out, the foundation is built, now it takes all our hands together as a collective to work to change this inhumane, injustice system, which is a new form of slavery, I call it modern day slavery, this is mental rape of the mind, designed to break the mind a spirits down from mental and physical point, but we must stay strong, and remind ourselves that our strength comes from each other, which is change and a part of the struggle. Healing and the strengthening of our resolve, in other words, "the way out is back through". There is no running from truth, no finessing it, no working around it as though it were not there, it is time for change because we are all suffering and being injured and its real mentally or physically, it exist still today. We are all still in the middle of the catastrophe and in order to emerge on the other end, we will have to confront this beast together in order to change this system without apology and without hesitation. There is no other way if we want change. And we do this not out of guilt, after all, none of us created the system as we have found it but out of responsibility, a responsibility to ourselves, to those who have gone before us and paved the way for us today as a whole. It was for changed, for a better today, to have what we have coming and make sure that those who follow or come after continue the change, out of our responsibility to all that is a part of this struggle in these warehouses concrete boxes, which is in our

Change..... Continued on page 10



# A DAY OF STRUGGLE; A DAY OF EDUCATION

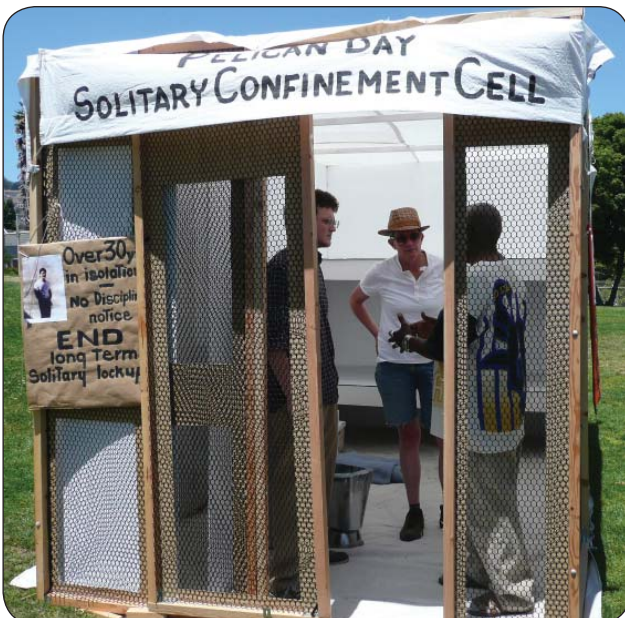
More prepared  
More informed  
More indignant



Above and at right, with the San Francisco Mime Troop, Bay Area prisoner support activists allow the public to inspect a replica of a Pelican Bay SHU cell at Delores Park.



Below, a support activist explains the abusive nature of the SHU to citizens.



Below are some of the activists who constructed and displayed the replica of the SHU cell.



**Change..... Continued from page 8**  
better moments we claim to cherish what is rightfully ours. Guilt is what you feel for what you've done, we are not guilty, and our responsibility is what we take, because of who and what we are, let us now commit to finding out who we are.

Embracing change is natural, change is inevitable, change is the vehicle of universal expression. Everything on the physical plane is in the process of change, each at its own rate of speed. When we resist change we go against the flow of our struggle. We are designed to master change to consciously direct our experience of life in such a way that we change and grow together through time. This does not mean that all change is good or necessary, it's a must, in this place, around these pigs, in our position, does mean that a natural part of our human existence is change. The law of growth is how this is expressed in a collective terms, it is natural for things to grow toward greater levels of our collective expression.. We are in charge of directing this process of change in our lives. Our collective work, time, and energy, we give that energy direction through consciousness. When we embrace change as both a natural and desirable way of being, we give

ourselves the gift of an affirmative life of continuous awakening.

There is no greater way to live. Life is change in action, so if we want change we must first change ourselves, the way we think of ourselves and others, "The collective", the way we act towards others, how we speak about others, our personal feelings about others, because this only add to the slave-master to use against us as a whole and the change we seek for form these butchers, here in this slaughter house, that has us all in these pig stalls or a better way to say it Pig Pens! As bratha Todd Ashker said, this has been successful as a collective with unity, we stand and demand for changes has to be made, now let build for and off each other to change and we together can change the system...

We recognize change is a natural part of life, and we master the process of our change as we awaken to the majesty within us. We know that all of who we are, and I am, becoming is simply the unfolding emergence of the deepest truth within us. I rest for noid [?], but my work and struggle is for change. We may change the trend which has been set in motion at anytime we decide to do so, change must be made. ●

*Name Withheld*

### **In Memoriam**

On April 26 of this year, John Carter died in his solitary confinement cell at State Correctional Institution (SCI) Rockview in central Pennsylvania. According to accounts by other men imprisoned on his cell block, Carter's death followed a violent "cell extraction" in which corrections officers used pepper spray and stun guns, though the Pennsylvania Department of Corrections makes no mention of such actions in its official statements, and state police have yet to interview inmate eyewitnesses.

### **Notice**

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

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**FIRST CLASS MAIL**

**COMMUNICATION IS A HUMAN RIGHT**