

TORTURE IN U.S. PRISONS

EVIDENCE OF U.S. HUMAN RIGHTS VIOLATIONS



AMERICAN FRIENDS SERVICE COMMITTEE

NEW YORK METROPOLITAN REGION

CRIMINAL JUSTICE PROGRAM



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*** INTRODUCTION ***

“Recently a [prisoner] was killed in Hillsborough Jail system [Florida] and, as usual, the guards were released from any responsibility. This is the usual result from a court system designed to protect the rulers with the current attitude of crime control, [the] anti crime mentality and drug war crusade. Now the system is at an unbearable pressure point almost all the time with [prisoners] and staff at each other constantly. It is a runaway train with the public kept from the ‘truth’ by a manipulated press and media [that is] pro law enforcement.”

Ron F. - Federal prison, Tampa, Florida

When prison doors close behind men and women they become *our* prisoners. Unless we are among their family and friends, however, it is very likely we will dismiss them with the thought, “good riddance - they broke the law and now they must pay the penalty.” And we proceed about our business without looking back. It is time we did just that; prisons accurately reflect the societies that create them.

How often has it been commented that violence is as American as apple pie? It is part of the tradition of manifest destiny embodied in conquering the wild west and of the rugged individualism according to which each is left to fend for him or herself. The promise of opportunity for one and all but available only to a select few can create nothing more than an atmosphere of mutual distrust.

The criminal justice system seeks its raw material in poor neighborhoods where people of color, already victims of racism, often form the majority. From the first “stop and frisk” by police on the street through arrest, arraignment and indictment, trial and verdict, sentencing and incarceration, the system becomes an increasingly narrow funnel through which only the poor and the dark skinned must pass.

At the turn of the last century W.E.B. DuBois told us the most pressing problem facing us was that of racism. His observation was accurate then, and the struggles of the 1960s notwithstanding, his words are accurate now a hundred years later. The double legacy of slavery and colonialism remains with us.

At the same time these attitudes permeate our society they also permeate the locked away societies that are our prisons concentrated like light through a magnifying glass. The very function of prison, the caging of human beings against their will, provides the object of the magnifying glass which is the absolute authority exercised over them in the name of the state. Prison administration is the cutting edge of authority; its rule is law. Great Britain’s Lord Acton noted that “power corrupts and absolute power corrupts absolutely”; without outside vigilance the prison becomes the breeding ground for vigilante violence of the worst kind imaginable.

Today under the mantra “lock ‘em up and throw away the key” we have made sentences both mandatory and longer; “do the crime, you do the time” - and “out of sight, out of mind.” The letters from prisoners that follow detail some of the abuses to which they have been and are being subjected, and the price these abuses exact not only from prisoners but from their keepers who, if not brutal to begin with, soon become brutalized by the systemized violence.

Prisons have been increasingly located in rural locations in order to provide jobs, not only in the prisons but in local service and supply work. Most of those employed are drawn from the surrounding communities and are largely both poor and white. Most of those housed in the prisons, however, come from distant and culturally different urban areas. The many myths and stereotypes about urban violence and the fact that many prisoners, though poor like their rural cousins, are people of color, create an atmosphere of tension which can quickly degenerate into fear and loathing on both sides. What would otherwise be seen as cruel and inhuman treatment becomes justifiable behavior in the eyes of the surrounding community at the same time it brutalizes both guard and prisoner. Unable to retaliate, prisoners turn on each other. It is this atmosphere of mutual distrust and violence which prisoners describe

in the letters below.

We should not forget that if they survive the cruel, inhuman and *illegal* punishment being inflicted upon them the great majority of the more than two million souls in prison will walk our streets again. We must listen to what they are telling us. They are, after all, our brothers and sisters; mothers and fathers; husbands and wives; and our children. They are ourselves under other circumstances.

The editor, Fall 2001

*** PREFACE ***

“All persons under any form of detention or imprisonment shall be treated in a humane manner and with respect for the inherent dignity of the human person. ... Any form of detention or imprisonment and all measures affecting the human rights of a person under any form of detention or imprisonment shall be ordered by, or be subject to the effective control of a judicial or other authority.” [International Covenant of Civil and Political Rights (hereinafter referred to as ICCPR) - Annex, Principles 1 and 4]

American Friends Service Committee has operated a Criminal Justice Program in Newark, New Jersey, since 1975. During that time we have received thousands of calls and letters of testimony of an increasingly disturbing nature from prisoners and their families about conditions being experienced by those in prison. They describe conditions including cold, filth, callous and inadequate medical care, extended isolation sometimes lasting over a decade, harassment and brutality and the use of devices of torture. We have received vivid descriptions of four point restraint and other restraint devices including hoods, belts and beds; stun grenades, guns and belts; tethers, waist and leg chains; and air tasers. As a result, *AFSC* began a project called *Prison Watch* which monitors human rights abuses in United States prisons. This paper is our attempt to share with you some of the voices we hear.

A wall of silence which must come down exists around prisons and prisoners. *American Friends Service Committee* is so concerned that we began archiving prisoner testimonies of torture and mistreatment on a state-by-state basis. In 1997, we published a “Survivor’s Manual,” written by prisoners living in extended isolation for other prisoners who faced the same situation. It is the special challenge of *AFSC* to expand the level of popular understanding of what is happening in this country’s justice system and to make it relevant to the lives of the people we reach. This paper, consisting largely of prisoners’ testimonies about the torture they have experienced or witnessed, is an effort to put a human face on what happens every day. In addition, we asked them to draw what they are seeing and experiencing, and some of their drawings are included in these pages. Some have been used by newspapers because it is not permitted to take photographs in the isolation prisons.

Article 1 of the United Nations Convention Against Torture prohibits “physical or mental pain and suffering, inflicted to punish, coerce or discriminate for any reason.” Practices such as the indefinite use of shackles and other mechanical restraints, and the administration of dangerous chemical treatments, or the practice of extended isolation cannot be justified. Some of the most poignant letters we get are from prisoners writing on behalf of mentally ill prisoners – like the man in California who spread feces over his body. The response by prison guards was to put him in a bath so hot it boiled 30% of the skin off his body. Such practices put the United States in violation of UN Treaties and Covenants to which it is signatory.

For those of us addressing this kind of oppression on a daily basis, use of the UN Covenants and Treaties has enormous potential because they are international law. In 1995, a UN report criticized the United States for operating “inhuman and degrading prisons,” citing conditions at Pelican Bay in California and at immigration detention facilities in Texas, Oklahoma and Tennessee. Most recently, in 2000, the United Nations Committee Against Torture called on the United States to abolish the use of restraint chairs and of electric instruments of torture including stun guns and stun belts. The Committee also cited the use of chain gangs, sexual assaults, “the excessively harsh regime” of supermax prisons and the racially motivated torture and ill treatment by police and prison guards as widespread US practices that violate the Convention Against Torture. For the first time ever, human rights groups such as Amnesty International, the World Organization Against Torture, Human Rights Watch and Prison Watch Internationale have all reported on the persistent and widespread pattern of human rights violations in the United States. The *American Friends Service Committee* has been a contributor to each of those reports.

The use of extended isolation in particular has been a growing concern for many prison activists, both inside

and outside the walls. The reports that come to us about the use of devices of torture have largely been from isolation units - often called control units or supermax prisons - in which there are few witnesses. New Jersey state prisoner Ojore Lutalo has been held in total isolation in the Management Control Unit since February 4, 1986. He has never received an explanation for this. He is let out for an hour and a half every other day. He has been told that he is being kept in sensory deprivation essentially because of what he “could do if he wanted to.” Ruchel Magee lived under these conditions in California for more than 20 years; Russell Maroon Shoats has been living in various Pennsylvania isolation units for 17 years. Psychologists tell us that even short term detention under such conditions can do lasting damage.

There are thousands of others as well. The monitoring that the *American Friends Service Committee* has done indicates that a large and increasing percentage of the US prison population lives in some form of extended enforced isolation. The prisoners tell us that the silence is eerie and that the conditions of confinement are maddening. Picture yourself living in a cage the size of your bathroom for 15 years. You are placed in what is literally a human warehouse where you will stay 24 hours a day, day in and day out, year in and year out. In the more progressive units, you may be allowed into a tiny bare concrete yard for exercise twice a week. Mail and reading material are censored. When you leave your cage, you are strip-searched; this often includes a humiliating anal probe. You are shackled around your waist and handcuffed. You are entirely under the control of guards who carry long, black clubs they refer to as “nigger beaters.”

Many of us trace the development of control units to the tumultuous years of the civil rights movement when many activists found themselves in US prisons. Sensory deprivation as a form of behavior modification was used extensively with imprisoned members of the Black Panther Party, Black Liberation Army (BLA) formations, Puerto Rican independentistas, members of the American Indian Movement (AIM) and white radicals. Now we also find jailhouse lawyers, Islamic militants and prisoner activists placed in extended isolation. It is no surprise that Lutalo, Magee and Shoats are all connected in some way to either the Panther or BLA formations. In 1978, Andrew Young, then US Ambassador to the United Nations, noted the existence of US political prisoners. Now, over 25 years later, with the exception of the recently released Puerto Rican political prisoners, those folks are still in prisons throughout the country, many in conditions of continued isolation.

Most recently, those placed in isolation cages include youth of color imprisoned as a result of crack-cocaine laws; these penalize the use and sale of crack with sentences five times the length and severity of those handed down for the equivalent amount of cocaine. Such laws are inherently racist since crack is generally confined to the ghettos of the poor while cocaine is the preferred drug in offices downtown and in the suburbs.

A recent increase in the use of isolation confinement is the result of an alleged spread of gang problems in US prisons. Those of us working for prisoner rights know that gangs exist in prisons; we also know this problem is sometimes unreasonably emphasized by prison authorities in order to justify the construction of more isolation units. In New Jersey, for example, the Department of Corrections recently built a 720-bed gang unit supermax style. Although New Jersey prisons, like prisons everywhere, have long had prison gangs, there has never been a gang problem. This trend is being repeated throughout the country, resulting in the increased building of supermax prisons. In these gang prisons, called Security Threat Group Management Units, prisoners are called upon to renounce their “gang” membership – something very reminiscent of our nation’s history of witch hunts. In a national survey produced under a grant by the Department of Justice, “Native Americans” are listed as a prison gang in the State of Minnesota.

We understand from corrections personnel that the nationwide move to expand the use of isolation is, at least in part, fostered by the guards’ unions. These unions contribute heavily to the political campaigns of law and order candidates. Guards reportedly feel that these sensory deprivation units provide a safer working environment. It is not coincidental that isolation units also provide them a place in which to engage in unwitnessed torture with impunity if they so choose.

Add to all of this the United Nations Treaty positions on the racially biased death penalty, physical and sexual abuse of women in prisons, abuse of the mentally ill, abuse of prison labor, deaths caused by callous and inadequate medical care, violation of children's rights and the shocking treatment of people held in INS detention centers and the picture of this country's human rights violations is clearer. All of these practices occur on a daily basis and all of them deny at least a dozen and a half of the international and regional human rights treaties and covenants to which the US is a signatory.

Prison systems in the United States now hold almost 2 million people, a proportionately greater number than any other country in the world. The United States, with 5 percent of the world's population, holds 25 percent of the world's prisoners. Between 65 and 85 percent of those imprisoned in the United States are people of color often imprisoned for offenses for which whites would receive lesser alternatives to punishment or shorter sentences. On any given day one out of four Black males is under some form of control by the criminal justice system. As a result, it is impossible to consider any aspect of the prison - or the wider criminal justice system - without confronting racism; there is actually very little hesitation on the part of Departments of Corrections to acknowledge that some guards are active members of the Ku Klux Klan or other Aryan groups.

Today a great many youth of color exist in a sort of limbo with respect to the country's economy. It is almost as if they had been discarded as waste products of the ongoing technological revolution. It is quite logical that those perceived as economic liabilities should be turned into major economic assets: youth, particularly the poor and youth of color, when they are trapped in the criminal justice system, generate between \$30 and \$60 thousand a year each. It is no accident that this technological revolution has been accompanied by the largest explosion of prison building in history.

The expansion of prisons, parole, probation, the court and police systems has resulted in an enormous bureaucracy. This growing prison industrial complex has been a boon to everyone from architects, plumbers, and electricians to food and medical vendors, all with one thing in common - a pay check earned by keeping human beings in cages. This system costs billions of dollars; a lot of people are being paid a lot of money to contain mostly poor folks and folks of color in cages in human warehouses. Every part of the US criminal justice system falls most heavily on the poor and on people of color. Slavery - labor without compensation - is still permitted in prisons by the Thirteenth Amendment to the US Constitution. The criminalization of poverty is a lucrative business within which we have apparently replaced the social safety net with a dragnet.

The political function of the US criminal justice system is inescapable: Police, the courts, the prison system and the death penalty all serve as means of social control. Dig more deeply and we see that the chilling economic function they serve is even more insidious.

Prejudice rarely survives examination. We hope that one of the things born of this paper is a far more critical look at ourselves and our society; in a genuinely diverse and democratic society, the current criminal justice system could not survive.

Our deep appreciation to the many prisoners who have sketched their pain and sent us these testimonies, often at risk to themselves. With the exception of the prisoners in the section entitled "Women in Prison," all the prisoners referred to or quoted in this paper are men currently being held or who have been held in control units.

- Bonnie Kerness, Fall 2001

Bonnie Kerness has been an active participant in the Civil Rights movement since the 1960s and 70s. She remembers seeing Black children in the South being hosed by police and bitten by police dogs when all they wanted was to go to school; she has witnessed the death of activists at the hands of police, state troopers and the national guard. By the time she was twenty in the early 60's and living in Tennessee she had become an activist and organizer. Her work with the *American Friends Service Committee* Criminal Justice Program dates from 1976; she has since

that time been a staunch advocate for the human rights of prisoners.

Before we begin looking at the letters from prisoners we should bear in mind that, as one of them noted, “All these letters were from lucky people, for some are incapable of writing their experiences after what [has] happened [to them].”

“Silent” - Oregon State Prison IMU, Salem, Oregon, personal correspondence, winter 2001

*** RACISM ***

“Racial disparities in rates of incarceration are very significant, and far out of proportion to the commission of crimes by people of color. ...Major disparities in incarceration rates have been reported in 38 states and the District of Columbia. A 1997 study found that 12 states and the District of Columbia incarcerate African Americans at more than ten times the rate of Caucasians, ...even when the incidence of criminal activity was taken into account. The unfortunate fact is that people of color who commit crimes are more likely than their white counterparts to be prosecuted and also more likely to be incarcerated for longer periods of time when they are found guilty of criminal offenses. As a result, according to mid-1997 statistics, African Americans make up more than 51 percent of the prison population ... despite the fact that they compose only twelve percent of the general population. ... Over sixty percent of the total prison population consists of people of color.”

Racial and Ethnic Discrimination in the United States: “The Status of Compliance by the U.S. Government with the International Convention on the Elimination of Racial Discrimination,” prepared by the Coalition Against Torture and Racial Discrimination, October 1998

“If you are a young male of Afrikan descent in this country, and if you are poor, should you get arrested your bail will be set so high you become an economic hostage. For you, the phrase ‘innocent until proven guilty’ has little meaning. You will sit in a cell for up to two years without having been found guilty of anything. You will certainly not get a trial by jury of your peers. You will be defended by a public defender, who has a caseload so vast you cannot possibly be treated as a priority, and finally you will serve a sentence that is thirty percent longer than a Caucasian would receive for the same crime. If you have seen this same thing happen to your father, your uncles, your cousins, if you look around at the broader picture of what is happening to men, women, youth and children of your nationality, it is not hard to conclude that there is genocide being committed.”

“Prisons and Black Genocide,” Bonnie Kerness

Criminal Injustice: “Confronting the Prison Crisis,” edited by Elihu Root, 1996, page 42

Wally S. - Maximum security prison, Cranston, Rhode Island, 6/00

“Prisoners in the high security center are subject to ... security risk status [because of] their religious [and] political beliefs as well as the color of their skin...”

Juan E. - Wallens Ridge State Prison, Big Stone Gap, Virginia, 1/16/00

“It’s unbelievable how much *hatred* these officers have for blacks ... displayed through the gross abuse of their absolute authority. Ninety five percent of the COs are white, most of them have never seen a black man and some top officers [are] associated with ... racist associations. Ninety five percent of the [prisoner] population is black or minority.

“[During a period of four months] I’ve been through 39 abusive strip searches and 39 cell shake downs, my cell being left junked up and my personal and legal mail read. I’ve also been moved from cell to cell 17 times [in that same period], placed in filthy cells.”

Robert V. - Rhode Island High Security, Cranston, Rhode Island, undated

“A control unit in Rhode Island [is] called High Security! Locked down twenty three hours a day, one hour rec, shower in a cage, no contact with family - only letters. C/Os (guards) are racist to the heart, they burn paper crosses, say racist remarks, beat people down until they submit. I knew a man ...[who’s] been beaten and put in a room full of shit and piss, he got some more beatings, threats, etc. I’ve seen guys go insane...”

“It seems that the KKK is the one running the show....Rhode Island is the home of the KKK it seems. We want and need help in the prisons ...”

Juan E - Wallens Ridge State Prison, Big Stone Gap, Virginia, 1/16/00

“[In September] 1999 I was strapped down to [four] point restraint - ... I’ve never in my life been strapped to a bed - it’s terrible, ... being strapped down and under circumstances of helplessness and officers coming in the cell while I’m strapped down displaying their racism - saying, ‘We hate niggers. If it was up to us you[’d] be hung.’ To say the least I was ... scared. I would have preferred the beat-down - instead of the mental torture I was put through.”

Ademola O.- State Correctional Institution at Smithfield, Huntington, Pennsylvania, 2/15/00

“I’m writing to inform you of the atrocities I’m being subjected to here at the State Correctional Institution, Smithfield. I am being racially discriminated against by ...Officer Loy. He constantly refers to me as a ‘nigger’ and engages in other racial maltreatment... [In January of 2000] I was physically assaulted by Officer McVey [who] repeatedly kicked my hand ... while I had my hand out of the meal slot trying to receive my medication. This ... resulted in one of my fingers being broken. Then [in February] I was assaulted again by Officer McVey and another officer, ...Sergeant Ewing. This time my left wrist was broken when they violently yanked and twisted the handcuff on my wrist. I notified the [administration] about both of these assaults and asked to be separated from Officer McVey after the first [one] but my complaints were ignored. I also filed grievances about both of these incidents but nobody responded to my grievances. I even attempted to file criminal charges ... against these officers by writing to the County District Attorney but none of my letters [were] answered. I believe my letters to the D.A. may have been intercepted by this institution to prevent me from filing a complaint. This is a regular practice ... to deter [prisoners] from filing civil suit or criminal complaints...”

Brian H. - Bayside State Prison, New Jersey, 12/27/00, 1/28/01

“I was set up because I went to the administration (Scott Faunce) about ...a racist officer and [his] racial discrimination. From that point on I was warned, ‘I’m gonna get you, “*N-word*,”’ before I was set up with [an] illegal charge. I asked to be transferred to [East Jersey State Prison,] Rahway. ... to ensure my personal safety from the death threats, because these racists and bigots do whatever they want to and Faunce will cover it up every time it’s brought to his attention.... My life is in imminent danger ... from this bigot and his crew of Klansmen.

“I received a *racial death threat* from the officer who wrote the charge. ‘If I had my way I’d kill all niggers, I’m gonna kill you, nigger, and your family too. I don’t like niggers, you niggers make me sick.’ ... I was then taken to lock up for this charge ... If I had been a disciplinary problem the death threat would have been carried out as business as usual, plus I was handcuffed and I didn’t do anything to provoke them.

“I should have been shipped out more than a month ago, I asked to be sent to Rahway’s Ad-Seg [Administrative Segregation, i.e., isolation]... The bottom line [is that] I’ve got to get to Rahway by any means necessary to avoid being lynched by the bigots and Klansmen that work here.

“It has become standard procedure to set prisoners up with any false charge to put them in Ad-Seg ... specifically they have been *planting shanks* on prisoners and having them sent to lock-up and the administration knows the charges are bogus but they still find them guilty.

“They specifically *target Blacks and Hispanics* for this racially motivated practice. I’m now in lock up because of those same practices, because I went to the administration about the staff member I was having a racial problem with.

“My family has been notified about the transfer [I’m requesting] and the racial problem.”

Mike S. - Northern Correctional Institute, Somers, Connecticut, 6/28/00

“Prisoners at Northern are ... being beaten while in handcuffs and leg irons and unable to protect themselves. Furthermore the Northern Prison holds mostly Black and non-white prisoners thus being very race-selective.”

Sylvester S. - Florida State Prison, Starke, Florida, 3/14/01

“The escorting kop overheard me inquiring what [happened]. He told me to shut up and eat my food. I tried to sympathize with his ignorance by ignoring it. I kept talking to the [person who had brought the food]. He stared at me like he couldn’t believe an insolent ‘nigga’ could exist in FSP. I was watching this fool without looking at him. I have premonitions about racist pigs! I knew he was going to do something stupid and it was worse than I thought. He actually tried to throw a powder puff punch through the flap. I slipped my head beneath the flap and chopped him across the forearm. His elbow slammed against the narrow part of the flap. He must have hit a funny bone because he almost went over the rail snatching his arm back. I’m glad he didn’t fall to the first floor because they would’ve turned his suicide into a murder case with me as the murderer.”

Juan C. Pérez - High Desert State Prison, Susanville, California, undated

Prisoner and eighteen other Mexican prisoners had been extracted from a yard using pepper spray [see *PEPPER SPRAY, TEAR GAS, OTHER CHEMICAL AGENTS AND STUN TECHNOLOGY*]. “On 11/28/99 due to

the yard extraction, a state of emergency was declared solely against the Mexican prisoners ... This was requested by Warden R. P. Castro of HDSP and was approved by M.T. Pickett, who is the designee from the office of C.A. Terhune, Director of the CDC.

“Due to the state of emergency [we] Mexican prisoners were denied access to the concrete exercise yard all the way until January 7, 2000 - forty days. Even new Mexicans arrived into [unit] were denied yard access. The treatment [we] Mexicans received ... was discriminatory and was meant to punish, demean and [to] show us who was boss.

“All the unit officers said that due to the state of emergency the Mexicans were placed on ... it was a direct order that the Mexicans didn't have shit coming.”

John C. - Cayuga Correctional Facility, New York, 1/1/01

‘I was given a work detail on the same day that myself and other N.O.I (Nation of Islam) members filed a grievance against Cayuga for denying us a room of adequate size to enable all 81 N.O.I. members to practice our religion in safety. Two very strange coincidences occurred on this day ...(September 5, 2000). First, on that morning while myself and several other members of N.O.I. filed our grievance ... Warden McCoy directed Imam Saad to remove 55 of the 81 members of N.O.I ... Thus, when McCoy ordered ... that 55 of our members be removed ... he sought to nullify our grievance stating a need for more room.

“The second strange occurrence on that date transpired when I was directed by Officer Lipa to clean up pesticides in the recreation yard with a mask. After doing so I had Lipa call the infirmary and send me there because, as I told him prior to the order he gave me, pesticide would aggravate my asthma, and it did. Then, upon my return from the infirmary and at the conclusion of my work detail when, while frisking me, Officer Lipa thought he'd gotten some of the pesticide on him from my clothes, he grabbed my shirt and said, ‘You wanna start a war in here, nigger? We'll kill you in here, motha fucker. Do you understand?!’ I told him I did and returned to my dormitory.”

John F. Doe - Florida, 3/18/01

“An hour after everybody were in their cells they were using the mace on a guy we call ‘Fire Marshall Bill.’ Before and *after* breakfast they had the mace tanks operating. The reason they were macing the (I emphasize *Black*) prisoners is [that] Major Clark has a thing about walking on confinement rows, flexing his rank on Black prisoners. If a Black prisoner is standing at his cell door when God or Major Clark is walking by the major will order [him] to ‘get off the door.’ Of course, there's no rule that says a prisoner can't stand at his cell door - just because the major is passing by. So the prisoner just stood there looking defiant. The major ran and got the mace tank and a group of Klansmen and party began.

“After spraying about a half tank of the mace in the prisoner's cell the major obviously thought the prisoner was subdued. The major, thinking he's done put a ‘nigga’ in his place, condescendingly tells the prisoner, ‘When I tell you to do something - just do it and don't ask why.’ The prisoner looks at him and tells him, ‘Cracker M.F., if you pop the cell door that's what will happen. I'll just do it with no questions asked: get right on your coward ass!’ They spent the whole morning spraying this guy.”

JT - Death row, Ely State Prison, Ely, Nevada, personal correspondence, summer 1999

“I want people to know what death row we're talking about here. There aren't very many black officers here because they can't make it. There's simply too much pressure on them. The town of Ely is racist to the core - and

that is where most of the officers are from.

“So there are racial games they play with all of us, Black and white alike - they figure we will fight and maybe kill each other. At one time the white officers used to give the white prisoners knives and let them into the cell of a black man - possibly even while he was handcuffed. They would then claim they had no idea how the man in the cell was killed. They like to keep us fighting each other so that we are not fighting them; that is the game. There is literally nothing you can do but die.”

Leon H. - Santa Rosa Correctional Institution, Milton, Florida, 2/20/01

“On 2/18/01 at approximately 11:15 a.m. while [prisoners] were being served lunch by Officer K. M. Stone, the orderlies returned to pick up trays and I was still eating. Officer K. M. Stone approached my cell and stated, ‘I need that tray whether you’re finished or not and if you don’t give me that fucking tray I’m gonna give your Black ass a D. R. [Discipline Report] and you won’t be eating for a long time. I’m gonna let the next shift know not to feed your ass.’ So then he locked my food flap and walked off.

When the evening shift changed at 3 p.m. ... I observed Sergeant D. A. Leavins enter the dorm with a single tray in his hand. He approached my door stating, ‘What’s up [Leon]? I have something for you since you want to play games with my officers.’ I then told him I didn’t want the tray, I [was supposed] to eat when everyone else eats. So he left and gave the tray to another [prisoner]... After he departed the orderlies came to serve dinner. He called on the radio and ordered Officer Rihard to lock my flap [saying] I’m not eating, [that] I refused.

“As you can see this is all due to what occurred at lunch time (Officer K. M. Stone’s command); they have been initiating this form of punishment and other cruel acts on [prisoners] for quite some time now on all shifts ...”

Errol C. - INS detainee, Hudson County DOC, Kearny, New Jersey, 9/21/00

Prisoner was beaten unconscious in the receiving area where he was being held prior to a court appearance. He contacted the Public Defenders Office which filed a complaint on his behalf. From that time forward he was the object of harassment and threats against his person if he did not drop the charges he had made first against Officer McChesney and then against Sergeant Cannon.

“After the charges [against McChesney] were filed, a Sergeant by the name of Cannon came to my room ... and said to me, ‘Boy, you are the one fucking round with my officers. You are lucky they [have done] away with the rope publicly, but there are other ways to deal with shits like you.’ [Later he] came back to my room while I was eating lunch and said to me, ‘Boy, I see you still here and alive.’”

After further threats and warnings to drop the charges, the prisoner wrote a grievance against Sergeant Cannon. Cannon came to him “and showed me a copy of the grievance I wrote on him. He then ask me where I am from which I told him. He then said to me, ‘I see you don’t understand English well. I think you need to see a psychiatrist and that is what I am going to recommend.’ I wrote another grievance on the sergeant. [Prisoner details considerable further harassment noting that] we are [on] lockdown for no apparent reason. [It is] done because of [their] racist attitude towards me and the other Black detainees. [He concludes by saying that] I therefore would like these incidents investigated for me, it is only a matter of time before an INS detainee gets killed in this jail.”

Steve L. - Northern Correctional Institute, Connecticut, 6/4/00

Prisoner described a lockdown followed by a search of the prison during which prisoners were roused from sleep at 3 in the morning and forced by the searching CERT (Corrections Emergency Response Team) to stand naked and handcuffed in shower stalls for up to an hour while their cells were searched. He described days of beatings and humiliations of prisoners by guards. [See *Excessive Use of Force*]

“The week of hell is over. I made it okay, at least physically. I attribute this to the fact that I keep my mouth closed, don’t litigate and have never assaulted a staff. I will be wary, however, once I tell this story... I would be remiss if I kept this to myself, especially considering [that] of the 9 people I saw assaulted, 8 were Black (out of the 30 or 40 on the CERT team, I saw one Black). Coincidentally, the white man was at NCI for assaulting a prisoner guard.”

“Tavares Cosby, a black [prisoner] from Bridgeport, said that soon after he arrived at Wallens Ridge he heard a white guard and black [prisoner] calling each other ‘nigger’ and ‘cracker.’

“Connecticut [prisoners] have repeatedly complained about racial taunts by Wallens Ridge guards. Connecticut Corrections Commissioner John J. Armstrong said none of the allegations have been proved so far.

Of the 200 or so correction officers at the prison, six are black and none are Hispanic, according to the guards. That racial makeup, they said, simply reflects that region of the country.

“But it does not reflect the racial makeup of the Connecticut [prisoners] at Wallens Ridge, who are 48.5 percent black, 26.5 percent Hispanic and 25 percent white - a situation the Connecticut NAACP president called a ‘potential powder keg.’”

“Virginia’s Wallens Ridge Prison Complaints Include Racism, Stun Guns,”

Edward Fitzpatrick, *The Hartford Courant*, 6/19/00.

Doc S. - Red Onion State Prison, Wise County, Virginia, 4/18/00, 5/29/00

After describing the procedure for four point restraint in which a prisoner is strapped down by wrists and ankles to a prison bunk for periods up to 72 hours - and during which the prisoner is given but one opportunity to relieve himself during a 24 hour period:

“All nurses at Red Onion [State Prison, Virginia, who order four-point restraint], are white or Native American where 99.9% of prisoners that have been strapped down are Black. ...[I] haven’t heard of one white prisoner that has received this latest torture.

“[A]fter it was all over one of the female (white) office staff comment[ed] as she passed [my] cell, ‘And I thought niggers were supposed to have big dicks,’ to much laughter from her co-workers. I need not comment on my thoughts.

“All prisoners at the onion [Red Onion State Prison] who refuse to cut their hair/or beards are on total isolation except for rec (5 hours a week). No visits, commissary limited to stationery and hygiene materials, no phone calls, no radio and no library privileges until they comply with policy. [Virginia Department of Corrections policy states that a prisoner may be placed in isolation for only 15 days after which he/she must be returned to the general population for at least 15 days.] The guys who refuse to cut their hair are on isolation status until they comply, no breaks. [W]hen the policy was announced an officer told me it was aimed at the dreadlocks more than anything.”

“On February 4, 2000, a federal jury in the Eastern District of Missouri awarded \$130,000 in damages to Jerry McCrary. McCrary, who is Black, filed suit claiming that while imprisoned at the Potosi Correctional center in Missouri on August 16, 1992, he was severely beaten by white prisoners during a riot. McCrary claimed the prison official defendants failed to protect him from other prisoners. He also claimed a violation of his First Amendment rights when he was forced to cut his hair, which violates his Rastafarian religious beliefs.”

Prison Legal News, February 2001, page 17

*** GENERAL HOUSING, LIVING and WORKING CONDITIONS ***

CROWDING and CELL CONDITIONS

“Where sleeping accommodation is in individual cells or rooms, each prisoner shall occupy ... a cell or room by himself. If for special reasons, such as temporary overcrowding, it becomes necessary for the central prison administration to make an exception to this rule, it is not desirable to have two prisoner in a cell or room.” , [*Standard Minimum Rules for the Treatment of Prisoners*, Adopted August 10, 1955 by the First United Nations Congress on Prevention of Crime and the Treatment of Offenders, Part I: Rules of General Application, Accommodations: 9 (1); hereinafter referred to as MINRULE]

Santi N. - Los Angeles, California, 1/8/00

“I am housed in a ‘secured housing’ area, I only get out of my cell two hours per day (two man cell of five feet by twelve feet). I only get three hours per week of ... ‘outdoor recreation,’ which is only a room about 40 feet by 25 feet, ... all brick on three sides, top and bottom. One wall is mesh to see out and get the air outside. I haven’t seen or felt the sun in over a year and a half.

Jerry M. - James V. Allred Unit, Texas,, undated; early 1998

“They then ... moved me to a prison lock down taking all my privileges and property away, putting me with a cellie that was a known gang member. This led to me being cut with a razor shank. One cut was about 29 inches long, my ear was cut in half, cut in lower back and side of face while taking a shower (prison guards watched). They knew this was going to happen ... and moved me next door [in the] same building. Same people, waiting for me to get hit.”

Bill S.K. - Program for Aggressive Mentally Ill Offenders (PAMIO),Texas, 1/16/98

“I was locked in my cell 24 hours per day, ... [and] placed on ‘alternative diet’ (cheese and peanut butter sandwiches) for ‘security reasons.’ ... While I was squatted with my arms extended through the feeding chute a [captain] came to my cell [and] engaged me in conversation to distract my attention. A five member use-of-force ‘extraction team’ snuck to ...just out of sight. The captain brought from behind his back a can of aerosol mace which he sprayed into my eyes. ... He continued to spray mace on me for about 10-15 more seconds, filling the cell with mace ‘fumes.’

“I was cuffed and ... ordered to lie on my abdomen in the cell. I did so, the team came in (wearing gas masks), ... picked me up, carried me out of the cell and *slammed* me on the ground. They ... removed my clothes and broke my necklace ... from round my neck.... I was allowed to shower to decontaminate. After having showered I was ... placed in a ‘strip cell’

Benny A. - Stiles Unit, Beaumont, Texas, 9/26/99

I have survived [in] (Administrative Segregation) for 14 years ... for being classified as a gang member. Single celled for 23 hours per day, outside the cell one hour five times per week - in what is called a day room ...- nothing but a table and chin bar. Two days per week to what is referred to as 'outside rec' ... a wall area divided in two parts of a so-called yard, one [prisoner] on each side of the divided yard. ... In level one [where] I am at the present time, [one] is allowed to have all [his] personal property and all the privileges, such as commissary purchases, visits once a week, etc. [T]he ones in levels two and three are not allowed most of the privileges, such as commissary, personal property. Level two has just two visits per month and in level three it's one visit per month. I am sure that in those levels we are not fed the same amount as [we are in] level one. I have never been beaten up but I have seen others being beat up. But sometimes I believe that mental torture is a lot worse than the physical kind of torture!"

Champ J. - SMU, Kershaw Correctional Institution, Kershaw, South Carolina, 6/28/00

"Here at Kershaw we have been experiencing a lot of problems with the water/sewage system. This month, June, we've experienced two incidents where 'raw sewage' flooded the whole bottom tier at least two inches deep. The water had to be turned off at least three days due to problems with the water system. Luckily, it was not three days back to back. Plus, and here's the big one: the water that comes out of the sink is so dirty that you have to fill up a cup and let it sit for at least thirty minutes so the filth will sink to the bottom making it half way drinkable. Now, I've complained, but I really don't know what to do 'cause all I'm told is, 'the whole yard is having the same problem.' So why don't they evacuate us and fix it rather than have us endure ...such unsanitary conditions? ... Answer: money. South Carolina is poor - and let's not forget racist as hell. We can't even get ample cleaning supplies to sanitize our rooms after they got flooded, [rooms] which the filth soaked for at least two hours each time. Once we had a spray bottle with bleach in it that we had to share with 95 other prisoners."

****YARD INCIDENTS****

Bert C. - Amarillo, Texas, 8/20/98

"[In] July, 1998, there was a fight between gang members (Black and white). There was not any weapons used. In fact, two officers were on the run watching the fight. Once they left the section, a sergeant shot gas in the section."

Jim B. - Limon, Colorado, 3/30/98

"At Limon, dogs were brought in to intimidate prisoners; staff shackled and cuffed and chained me and approximately 200 men [and] walked [us] through the snow without coats to [the] gym and forced us to sit on the floor for hours under threat of guns that fired [pellets] and one [that fired] rubber bullets while they searched our cells - they took - and refused to ... return my ... trial transcripts.

"[In] approximately June and July of 1987 a guard on [the] Administrative roof [Limon Correctional Institute, LCI] fired on two occasions into the court yard with 'real' bullets."

Jean A. - fiancée of prisoner at Wallens Ridge State Prison, Big Stone Gap, Virginia, 4/19/00, 5/2/00, 5/5/00

“When John called this morning he said they had a ‘shooting’ again ... I ask him if he was hit. He said, ‘No, because it was so obvious they were baiting us ... so someone would give them a reason to shoot. Most of the men recognized they were baiting us.’ When John sees it coming he stays in his cell for rec[reation] and doesn’t go to chow. He said after a shooting the guards act like they just won the super bowl. They are shouting and cheering. He said it [was] ‘sadistic.’

“Last night when John called he said the tension was building up ... again. The guards were doing everything they could to antagonize the men for an excuse to fire. He said if you hear shooting while we’re talking I’ll leave the phone hanging for you to listen while I have to fall to the ground. It didn’t happen while we were talking but I haven’t heard from him yet this morning and he usually calls by this time. Can you imagine expecting every day to be fired at and not having a clue why ... then watch the excitement and jubilation of the guards ... knowing they instigated it? Think of the anger that is building in the men... I wish the public could have a clear picture of what is happening...”

WORKING CONDITIONS

Memo

To: Industry Programmed [Prisoners], Minnesota Correctional Facility, Oak Park Heights, Stillwater, Minnesota

From: Jim Rarick, Industry Director Date: 4/15/97

Re: Removal of Toilets

“...A series of incidents involving lost tools [believed to have been] flushed down ... toilets by just one [prisoner]... have created an intolerable situation and to allow it to reoccur would be unfair to the Industry program and to the [prisoner]s employed in that program.

“As a result ... the decision [has been made] to eliminate the toilets, and ... procedures must be developed to accommodate [prisoners] who find it necessary to use a toilet during their workday. Obviously, with no toilets on level 3 [where the prisoners work, they] must switch down to level 2 [where prisoners’ cells and toilets are located]. Therefore, the following procedures have been established: ...

“- [Prisoners] will be allowed to go to level 2 to use a toilet at their request ...

“- A [prisoner] who makes such a request will proceed to level 2, directly to his room and then be locked in for the remainder of the work shift, be it the a.m. or the p.m. work shift. If [he makes] this request during the a.m. shift [he] will be allowed to return to [his] program assignment in the p.m.

“- [Prisoners] will be allowed to exercise this *privilege* [italics added, ed.] under the [usual] general frequency parameters ... Abuse of this *privilege* may result in termination from the work program.

“- The [prisoner] restrooms on level 3 are restricted to only one [prisoner] occupying them at one time. Violation of this restriction will result in ... discipline.

“- Permanent screens will be installed on the urinals in the level 3 restrooms to prevent the possibility of small tools or other objects from being flushed down them.

“ - The toilets are to be physically removed or covered and the sewer pipe capped to eliminate accidental use.”

Pete C.R. - Arizona State Prison Complex - Eyman, Florence, Arizona , 9/17/00

Prisoner is on Arizona's death row where he has been since 1995. "The Arizona Death Row hard labor crew started some time in 1996 ... The problems we all [have] here are [because of] the way ADOC [Arizona Department of Corrections] officers treat us.. The use of pepper spray or tear gas on one [prisoner], then all of us have to breathe this toxic gas ... or, if [we are] on the chain gang, they use 12 gauge shotguns with pellets and aim for the head if a fight breaks out on one of the work crews. They do have one of those paint ball guns out there now; the paint balls [are] filled with pepper spray (powder or liquid, I do not know [which]).

"And if the staff tells you that they will be going out to work today they will use every means necessary to take you out to work, you will go out. And if you are out there in the field and you still refuse to work you they will put in one of the four cages made out of chain link fencing they have out there. And you will stay out there in that chain link cage, fully restrained [handcuffs attached to ankle shackles] until the work crew is done, which [is] usually ... six hours [later].

"There was an incident in the morning when I was taken out to work. I was fully restrained and place in the hallway ... when another [prisoner] came out, sat down beside [me] and slipped out of his waist/belly chain. He stood up and walked up to another [prisoner] and proceeded to strangle him with his waist/belly chains. He tried to kill this other [prisoner]. All this time the COs - 'Correctional Officers' - just stood there watching this doing nothing. The rest of us [prisoners] were trying to get away from this incident. Well, finally I started yelling at them, 'You'd better do something before he kills him.' Well, they finally acted, firing their pepper spray ten to fifteen times.

[When] they finally stopped it they took me to medical to check me out because I was having trouble breathing; [medical staff] came down and asked every one of us if we were hurt, etc., Well, I did not cause the incident, did not initiate the visit, the ... *nurse* did [but] medical still charged me the three dollar fee."

****STRIP CELLS****

"All accommodations provided for the use of prisoners and in particular all sleeping accommodations shall meet all requirements of health... The sanitary installations shall be adequate to enable every prisoner to comply with the needs of nature when necessary and in a clean and decent manner. Adequate bathing and shower installations shall be provided so that every prisoner may be enabled and required to have a bath or shower ... at least once a week. ... Prisoners shall be required to keep their persons clean, and to this end, they shall be provided with water and with such toilet facilities as are necessary for health and cleanliness." [MINRULE, Part 1: items 10, 12, 13 and 15]

Jim B. - Limon, Colorado, 3/30/98

"I have worked in LCI's [Limon Correctional Institute] segregation building as [a] porter since August 1987 and have observed the following:

· Ten to twelve prisoners cuffed and shackled for 24 hours per day in ... strip cells. (These are ... segregation cells [in] which they turn the water off and cover the toilet with plastic and tape.) They keep the door open, video[tape] all that occurs and have a guard on duty to watch 24 hours a day. Many of the guards are female. They continue this until the prisoner has at least five bowel movements."

Rose S. - Starke, Florida, writing for Florida prisoners, 4/27/99

“Two young black prisoners were transferred here and put into strip cells. (In strip cells the prisoner is in the nude and there is no bedding. There is only the concrete floor.) One was beaten and maced twice a day for several days. Guards came from other wings as if they were participating in an old fashioned lynching.”

Bill S.K. - Program for Aggressive Mentally Ill Offenders (PAMIO), Texas, 1/16/98

After having showered I was ... placed in a ‘strip cell’ (which is just a ... cell with the toilet water turned off) without a stitch of clothing nor a ‘security’ or ‘suicide’ blanket. This was early March and it [was] quite cold. ... I was left like that for four days. ... I could not sleep and could only stay above hypothermia by sitting upright on the toilet ... with my legs crossed ... to keep them off the concrete floor. I saved my paper sacks ... my sandwiches came in so I could put them on my feet ... attempting to warm myself up a bit.”

Sylvester M. - Clallam Bay Correction Center, Clallam Bay, Washington, 11/28/99

“I presently have a lawsuit [against] this prison system for placing me in a strip cell absent all physical clothing, bedding materials, hygiene materials and heat, exposed to extreme cold temperatures for six of ten days and denied water for the first three days....”

****RANDOM SEARCHES****

Q.F. & J.B. - East Jersey State Prison, New Jersey - written as representatives of 4Dn Wing of the prison, 12/30/98

“Complaint on Random Urine Analysis Procedure: “...[Prisoners] are ... forced to totally strip all clothes and place both their hands behind their backs and the officer takes the urine bottle and places it around the head of the penis. This procedure is humiliating and not ... in the standards.”

**** ISOLATION UNITS ****

“The term ‘control unit’ was first coined at the federal penitentiary at Marion, Illinois in 1972 and has come to designate a prison or part of a prison that operates under a ‘super maximum security’ regime. Control unit prisons may differ from each other in some details but all share certain defining features:

“1. Prisoners in a control unit are kept in solitary confinement in tiny cells (six by eight feet is usual) for

between twenty two and twenty three hours a day. There is no congregate dining, no congregate exercise, no work opportunities and no congregate religious services. Access to any facilities or social services is severely limited.

“2. These conditions exist permanently (as opposed to the temporary lockdowns that occur at almost every prison) and as official policy.

“3. The conditions in control units are officially justified not as punishment for prisoners but as administrative measures that are within the discretion of prison officials to impose without a hearing taking place. Since there are no rules governing such decisions (in contrast to formal punishments), prisoners are denied any due process and prison officials can incarcerate any prisoner in a control unit for as long as they choose, without having to justify their action.” [*Torture in the United States*, report prepared by the *Coalition Against Torture and Racial Discrimination*, and compiled by Morton Sklar, World Organization Against Torture USA, October 1998; hereinafter referred to as USTORTURE]

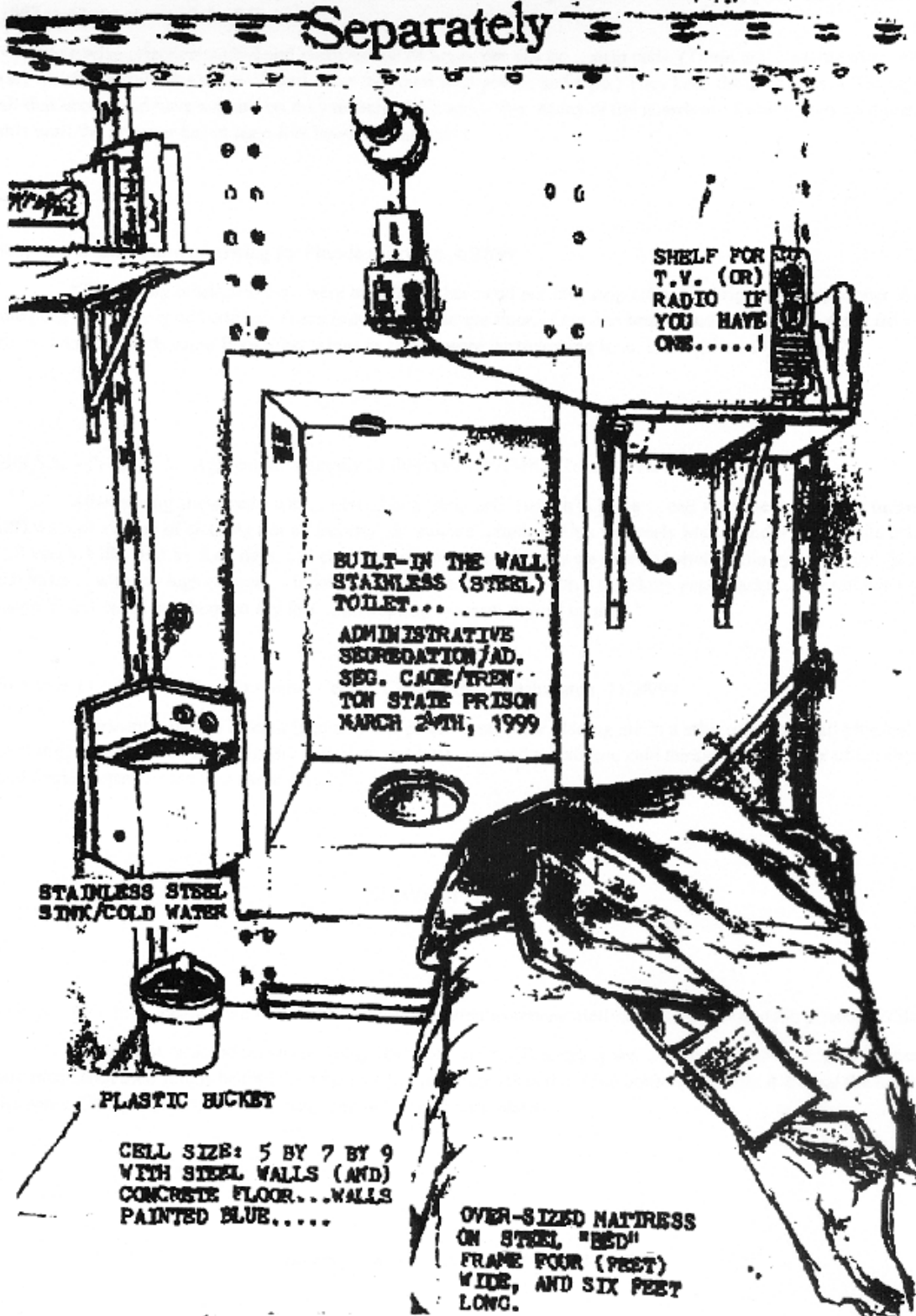
In the words of one prisoner, “Indeed, these control units are a low intensity form of warfare where the battleground is the mind; [they] must be shut down. ... Prisoners should have a ‘liberty interest’ (right) in *not* being placed in [a control unit] for an unlimited amount of time simply because this confinement is *labeled* by prison officials [as] ‘non-punitive segregation.’”¹

In January of 1997, 42 states, the District of Columbia and the federal Bureau of Prisons (BOP) were known to operate at least one control unit prison in their respective jurisdictions. As to the number of prisoners housed in these units, estimates vary anywhere upwards of five percent of the total prison population. That would make the total well over 100,000 at the present time. It is about these prisoners and the conditions under which they must live that this paper has been prepared.

- Editor

¹John H., Northern State Prison, Newark, New Jersey, 7/5/99

How They Live Squeezed Together, Separately



** ISOLATION UNITS **

“31. Corporal punishment, punishment by placing in a dark cell, and all cruel, inhuman or degrading punishments shall be completely prohibited as punishment for disciplinary offenses.” [MINRULE]

“[The prisoner] was transferred to Ohio State Prison after being put in the hole for 16 days at a minimum/medium security prison. No one told him why he was put in segregation. He had no violence on his record. He was transferred ... with no conduct report, no notice, no conference and he did not know why he was at OSP. In a letter to his family he spoke of ‘no hope here’ and ‘no love. [His] family would like to keep the matter [of his suicide (in April of 2000)] quiet. ... This was the third suicide at the OSP since the prison opened in May, 1998, the first having occurred in February 1999 and the second in July.

“A prisoner writes that ‘from the day [he] arrived here, [in January], everyone in the block knew he had problems ... He was depressed ‘big time’ about being here. And if everyone in the block (prisoners) could see it, I know damn well administration could. Whenever the chaplain or mental health, mainly anyone, would walk by his door, he would try to keep them there to talk ... as long as possible.

“‘One time he asked me, I know we’re only allowed two phone calls a month, but do you think the guards will let me call my wife real quick just to tell her I love her? I told him, I don’t think you understand where you’re at. This is super max. We’re considered the worst of the worst here. The guards don’t care if you talk to your family or not. ... Administration knew he shouldn’t have been here and also that [the prisoner] was highly depressed. I mean I could see it, so I know mental health could also....

“‘[He] was deep into religion, and had a good family by his side. He had shown me pictures of his kids and wife that he was very proud of. He also spoke highly of his mother.’

Another prisoner wrote of the dead prisoner, “‘... [he] unfortunately committed suicide. ... When block officers observed [the prisoner] inside his cell, hanging in an unconscious state, their response was very slow and nonchalant... [T]en whole minutes elapsed before the medical team appeared ... and when they did [the] lieutenant demanded that [they] leave the unit! For the obvious reason that the lieutenant wanted to enter the cell with the extraction team. ... [O]ther officials ... present at the time ... did not intervene. Five more minutes elapsed, Fifteen all together, may I remind you. Finally [when] the medical emergency response team was able to begin their resuscitation process, their attempts were fruitless.

“‘Some of these men don’t have the mental facilities to cope and deal with this stressful, groveling and dehumanizing environment ... [W]e are labeled the “worst of the worst,” ... and we are treated like monsters. ... This is the valley of death if it exists [anywhere]. ... How many have to die, when all they really need is a little help, just a little help, maybe a little push, compassion or empathy, to be recognized, respected and treated fairly with dignity.’

“‘ This administration continues to create an environment that drives [prisoners] to suicide. The correctional officers ... harass the prisoners, intimidate the [prisoners] from coming out of their cells for shower and recreation. ...and there is no meaningful redress to these problems... ‘

The forceful rushes of this isolational perversion has pulled my essence into a cesspool incessantly devoted to a grime of darkness and sordid pungence of evil....



This just ain't life as the innumerable scopes of hurt-filled anxieties come forth in stripped depths of a consciousness wrapped within interiors of doctrines intermittent with control cries diseased insanity traumatic and situated from cold functions of wilderness....

This just ain't life pathologized in a subsumed litany of steel and cement codes preoccupied with the disturbing thrust of death.

“It’s going to be more death here at this penitentiary if they don’t start giving [prisoner]s outside recreation and human contact. When you don’t give a human [being] sunlight and a little human contact you make him feel worthless and inhuman. Plus [when] you strip search him every time you take him [out of] the cell, you have taken this person’s pride and dignity. Have you ever been inside a place for a long time and then when you went outside, didn’t it feel good? They took that from us. Also, when you are naked and someone is looking up your butt every time you come out your cell, it makes you feel like nothing. Just be in front of a few people naked and see how you feel. ... There’s going to be more deaths here. We feel doomed in here. I just wanted to say those words to you in case you haven’t heard about the suicide.”

“This place imposes so much stress, depression state, and anxiety on individuals here ... I thank the most high for giving me the strength to endure ...”

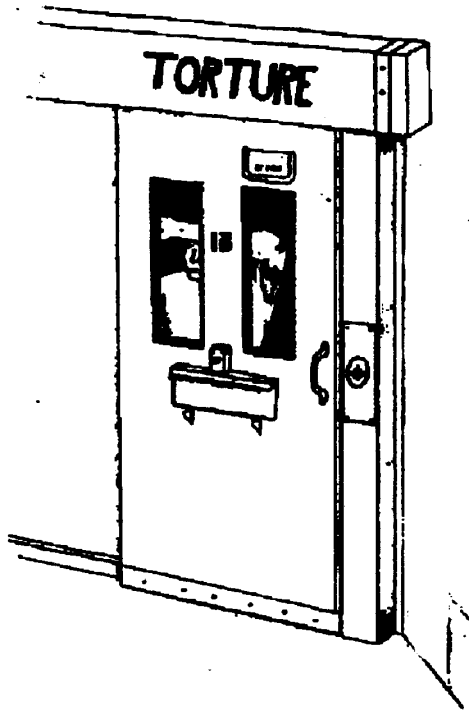
From a memo from Alice Lynd of Staughton and Alice Lynd, Attorneys-at-Law, Niles, Ohio, to Bonnie Kerness, American Friends Service Committee, Criminal Justice Program, Newark, New Jersey, dated 5/1/00.

“The restriction of environmental stimulation and [the] social isolation associated with confinement in solitary are strikingly toxic to mental functioning, producing a stuporous condition associated with perceptual and cognitive impairment and affective disturbances. In more severe cases, [prisoner]s so confined have developed florid delirium - a confusional psychosis with intense agitation, fearfulness and disorganization. But even those [prisoner]s who are psychologically resilient inevitably suffer severe psychological pain as a result of such confinement, especially when the confinement is prolonged, and especially when the individual experiences this confinement as being the product of an arbitrary exercise of power and intimidation. Moreover, the harm caused by such confinement may result in prolonged or permanent psychiatric disability, including impairments which may seriously reduce the [prisoner’s] capacity to reintegrate into the broader community upon release from prison.”

Statement of Stuart Grassian, M.D., Psychiatrist, member of Harvard Medical School faculty.

“In Hewitt v Helms 454 U.S. 460,, 468, 103 S.C. and 864 (1983) the Supreme Court held that the restrictive conditions of administrative segregation are ‘well within the terms of confinement ordinarily contemplated by a prison sentence’ and it ‘it is the sort of confinement that prisoners should reasonably anticipate receiving at some point of their incarceration.’”

Kevin J - Northern Correction Institute, Somers, Connecticut,, 11/24/99, 9/20/00



Todd (Hyung-Rae) Tarselli

“How do I explain desperation to someone who is not desperate? How do I explain what it’s like knowing that the guards are waiting for me to self-destruct in here?”

Ollie L. - Management Control Unit, State Prison, Trenton, New Jersey, undated

“Wallens Ridge [Big Stone Gap, Virginia] opened in April 1999, one year after a twin facility called Red Onion became the state’s first super maximum-security prison. The prisons were needed, Virginia officials say, to handle the prisoners serving longer sentences after the state abolished parole in 1994. But critics say Virginia overbuilt, spending millions on prison beds now occupied by [prisoners] imported from as far away as New Mexico. About half of the nearly 1,000 [prisoners] at Wallens Ridge are from out of state.

“For Big Stone Gap, a town of 4,728 devastated by massive layoffs at the Westmoreland Coal Co., Wallens Ridge meant badly needed new jobs. To build the prison, local officials sold \$78 million in bonds, which are being paid back with lease payments from the state.

“In the process, critics say, officials have created the kind of dangerous dynamic often seen in rural prisons, where job-starved people with little experience are given guns, badges and authority over inner-city [prisoners] from different races and cultures. The result, they warn, can be abuse of power.

“‘Central Appalachia is poor and white - rural people who for the most part don’t come in contact with blacks and Hispanics,’ said Sister Beth Davies, a community activist in Appalachia and former principal of a Catholic high school in Stamford, Connecticut[, the original state from which many of the prisoners at Wallens Ridge come]. ‘The [prisoners] coming in are people of color from urban areas. It’s a setup for failure. It exploits both populations.’

“During the first year of operation, guards fired 80 shots - 68 warning shots and 12 rounds of rubber pellets. Since the prison opened, guards have used electronic stun gun devices 112 times.

“Virginia does not allow the media to tour any of its prisons, although reporters can talk to [prisoners] in an interview room.

“‘We are not going to let the general public in here,’ said Larry Tayler, a spokesman for the Virginia Department of Corrections. ‘We are here to protect the general public.’

“But critics say the real motive is to protect Virginia prisons from public scrutiny. ‘Oversight and accountability might be inconvenient for correction officials,’ [Democratic Connecticut State Representative Michael P.] Lawlor [of East Haven], ‘but they have proved to be vital to safe and secure prisons.’”

“Virginia’s Wallens Ridge Prison Complaints Include Racism, Stun Guns,”
Edward Fitzpatrick, *The Hartford Courant*, 6/19/00.

Bernard F. - Wallens Ridge State Prison, Big Stone, Virginia, 7/26/00

Prisoner writes from Wallens Ridge State Prison in Big Stone, Virginia, to which he “was transferred by force” by the Rhode Island Department of Corrections. “There are problems here that would make society take a

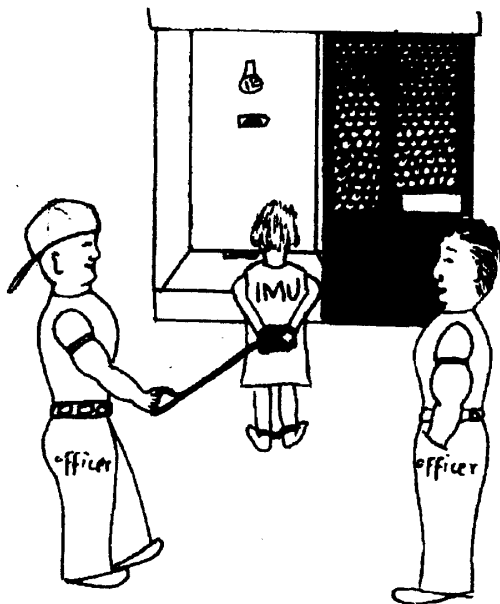
second look if [a few of the ruling class were] in prison. The administration and staff ...are themselves society's misfits. I know from the past that no one takes [prisoners'] complaints seriously and [they] believe we get everything that we deserve. But what I am about to tell you I would like you to tell me I deserve.

“On two occasions prison guards pointed a shot gun at my face [and] threatened to shoot me in the head and blow my brains out. Since my arrival [at the] Virginia Prison System I have been subjected to [administrative] segregation for no reason and my life has been continuously put in ...danger. I am in no way trying to find a shoulder to cry on but only to tell someone what really takes place behind these walls...

“If you were to ask questions about a certain [prisoner] from Connecticut they would run for cover. But on July 4, 2000, that [prisoner] was murdered at this facility just because he was asking for his medication. ... I have heard that these officers who murdered the Connecticut [prisoner] are now suspended with pay. Where else but in Virginia do you get suspended with pay for [conduct] unbecoming an officer? And when Governor Jim Gilmore was asked about the situation in this institution he made a statement that he supported what prison officials are doing at the Virginia Wallens Ridge and Red Onion prisons.

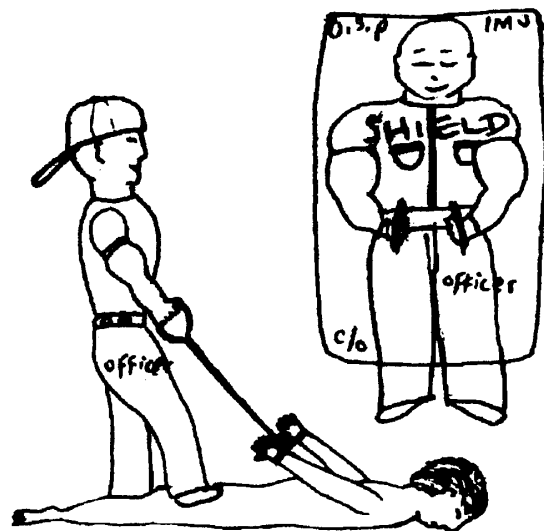
“[I have told you of] just a few. If you would like to know much more just let me know. I am sure you will never hear about these things and when the [prisoners] protest you and the administration make us out as the bad guys all the time.

“Someday maybe you people of the media [letter was written to the *Richmond Times Dispatch* in Richmond, Virginia in July of 2000] will realize that the wall I see every day is just not to keep me in but also to keep you out...”



"Every time a prisoner is pulled out of his single man cell he is escorted by two officers. He is cuffed behind his back with handcuffs that have a leash attached ,,, The only places we are escorted to are the rec room or the shower room or a visit or a hair cut room. At no time do we leave the building (IMU) unless we get out. All the front doors and front walls are of steel with grill holes, just as yu see the shower door [to the left]"

"When a prisoner refuses to back up to the door to be restrained for whatever reason, they use mace and shields to run in his cell and pull him out. Of course beating him up in the process. Six officers (at least) in a 9' by 6' cell with one prisoner. Once he is cuffed, they strip him and take him to a dry cell."



"Silent", Oregon IMU

“Silent”. - Oregon State Prison IMU, Salem, Oregon, personal correspondence, winter 2001

“Disciplinary Segregation [DS] Unit is a unit [to which prisoners] go for a rule violation ... and it could be from no less than six days to no more than 180 days. Usually it is six months in DS then [IMU]. There are regular bar cells [one] for two [prisoners]. You get [to keep] almost all your property, visits once a week (one hour behind glass) and you get to buy [at the] commissary two times a month and you get a 45 minute exercise walk... and shower. No handcuffs or leash used....

“IMU is an ultra max separate building with four [separate] units and each unit has three separate blocks. Each unit holds 44 [prisoners in] one man cells. No bars; there are metal doors and walls with thousands of little holes [a little more than a quarter of an inch in diameter] to see in or out. We are watched - 24 hours a day under supervision.

“[IMU] has levels 1, 2, 3 and 4, each [is] earned by good behavior and by programming. Each level has its own commissary, books, radio, property and [visiting] privileges that must be earned. Bad behavior or refusing to program could result in the loss of a level - or two or three levels - [with the result that a prisoner may] go all the way back to level 1 and start all over again. Supposedly level 1 is 30 days in good behavior and programming, then level 2 is two months, ... level 3 is two months and level 4 is one month, then we get out. The programs are numerous packages of various classes: drug and alcohol, anger management, self [improvement] or school classes for GED [General Equivalency Diploma] or gang prevention. Classes are all in the cells.

“Now they are extending the six month program by saying that the more times we come we get six .. extra added months - their own made up rule ... They make an extra extended sanction. It is all legally wrong.

“Here we are handcuffed at the back with a leash and escorted by two officers to and from the rec-rooms and shower, one at a time. The mind games, the power trips and the psychological warfare comes in[to] effect in this place and any officer has the power to say, you look ugly or talk ugly or stand too proud - and you lose your level and privileges and go back down and start all over.

“You refuse or argue and they get a team to run in your cell and get you out at all costs - after [which] we are pepper sprayed. Therefore, if one comes to IMU ... one can stay ... five, six, eight, eleven or twenty years if one isn't careful. I [have] seen it all, people have literally gone insane, too much stress or depression or too much medication or go wild over frustration and get beat up or decide to [commit] suicide. In DS we see the sun, the night, the fresh air ... Here we are practically underground, no sun, no air, no night...

“I have seen officers lose it or break down, so just imagine [prisoners]. ...No matter what they do to me I will not allow them to harm my mind...”

The following memo originated in the Nassau County Jail and was written with respect to a prisoner who was a pretrial detainee.

Inter-Departmental Memo

To: All Building Sergeants and Tour Commanders From: LaRoque Waters, Captain

Date: 14 December 1995

Subject: Administrative Segregation [Prisoner] Bruce B.

Pursuant to Sections 7006.1, 7024 and 7063 of the New York State Commission of Corrections Minimum Standards, Article 35 New York State Penal Law and Section 137-2 of the Correction Law of New York state and for the safety, security and good order of the facility, the following restrictions/procedures will be adhered to:

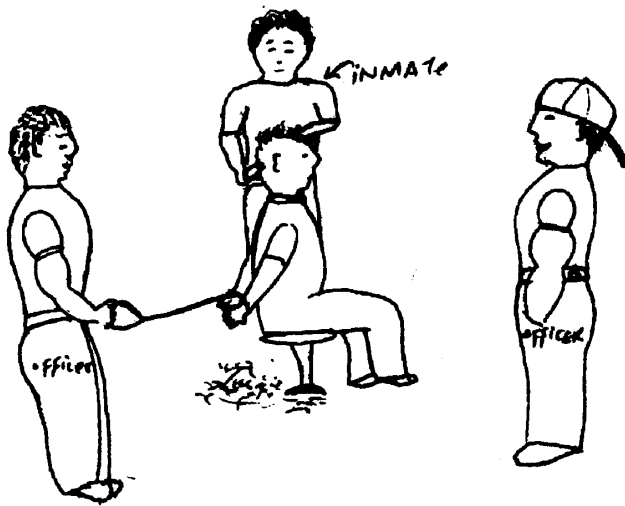
[Prisoner B] will be handcuffed and shackled for all off-floor movement and may be handcuffed and/or shackled for on-floor time out.

{Prisoner B} will have minimal contact with other [prisoners] and will not be allowed any mass movement with general population.

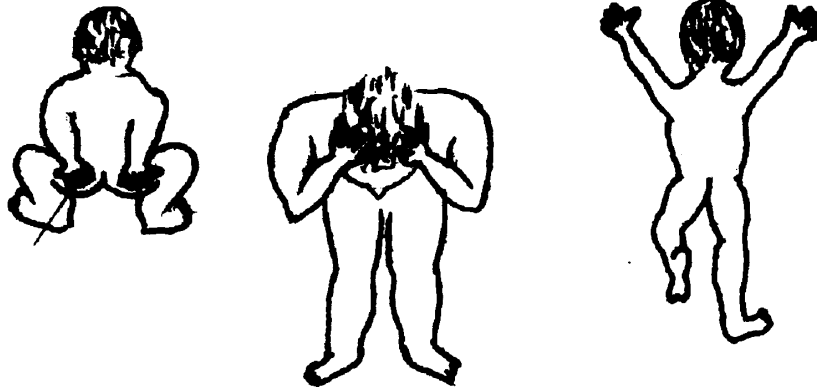
[Prisoner B] will receive his recreation period on-floor and will not attend religious services off-floor or attend regular Law Library periods.

The Building Sergeant will be notified and will escort [prisoner B] for any off-floor movement; drop-off and pick-up only.

The Building Sergeant is authorized to use OC [pepper spray] in compliance with all orders concerning the use of force, when and if it becomes necessary to restrain [prisoner B] and or protect life and property.



"Once a month, we are entitled to one haircut, with a razor machine only. Again, we are cuffed to a leach and escorted by two officers, one that holds the leash, while we get the haircut."



"Once a week, mandatory, we get a cell search and strip searched. We have zero contact with anyone, yet they search us every week, our cells, and they strip search us by taking all our clothes, watching us, inside our mouth, our hair, our privates and all."

"Silent", Oregon IMU

John M. Doe - Massachusetts, undated

“... I am one of those many prisoners who has been given a long sentence to isolation. In Massachusetts, it’s called the Department Disciplinary Unit. Here, prisoners can (by law) be sentenced for up to ten years of twenty three hour a day isolation. The sad part is that even if a person were to remain free of disciplinary reports, the administration would still keep the person isolated unnecessarily. In my opinion, ten years exceeds any logical time period to be labeled as punishment. At no point of a prisoner’s DDU sentence is rehabilitation emphasized. Some people even finish their original prison sentence and are sent to the streets from here. That [just] goes to show the thinking [of] those who make the decisions for the Massachusetts DOC.”

Ed F. - Utah State Prison, Draper, Utah, 6/13/99

“[I am in] this lockup in a cell 23 hours a day on Tuesdays, Thursdays and Saturdays and 24 hours a day the rest of the week. The lights in the cells are turned out at 11:00 p.m. every night unless a [prisoner] cuts himself in trying to get away from this torture and punishment we are forced into every day.”

John H. - Northern State Prison, Newark, New Jersey, 7/5/99

“This extreme isolation [of the control unit] and lack of human contact has caused me severe problems (I requested to see a psychologist but haven’t seen one yet) including being diagnosed with high blood pressure. I also experience headaches, stress, sensitivity to loud noises, ringing of the ears, loss of ability to concentrate, think, loss of memory, anxiety, agitation, paranoia, fear and thoughts of violence from [prisoners] and staff.”

Juan C. Pérez - High Desert State Prison, Susanville, California, undated

Prisoner and eighteen other Mexican prisoners were placed on Management Status after having been extracted from the yard for allegedly refusing to leave when requested to do so. [See *PEPPER SPRAY, TEAR GAS, OTHER CHEMICAL AGENTS AND STUN TECHNOLOGY*; prisoners were pepper sprayed as part of the extraction.] “[I] and all the Mexican prisoners were assessed ten days of Management Status... and ended up doing twelve days [in] December, 1999. [We] Mexican prisoners were denied all basic human necessities such as drinking water, clothing, shelter, sanitation and medical care.

“The running water and toilet was turned off in my cell for these five days. This made matters even worse because I and my cellmate still had a lot of pepper spray and chemicals on our bodies and [were] unable to wash it off in the cell. I was in intense discomfort and pain. ... [When another prisoner complained and asked the unit officers] to turn on the cell water so I could wash off the pepper spray or for a shower and soap, for a blanket and even a toothbrush and tooth powder the officers just made jokes and laughed.”

Randy A. - Pelican Bay Prison, Crescent City, California, 5/10/98

“The infamous Pelican Bay Security Housing Unit ...is a long term torture chamber in itself. The policy here is complete solitary confinement, sensory deprivation and extreme isolation.”

Dave L. - SMU, Boscobel, Wisconsin, 6/18/00

Prisoner is in the Wisconsin super maximum facility at Boscobel, Wisconsin, which he says Governor Tommy Thompson approved at a cost of \$47.9 million to the taxpayers of the state, "...a prison that does not have the worst [prisoners] as advertised. In fact one [prisoner] is here for writing to his own mother. There [aren't] enough notorious [prisoners] in this state to fill a classroom, let alone a 509 bed prison.

"This institution keeps us housed in a cell 24 hours a day, tormented by constant boredom. [It] is run like a concentration camp; its point is to break us slowlyWe are not allowed to see, smell, feel or hear the outside.... Tim Paris, the Security Director, has [instituted] an illegal search and seizure of our outgoing mail [and insists] we leave all non legal mail open for inspection. Our incoming mail is being lost, held, given out late ...and [even] given to other [prisoners]. We have limited access to a makeshift law library where we attend hand cuffed and shackled. We are required to read, write and do research in a bondage state. ...

"We get to go to a bigger cell with nothing in [it] and this is considered our recreation. A [prisoner] can do more in his cell than [in] the recreation cell. We are forced to observe 24 hours of Catholic mass on our televisions. There is no chapel or chaplain to help [prisoners] practice any religion outside of [the] Catholic [religion.] ... We see no Wisconsin news on our televisions, we have no clue what is happening in the state we live in.

"We are not requesting luxury. Just the right to be treated in a humane manner. ... A large majority of [prisoners] will be getting out; would you like them living next door to you after a life of isolation and deprivation?"

"Throughout the country we see ...former members of the Black Panthers, former members of the Black Liberation Army, ...Islamic militants, Puerto Rican fighting on behalf of independence, members of the American Indian Movement, jailhouse lawyers and prison activists. Hardly the 'most predatory' prisoners, as the government would have us believe. The history of control [isolation] units is unalterably entwined in the history of those who have opposed the social programs of this country...

"Control units are clearly punishment and arguably torture. They embody the central threat to human rights that the Constitution was intended to check: arbitrary state power... The treatment and surveillance that control unit prisoners endure is worse than inhumane. It is physical and psychological torture. If we dig deeper into the existence of such practices, the political function they serve is inescapable. Police, the courts and the prison system all serve as social control mechanisms."

The Uses and Effects of Control Unit Prisons:

"Bonnie Kerness interviews Black Liberation Army POW Sundiata Acoli and BLA PP Jalil Muntaqim," 1996

Steve - Ohio State Penitentiary, Youngstown, Ohio, August 1999

"This institution isn't doing anything constructive with its prisoner population. It builds a foundation of hostility, anger and hatred from the very first day. Prisoners here are building blocks of resentment cemented with the mortar of hatred - and these same prisoners will one day be released to society again. How can they be expected to be a part of it when all they have been taught is dysfunction?

"I pray to God every night that I don't become hateful, vengeful and unloving. But aren't we taught that if we kick a dog, eventually it will turn and bite? And if we treat human beings in this manner, will we make vicious beasts of them? I am afraid so."

Mike N. - Indiana Department of Corrections Maximum Control Facility, Westville, Indiana, 6/13/00

"I'm 40 years old, I feel I'm fairly [well] educated and trying to keep a grip. The loneliness and solitude [are] working on me. No physical contact, the depression. I've never been depressed in my life. I'm usually in such good moods it has been known to piss people off; 'What are you so happy about?' Now I catch myself with tears running down my face.

"At first I'd get pissed off at myself and call myself a pussy, broken, weak, but now that it's more frequent I just let it flow. Six three 220 pound pussy boy crying his eyes out. But afterwards I feel some peace until the hate comes in. Optimism, anger, hate and despair: I'll bet I go through each one of these emotions five to ten times a day."

Ron F. - Federal prison, Tampa, Florida, 9/25/00

"I have spent almost five years in different seg[regation] units in Florida - and the [guards] are routinely untrained/hostile or abusive to unruly [prisoners], without the slightest clue as to how to diffuse unrest. Anger control management and isolation training are not part of their job training. Many [prisoners] cannot stand the isolation, lack of food, sleep deprivation and noise, as well as the fear [of an] unknown future and [they] act out, causing retaliation and systematic abuse by a system that only deals with numbers not humans....

"Once in the segregation units there is not much ... staff can do to deal with a situation where people are basically bored, frustrated and lonely. No program, [no] education, [no] good reading materials, [no] adequate food [is] supplied to calm [prisoners] in county jails."

Adrian H - Security Management Unit (SMU), Gunnison, Utah, 9/27/95, 11/17/95

"Suffice [it] to say that control units are cruel, inhuman places where prisoners are grossly abused and mistreated; the [following] provides a brief but accurate description of Utah's [Maximum Facility Intensive Management Control] Unit [from which the prisoner had just been transferred]:

"[The unit] houses only 12 prisoners and most of them suffer from chronic genuine mental disorders. [It] is cold, dark, dirty, and noisy. Steel plates on hinges ... cover the cell doors and windows. The guards open and slam shut these plates throughout the night and we cannot sleep due to the deliberate noise... The guards frequently use four point strap boards and strip cells. They never clean the unit. [It] is very unsanitary, coated with old food, dirt and human waste.

"The prison's SWAT team is often used to harass prisoners. Brutality and excessive force occur a lot. Most of the prisoners really belong in a mental health unit where they can receive appropriate psychiatric treatment, ... non-existent in the control unit.

Prisoners ... are given one hour of out-of-cell recreation, three times per week. That ... time consists of going to a small smelly courtyard ... with a concrete floor and no roof. Other than for showers and three hours of courtyard weekly, we are never let out of our bare cells. Sensory deprivation is a severe problem. After awhile many of us hear voices. The guards pick up our mail and, if they don't care for a particular prisoner, his mail simply disappears. Mail service is sporadic at best.

"Prisoners ... are allowed to shower for 15 minutes on Monday, Wednesday and Friday. We are not

permitted to have any toiletries. Once inside the 'shower' cell, the guards hand us a bar of soap and a toothbrush smeared with a little toothpaste. Whenever we leave our cells, even to the shower, they employ full restraints on us, which means being handcuffed behind the back and guided by a 'dog leash' attached to the handcuffs. The only personal property we are allowed is a minimal amount of legal and religious property."

Dan G. - Washington Corrections Center, Shelton, Washington, 9/10/00

"Currently I've been in IMU for three and a half years. I'm in IMU for something I didn't do; [I] was set up by two unethical staff members. I've been infraction free the whole time I've been in IMU. And yet, my captors refuse to release me back to general population. In fact, I've been told, in no uncertain terms, that I'll never be released from IMU."

"I've been told several times by correctional personnel that the nation-wide move to expand the use of isolation units is fostered loosely by the guard unions. These unions are now contributing heavily to the political campaigns of law and order candidates. Guards reportedly feel that these types of units provide a safe working environment. I believe that isolation units also provide them with a place in which to engage in unwitnessed torture."

Control Units and the Use of Devices of Torture, speech given by Bonnie Kerness, Ann Arbor, Michigan, 1996

Dan H. - MCF, Oak Park Heights prison in Stillwater, Minnesota, 8/19/00

"...I am a [prisoner] in an isolation unit called 'Complex-5' segregation (CX-5) at the Minnesota Department of Corrections facility at Oak Park Heights which is supposed to be a model maximum security facility... It has been featured on ... the *Discovery Channel* as being this great humane place [for] prisoners - however, it has a sinister side to it that is kept from the public...."

"For approximately ten years the staff of [CX-5] tortured both physically and psychologically the [prisoners] under their care. This was done using restraint devices, food, bedding, property, false reports, false street charges and beatings. When I first arrived here on November 10, 1998, all of [this] was a daily part of existence in CX-5: the use of 'fear' upon the [prisoners] out in the population [with] the knowledge that if they didn't submit to the degradation of ...doing their time [the warden's way] they could easily end up in CX-5. The torture unit keeps many in line."

Because the prisoner had filed too many complaints about the treatment meted out to mentally ill prisoners in isolation a sergeant in the CX-5 unit "would pour out my canteen items into the toilet, refuse me food, spit in my food, etc - eventually he began writing reports claiming I was threatening him. For this I was placed on 'high level control.' This is where you must cuff up while on your knees through the food slot in your door, thus giving the guards even more [opportunity] to assault and abuse you; they now have [you pictured] to the administration as a disciplinary/management problem [and they put you in the restraint chair]. They pull the [straps on the] restraint chair so hard they hurt you and have pulled my shoulders out of [their] sockets. These abuses went on until September of 1999 [when] I was accused of spitting on the sergeant and then had a spit mask placed over my face in addition to the straps, chains, helmet, shackles I had to wear whenever I left my cell."

He concludes: "... due largely in part to the CX-5 staff's false reports I was given five and a half years in

CX-5 isolation. *I have been basically sentenced to insanity* and pray I can last three more years as I ... am slowly losing some of my sanity back here. I pray god helps me to survive what has been done to me.” [italics added]

Jean M. - Ms. M. is the mother of a prisoner at the Ohio State Penitentiary, Youngstown, Ohio. She writes from South Carolina, 10/9/00

“The way they make my son, and all the other [prisoners], go through a visit is nothing less than torture. I am in a confined, glassed off area, and my son sits in front of me in a completely glassed, sealed and locked area with full chains on. [He is] chained at the wrists [which] are chained to his waist with a black box, then shackles at the ankles. He has to sit on a steel stool with no back, and they usually take him into the visiting room as much as an hour early for our two hour visit. Then, at the end of the visit, he may have to sit there for another hour awaiting transport. On our last visit, he was tripped by the guard while he was in full chains. When my son ‘fell,’ he fell against the guard and they charged him with assault and injury to an officer.

“It is almost more than I can do to be civil to the guards that I know abuse the system and my son. I have to remain civil because I know that they hold the power of refusing me a visit with the one person I love most in this world. What a travesty.”

Wally S. - Maximum security prison, Cranston, Rhode Island, 6/00

“[This is] an institution that has transformed itself into a [prison of] control/isolation units as well as a breeding ground for violations of human rights by prison administrators and officials. ...

“Prisoners in [this] high security center are subjected to ... unjustified use of excessive force; unjustified use of chemical agents sprayed on them; ... [being administered] psychiatric drugs to ... control their behavior [because] officers and other [prisoners] throw human feces, urine in their cells - and [being denied] food. ...

“Prison officials attempt to ‘break [prisoners] down psychologically;’ push [prisoners] to the state of nothingness that has [them] cutting their wrists, sticking metal objects in[to their] private parts; and plan and coordinate attacks and vicious assaults on certain [prisoners] by other [prisoners] while [the] one [attacked] is handcuffed behind [his] back on recreation. And [prison officials] strip segregation cells down to *nothing* but a sink, [a] toilet and [a] bed.”

“The monitoring that the *National Campaign to Stop Control Unit Prisons* leads us to believe that approximately ten percent of the U.S. prison population lives in extended enforced isolation.”

Control Units and the Use of Devices of Torture, speech given by Bonnie Kerness, Ann Arbor, Michigan, 1996

There are currently over two million people in U.S. prisons.

*** EXCESSIVE USE OF FORCE ***

“Torture and other cruel, inhuman or degrading treatment or punishment are prohibited under Article 5 of the Universal Declaration of Human Rights, Article 7 of the ICCPR, the United Nations Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment and other international and regional human rights instruments. Article 10.1 of the ICCPR states that ‘all persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person.’” [*Cruelty in Control?* “The Stun Belt and other Electro-Shock equipment in Law Enforcement,” *Amnesty International* report, June 1999, p. 4; hereinafter referred to as AICRUEL]

“A detained or imprisoned person or his counsel shall have the right to make a request or complaint regarding his treatment, in particular in case of torture or other cruel, inhuman or degrading treatment, to the authorities responsible for the administration of the place of detention and to higher authorities and, when necessary, to appropriate authorities vesting with reviewing and remedial powers.” [*International Covenant on Civil and Political Rights*, entered into force March, 1976, Annex, Principle 33]

Sylvester M - Clallam Bay Correction Center, Clallam Bay, Washington, 11/28/99

“I am a control unit [prisoner] off and on now for roughly three and a half years and have witnessed brutality, attempted suicide by the mentally ill and inhumane conditions of confinement: anal probes (forbidden by Washington State law), [been] stunned with electronic shields and stun guns to the point [that] blood from broken and burnt skin flowed from the wounds...”

Tommy - East Jersey State Prison, Rahway, Ad Seg Control Unit, 3/14/00

“The guard had the food port open...[and] said ‘Are you going to take the medication? I should have known. The nurse was down two cells ... and I had to reach out to take it off the lid of the food slot [which] weighs twenty pounds. Wham! he slams it up just as I get my hand on the medication cup. He ... kept punching the lid. I had one foot in the toilet to get leverage to pry it out. I got it out but slipped. [The cell door] was opened about a foot, 16 inches or so, for the nurse to take my blood pressure. He got me good in the side, broke two ribs. ... Internal Affairs even investigated the witness who confirmed it! [My] lawyer came with permission to take pictures but they took his camera. I had the boot heel [mark] on my rib cage!”

Jim B. - Limon Correctional Facility, Limon, Colorado, 3/30/98

“[In] January 1992, ... a security captain at Portage, Wisconsin, (at CCI) beat a [prisoner] with a night stick. [In] March, 1992, I saw a security officer strike a prisoner with a large flash light - the hard rubber type that needs six C-Type batteries. Between January and June [of] 1992 I saw four different prisoners four pointed to strip cell beds - two of which were then beat[en] up by several officers.

“[In] December, 1992, [in] DRDC (Denver, Colorado), I was taken to segregation and beaten by several guards for doing legal research for women prisoners.”

Steve L. - Northern Correctional Institute, Somers, Connecticut, 6/4/00

“A code blue was called somewhere in the prison in response to an assault on a staff. The following day the prison was placed on “lockdown” status and the Correctional Emergency Response Team (CERT team) was brought in. ...Prisoners were roused ... that morning, handcuffed and shackled, physically stripped by the CERT team, walked backwards to the 3' by 4' showers and forced to stand there for up to an hour. During that time their property was ... thrown away or destroyed.

“This lockdown was in retaliation [for] the assault for several obvious reasons: 1) NCI’s routine lockdowns run in predictable six month cycles - we had [had] one only two months ago; 2) during a routine lockdown the CERT team is neither called in to remove prisoners from their cells nor to shake their cells down... In addition to the lockdown all cell water was adjusted to have a five to ten minute delay. That’s 30 seconds of water, five to ten minutes [of] nothing. It remains so... This makes it impossible to conduct ordinary general hygiene.

“...[O]n the following evening a code red (fire) was called ... Somehow a mattress caught on fire and the pod had to be evacuated. ...Since the CERT team was already in the building ... they wasted little time in responding to the code. ... All prisoners were unnecessarily handled roughly; [at the same time], men were both arbitrarily and selectively chosen for special punishment and to be made examples of.

“Approximately 50 men were evacuated to two small rec yards. We prisoners were put in plastic restraints, many too tight, were dragged from our cells to the yard and thrown face first to the ground. We were made to lay like that while CERT members are guards verbally abused, threatened and spit tobacco juice on us. Some men were out there in their underwear. ... I personally witnessed seven assaults on prisoners though none so profound as what happened to [a friend of mine]. [This friend], who happens to be recovering from a broken jaw and surgery on a broken cheek bone, was thrown to the ground, stomped, twisted, dragged and endured such abuse for about ten minutes, all the while screaming in pain and offering nothing close to resistance.

“After five hours of this physical, verbal and psychological abuse I was returned to my cell... The next day two more prisoners on my tier were maced, gassed and beaten while being dragged past my cell by the same goons. ... Additionally a prisoner ... had some of this front teeth knocked out.

“The week of hell is over. I made it okay, at least physically. I attribute this to the fact that I generally keep my mouth closed, don’t litigate and have never assaulted a staff.”

Tim L. - IMU, Washington State Penitentiary, Walla Walla, Washington, 6/15/00

“Three officers came banging on my cell telling me to cuff up for a ‘security check.’ As I am in front of my cell listening to the guard on my left talk trash to me I look over my shoulder to see the CO [corrections officer], who has entered my room, put my bedding on the floor and walk over it as if it wasn’t there. As soon as I started to voice my displeasure the trash-talking guard twisted my wrist and slammed me against the wall. The only thing I could do was turn to my right to relieve the pain that my twisted wrist was causing, which the guard took [to be] resisting. I was then thrown to the ground and [held] by six other guards who applied pain to my body’s pressure points which made me yell out in extreme pain. I was then lifted up by my four limbs and put face down in my cell while the guards ran out.

“I was ordered to stand and put my hands out my cuff port to have my cuffs removed. After my cuffs were off I left my right hand out and pointed to the ground and demanded to talk to the lieutenant. The sergeant on the scene took that as a “threat” and ordered the cuff port shut on my arm. Before I could pull my arm in a CO on each side of the port slammed the hatch shut trapping my arm. They then, with the sergeant and two more COs, started to punch [and] beat my arm and bend my fingers back. While I’m still trying to pull my arm in the sergeant thinks it’s a good idea to give the hatch a good kick. He gives it a good eight kicks before he allows me to retrieve my bruised and cut arm.”

Jim K - Southwoods Prison, New Jersey, 1/23/00

“I got marks on my body from SCOs [Senior Correctional Officers] beating on me a lot of times. And they hit with their fist on [my] body. ... I got no write ups but have to go through being hit on by SCOs. The officers give out brutality in this prison. So please have somebody stop this on me in this Southwoods prison.”

He then lists 5 days during the previous 19 - three of them in succession - on which he was beaten.

“On January 7, 1998, two reportedly unruly prisoners at the Cummins Unit, an Arkansas prison, were handcuffed and taken to the prison captain’s office. Lt. Kenneth C. Bell ordered them beaten and shocked with a stun-gun and a cattle prod on their buttocks and testicles. Sgt. Loren D. Burrer threatened to cut one prisoner with a knife. On January 24, 1998, a similar incident occurred with a third prisoner. ...

“Dina Taylor, a spokesperson for the Department of Corrections, admitted that the prisoners were inappropriately treated. Such extreme force should [not] be used ‘for the purpose of punishing or inflicting pain,’ said Michael Johnson, U.S. Attorney for the Eastern District of Arkansas.”

Prison Legal News, July, 2001; source Arkansas Democrat Gazette

Yahshua M - Northern Prison, Somers, Connecticut, 1/23/98, 1/18/98, undated

“On March 13, 1995 I was brought here to the Supermax [where they] jacked me up, applied pressure to the side of my neck, ... snatched me in the air and carried me to the holding cell and took me to the floor, ... I was at all times handcuffed, had on leg irons, a waist chain and a chain going from feet to hands. I was forced by about eight to ten officers to [lie] on the dirty floor, forcing my face to kiss the floor. I was told in a loud ... intimidating voice, ‘You will stay on the floor until you are given the order to get up.’ ... I started to get up. ... They rushed me with full riot gear, helmets, chest vests, gloves, shield. ... After they got me to the floor they ... [stood] on my head, twist[ed] my toes, my wrist, my arms. Making little racist cracks. They ripped the clothes off which always hurts your private parts. ... While I was having my clothes ripped off there was a female [officer] filming it. ... Oh, and the main hallway is about a hundred yards, they ran me down the hall also naked. I had been given a jump suit but it was around my ankles, and at the door of each block were both female and male guards watching this spectacle.”

Doc S. - Red Onion State Prison, Wise County, Virginia, 4/18/00, 5/29/00

Doc describes the procedure used to remove a prisoner from his cell if he refuses to leave it when requested to do so. “If a prisoner is down in his cell, even in the medical area, an officer and/or nurse yells the man’s name several times. If there isn’t a response a Sergeant or a Lieutenant is called and he yells and bangs on the door for five minutes or so. If there still isn’t a response he calls for an extraction team. After they show up and arrive on the scene about half an hour has elapsed. The goon squad leader bangs on the door and yells a final time before crashing in pinning the prisoner to the floor with an electric shield.”

Describing one such prisoner, “he said the victim had had a seizure and once they got him to come around the goons paraded him around the medical department naked before placing him in another cell.”

Rose S - Starke, Florida, writing for Florida prisoners, 4/27/99

“We other prisoners watched one of the captains hold up the prisoner, who was ...handcuff[ed] behind his back and in leg shackles, while his subordinates took turns beating him. It looked like they were killing him. One of the guards took a broom and forced it in the prisoner’s rectum and then down his throat. The last we saw they were taking him to the hospital... Superintendent Crosby, head of Florida State Prison, supports this kind of behavior from the guards.”

Len X. M. - Pittsburgh, Pennsylvania, 6/00

“I had a confrontation with officers ... and was placed in a strip cell with nothing in it but a blue security blanket... Lieutenant Anthony Bovo came in my cell with five other officers such as: J.A. Gillian, Jefferson, Daley and John Dos (a CO) and sergeant.

“Lieutenant Bovo then told me to place my back against the wall [with] which [request] I complied. I was then asked what happened the night before which I explained to him. Lieutenant Bovo then began yelling curse words at me and then liberally spraying me in my face with [pepper spray]. While trying to clear my eyes out I was assaulted by being kicked to the ground and hit several times with the EBID (Electric Body Immobilizing Device) and was told by Lieutenant Anthony Bovo, ‘This is my [turf] and I take pride in it. The next time you do something, I’ll kill you in this cell. Now, you can relate that to all your buddies - and to your lawyer too.’

“I then asked for medical treatment to see about my laceration but was then denied.”

Andy T. - Pittsburgh, Pennsylvania, 6/14/00

“...Lieutenant Bovo did come to [my] cell and did place an electric immobilizing unit on my person and did move me to a cell with a cement slab as a bed and desk where I must eat, write, etc. off the floor and same was done despite the fact that I did *not* receive *no* misconduct reports or did *not* destroy any institutional property and that security personnel in extraction gear participated in the above with Lieutenant Bovo, and that, despite [use of force policy] specifically calling for a DC-121 [a special order form] to be submitted every time a facility weapon (immobilizing unit) is used, Lieutenant Bovo did *not* do same because the use of such was illegal, uncalled for and deviated from policy.

“...[M]y inquiries to Lieutenant Bovo resulted in same [as he] stated that he just got done using an extraction team thus ... their presence. ...In the same breath [he admitted] he knew he could not use the *oleoresin capsicum* [pepper spray] on me because he reviewed my medical file and learned I am asthmatic, thus leading to the obvious conclusion that the use of force and [the] extraction team personnel was for me. Lieutenant Bovo [moved me] to a cell where [I] must eat, write, etc., off the floor despite *no* infractions whatsoever.”

Errol C. - INS detainee, Hudson County DOC, Kearny, New Jersey, 9/21/00

“I was supposedly scheduled for court and was taken to the receiving area. When I was assaulted by Correction Officer Daniel McChesney I was kicked in my back, slammed into a wall and then slammed onto the ground and was knocked unconscious. ...”

The prisoner says that he was able to contact an attorney from the public defender's office which resulted in his giving a statement to one of the personnel from the prison's Internal Affairs Department who then filed charges on his behalf some three months after the incident in question. From that time forward he was harassed by correctional officers: "...Sergeant Cannon came to my room while I was eating lunch and said to me, 'Boy, I see you still here and alive.'" Three officers searched his cell at four in the morning, "when they were finished, one of the officers said to me, 'We hope when you go to court you are going to do the right thing.' I ask them what they meant and the officer said, 'You are going to drop charges against Officer McChesney. If not, you will face the consequences.'" After several more threats on the part of correctional officers "Lieutenant Day had a piece of paper with my name on it along with some other names and asked me to step outside [of my cell] to which I complied. He then said to me, 'You, C-?' and I said, 'Yes.' He then started to curse at me saying, 'Who the fuck you think you are writing up my staff?' The Lieutenant was so close to me that when he talked the spit out of his mouth was hitting me in the face. I started to back away ... when he used his finger to push me on my forehead....

"I got the distinct impression that because I filed charges against Officer McChesney and Sergeant Cannon for assaulting me and threatening me ... I am deliberately targeted for these threats and harassment and I expect further similar action in the near future...I tried on several occasions through grievances and other means [to seek] help to stop these assaults, threats and harassment ... but it is only getting worse.... I therefore would like these incidents investigated for me. It is only a matter of time before [one of us] gets killed in this jail."

Shawn W - Hays State Prison, Trion, Georgia, 9/8/97

"Mr. [Commissioner Wayne] Garner loudly said [to the tactical squad], 'You've got five minutes to clear out this building and four and a half is already gone.' The officers ... went wild. Doors started to open and people and property was being thrown everywhere.

"When my door opened five officers rushed in. The first officer order me to half-down and struck me in the back of the head with a retractable baton, driving me to the floor where I was then kicked in the face by a second officer, driving me back to my knees and breaking my nose. ...I was beat beyond function [sic], place in zip-ties both hands and feet and dragged out onto the top range where I was [thrown] over the rails...After I hit the floor I was swarmed by another group of officers [who] continued to beat me.

"I was taken to small yard area when I was laid face down on the concrete surface [where] I lay for 15 minutes. I was then dragged up the sidewalk by the arms. ... When I arrived ...there was no skin on my knees [or the] top of [my] feet and my penis was also scarred. I was then beat[en] by two officers."

JT: Death Row, Ely State Prison, Ely, Nevada, personal correspondence, summer 1999

"Then there are the games the officers play on us; these are every day things too. It works this way: they tell prisoners and other officers gossip they have heard inferring you have said detrimental things about other prisoners - speaking badly of certain prisoners can cause you to be beaten, even killed. And if you become ill in your cell and are unable to call for help, you are a dead man because there is no one who will call medical help for you.

"Once I saw a man here who told the guards he would kill himself. They put him in a cell and left him entirely without observation; he hung himself. They could have saved him, but chose not to. They then stayed at his cell door looking in on him for about ten minutes saying they could not go in because it would be too dangerous; he was the only person in there. So when they finally took him out it was in a black bag. Because he was on death row the guards didn't care whether he did the crime for which he was convicted or not. They just don't care when you get here.

“Florida: Lake City - Three guards at the Columbia Correctional Institution are charged with beating a [prisoner] so severely last March that one of his testicles had to be removed. The three have been on paid leave since September 21. The [prisoner], Vincent Chester, is serving time for arson and forgery. It’s not known what touched off the confrontation, officials said.”

USA Today, October 12, 2000, received from Earl D. 11/7/00

Ty E.F. , Kershaw Correctional Institute SMU, Kershaw, South Carolina, 10/31/00

“... Section 23-3-620 of the South Carolina Code of Laws [was] signed into law by the Governor ... on 8/18/00. This [requires] the mandatory [drawing of blood for] DNA testing for the purpose of providing a sample to be placed in a state wide database. ...[This] amended version includes ‘all’ violent offenders with a host of other [categories and] makes the law very broad based [and so it] applies to a significant percentage of the [prison] population.

“No notice was given to [prisoners] inside this unit at Kershaw prior to the ‘mandatory’ test. Written notice was given the next day, after testing.

“A punitive cell-extraction was performed on [me] for non-compliance in submitting a sample that I was never notified [I was supposed to submit] or informed that [submitting it] was mandatory (in writing).

“The U.S. Constitution Fourth Amendment protects individuals from illegal search and seizure.... Blood constitutes property in its purist form.”

Dan H. - MCF, Oak Park Heights prison, Stillwater, Minnesota, 8/19/00

“On February 4, 2000 [CX-5 staff] finally went for and killed a [prisoner] back here ... by beating and spraying him with mace directly in the face, then leaving him [to] lie in a strip cell for five and a half hours - to die lying on the floor. All these staff were removed from this unit and are under investigation for this and other abuses but it’s all being done in an indifferent manner by high level officials; only two or three staff officials are trying to expose [these officers] and get [them] fired.”

Rodger L. - Lansing Correctional Facility, Lansing, Kansas, 7/5/00

Prisoner (plaintiff) has lodged a civil rights complaint against Officer McMurphy (defendant), a guard at the Lansing Correctional Facility, Kansas, “alleging excessive use of force in violation of the Eighth Amendment ...Plaintiff also alleges assault and battery.

“On November 12, 1998, plaintiff was in the Building Maintenance Shop along with defendant, an instructor and two [prisoners]. ...[T]he defendant reached out and grabbed plaintiff by the shirt collar and yanked ... with force. ... The defendant then pulled a pair of pliers out of his pocket and, while still ...hold[ing] plaintiff, put them on plaintiff’s crotch (sexual organ) and applied pressure, causing plaintiff pain and discomfort for no justifiable reason.

“Plaintiff gently tried to get the defendant to release his grip and push defendant backward but to no avail. After the defendant released the pressure from the pliers ... while still having a hold of plaintiff’s shirt collar, defendant pulled a buck-knife out of his pocket and cut plaintiff on the hand, thus causing plaintiff pain ..and causing

[him] to bleed....

“Plaintiff then showed defendant his cut hand which was bleeding. The defendant showed no remorse or concern. Defendant did not send plaintiff to the prison infirmary or file an incident report.

“Plaintiff reported the incident to [guards] Barber and Beckham, [who] had plaintiff write out a statement ... [Guard] Barber then escorted plaintiff to the prison infirmary. Medical staff examined plaintiff’s sexual organ [on which] there were no apparent ... wounds. Medical staff then treated plaintiff’s cut hand....

“...[P]rison officials ... confiscated defendant’s knife and told [him] ... to file an incident report. Defendant left his incident report blank.

“On December 21, 1998, [Guard] Barber informed plaintiff that defendant had asked him not to report [defendant’s] conduct to the warden. A few months [later] plaintiff was informed that the facility had suspended the defendant from work without pay for seven days and put defendant on ‘no contact’ status for his conduct.

“The defendant’s actions were not ‘applied in a good faith effort to maintain or restore discipline.’ The defendant’s actions did not serve any legitimate penological purpose. Defendant has grabbed other [prisoners] in the past and pulled his knife on other [prisoners] in the past...

“Plaintiff has exhausted all administrative remedies available to plaintiff [under the provisions of the Prison Litigation Reform Act - PLRA]. PLAINTIFF DEMANDS A TRIAL BY JURY.”

John P. - Northern State Prison, Newark, New Jersey , undated (incident described occurred at South Woods State Prison, Bridgeton, New Jersey).

“On 9/7/00 I was viciously attacked by an officer. Then fifteen other officers joined in... As a result of this aggression I suffered several injuries including head trauma, broken tooth and chipped teeth, cuts, bruises and a badly bruised rib. Also a black eye and bruises to the interior eye.

“I was called to the gym by my housing officer, CO [Correction Officer] Benjamin. She [had] got a call from CO Stokes, he wanted me to report to gym. ... I got dressed and waited till they called school out and went to leave my unit. While leaving, I was with a [prisoner] named Tom S.[whose account follows]. I told him briefly [of an altercation I had previously had with CO Stokes] and I thought I might be getting a charge. We walked out together and I went to the gym window ... and said..., ‘What’s up Stokes?’ He held up a charge and went into the hallway where the metal detector is. I walked in, ID in hand, and he held out the ... charge. I took it and looked down to read it. That’s when Officer Stokes punched me in the eye with enough force to send me back into the gym doors. He followed me, throwing blows. I fell through the doors and was then attacked from behind. I fell to the ground and covered up while they, including CO Stokes, continued to bang, bash, batter, clobber, hammer, pound, pummel, punch, slap, smack, strike and wallop me. After several minutes of this, they cuffed me and dragged me to a holding cell but, before putting me in the holding cell, they were nice enough to run me, head first, into the wall extremely hard - [hard] enough to break my tooth.

“I sat there, hand cuffed and shackled. Neither [handcuffs nor shackles] fit me due to my size [prisoner weighs over 300 pounds] for about four hours. ”

Tom S. - South Woods State Prison, Bridgeton, New Jersey, 9/8/00

“John P. left his housing unit ... simultaneously with [me] ... He was told to report to the gym by the housing unit officer (CO Benjamin). ... John P did not leave tier immediately because he was seen (by myself) getting dressed first. When I finally met him at the tier exit door he was still tucking his [shirt] in. ... [He said] he thought he might be picking up a charge for an earlier incident. [He] appeared calm.

“We left simultaneously. He walked straight across to the gym window ... I didn’t see any officers around. I walked away (approximately eight or nine paces, four seconds only) and then I turned to look again. ... John P was flat on the ground *too fast*. It appeared to be ‘orchestrated,’ ‘rehearsed.’ Definitely ‘ambush-like’ in nature. In my whole time here (38 months) I have *never* seen anything like it.

“I witnessed a large pile (10 to 12 COs, 2,000 to 2,500 pounds possibly) covering John from all angles. *John’s knees and his feet were flat on the ground, he was not resisting* as evidenced by ... his big brown unique style ‘handicapped’ boots.”

Andrew P. - Upstate Correctional Facility, Malone, New York, undated

“Just two months ago they used gas on a Brother that was locked three cells away from me and it was bad the way they beat him. And, to tell you the truth, he didn’t even fight back. They was beating him for fun, with cuffs on, after they were put on. And this prison is closed in, you can’t see anything unless it’s three cells away or in front of you. The officers walk around with black gloves in their pockets. I remember there [were] about a hundred officers in Attica that walked around with black gloves and just beat up Brothers.

The prisoner writes of a fellow prisoner who “on a regular basis was hollering and I kept hearing him say that the officers and Sergeant Allen was kicking him in his ribs and stomach while he was tied up on the floor. There’s a glass that separates the two sides of the block. I’m in [the] cell right across from him so I saw the officers with helmets and gas masks on.”

Mike S. - Northern Correctional Institute, Somers, Connecticut, 6/28/00

“The prison security cameras record us being beaten but the warden denies we are beaten and erases video tapes. [One prisoner] had his teeth kicked out on May 31st and they claim he fell.”

Rich M.L. - Springville, Alabama, 4/9/01

“As usual the prisoner was savagely beaten while his hands were handcuffed behind his back. I and other prisoners hollered and beat on the doors and windows to try to stop the beating ... and to draw attention to the incident. The goon squad came in with their batons, bats, chemical weapons, electrical shield, helmets, etc., and threaten to open all of the prisoners’ doors one by one and beat them.

“This was a scary situation for me because I knew I was not going to allow a guard to enter my cell to beat me and I was not going to passively be beaten. I was fighting like hell. I realized the possibility that I might be killed but I calmly resigned myself to that... It is a helluva thing when a man has no choice but to die.

“Fortunately there was some wolfing [sic] back and forth and then the goon squad left the cellblock. I believe they sensed the prisoners’ fed up mood. The prisoner who was beaten was given a disciplinary for assault! Standard operating procedure for guards and police who assault people, then charge the victims to cover their asses.”

Glenn S. - Gulf Correctional Institute, Wewahitchka, Florida, undated

“On July 1, 1999 Captain Hatcher came to my cell and told me he had something for me. [Half an hour later] Sergeant Pippins and CO Johnson placed a known predator ... into my cell and watched as he made his first attack on me. They and CO Heffel returned a few times to watch him attack me and ignore my calls for help and removal. [The prisoner] told me he was going to rape me, that I was going to do everything he said, that I was to ‘comply’ with what the officers wanted me to do, i.e., work only on my criminal case and do no other filing - the

exact words of Pippin and Hatcher to me previously - or he was going to 'break [my] neck.'

"He tried to rape me several times, attacking me and hitting me when I yelled for help or asked for removal. I was raped in every sense of the word except sexual penetration. I was hit on most of my body ... He held me on the floor and rubbed his body against me, including his erect penis through his clothes, and one attempt naked."

Norwood N.- in civil commitment [see p. 68] after serving sentence in Rahway, New Jersey, 8/23/00

"... a goon squad came to my cell, three COs (correction officers) and a sergeant. All white skinhead types. They pulled me out of my cell and threw me against the wall (literally) for a ham handed frisk. Pulled me around this way and that. ... They took me to the rotunda and put me in a cage."

Prisoner N - Minnesota Correctional Facility, Oak Park Park Heights, Stillwater, Minnesota, 2/21/00

"For the last year I have been warning the ombudsman ... that the guards here in the segregation unit were sadistically abusing and harassing [prisoners] and assaulting them and that sooner or later a [prisoner's] death would be caused by these abuses. Well, [in February], after witnesses [saw] several officers beat and spray with chemicals a [prisoner], ... they were seen dragging him towards a strip cell where other witnesses said he lay on the cold cement floor for five and half hours while various guards walked by laughing until they finally called paramedics. Within 24 hours [the prisoner] was pronounced dead at the hospital of what the guards are saying was a tumor in his head. One must wonder if the beating, the chemicals and denial of medical help for five and a half hours contributed to his death. I would be willing to bet if he [hadn't been] left [lying] in the floor for all those hours and given medical help he would still be alive today. So far I feel the prison and the D[epartment] O[f] C[orrection are] doing a good job of covering this up, as I have heard nothing on the news... [T]hese control units provide an atmosphere for sadistic guards to practice their sadistic games; I've seen much back here in segregation this last year that these guards have ... gotten away with. God have mercy on my friend's soul."

"Early in the morning of July 17, 1999, nine guards at the Florida State Prison in Starke, Florida, entered the cell of Frank Valdes. Trying to justify their behavior, they were screaming, 'Where's the knife?' Armed with stun guns, pepper mace and shields they took turns beating him and stomping on his body with their boots crushing every bone in his body and destroying every organ ...

"Frank was a good candidate for what had taken place. He was poor, Latino. abused and unwanted. His mother had tried to abort him and his father had little to do with him. By the time he was 15, Frank was in a youth facility. By 16 he was diagnosed as schizophrenic.

"Frank was a lonely person, but he had a good heart. He heard voices but he could be a loyal friend. ... [At the request of his friend, Billy, he and Billy attempted to free a prisoner being moved in a van.] The two were strung out on booze and cocaine when the van appeared. [A] guard was shot three times and died. Both Billy and Frank were found guilty and sentenced to death. ...

"While he was in the county jail in West Palm Beach awaiting sentence, guards from the Florida State Prison sent Frank a message that they would beat him and put him on X-wing. The cells [in this wing] consist of steel rooms without windows: there is no way to look out except through an opening at the bottom of the door....

“The day before Frank’s death, he spent the whole day screaming for help for [seven Black prisoners who had been severely beaten]. Guards used baseball bats and batons to beat the prisoners [and] refused to get medical aid for the victims. [One prisoner,] Willie[,] was writhing in pain from a broken jaw. A sergeant passed and asked what was going on. Frank threatened to call the media. ‘These guys are hurt.’

“A guard named Montrez Lucas was working on the tier that day. He said to Frank, ‘Shut up or I’ll get your ass.’ Frank kept yelling for help.... Lucas went to the phone and called the sergeant for help. He lied that Frank had threatened to kill him. Lucas opened Frank’s door and cuffed him. He entered the cell with a guard named Griffith.

“At a subsequent trial against Lucas ... Griffith testified that after cuffing Frank, Lucas hit him in the face. Frank didn’t move so Lucas kept hitting him until he collapsed on his bed/slab. Later, after he died, guards tried to say that he killed himself by constantly jumping off his bed. The slab is attached to the floor! Griffith testified that with the last punch he heard Frank’s jaw crack. Lucas was eventually found not guilty because ‘it couldn’t be proven exactly when the jaw was broken.’

“Very early the next morning the guards killed Frank. The witnesses were sent to other prisons, including prisons in California, Virginia and Florida.

“If there is any purpose to the life of Frank Valdes, who, at 36 years old, was beaten to death by guards, is it is that the guards who murdered him be found guilty and [that] prison conditions at FSP and everywhere be changed.”

From “The Death of Frank Valdes” sent to the *AFSC Criminal Justice Program* by an unidentified prisoner

*** EXCESSIVE USE OF RESTRAINTS ***

GENERAL

“Instruments of restraint, such as handcuffs, chains, irons and strait-jacket, shall never be applied as a punishment. Furthermore, chains or irons shall not be used as restraints. Other instruments of restraint shall not be used except in the following circumstances:

“(a) as a precaution against escape during a transfer, provided that they shall be removed when the prisoner appears before a judicial or administrative authority;

“(b) on medical grounds by direction of the medical officer;

“(c) by order of the director, if other methods of control fail, in order to prevent a prisoner from injuring himself or others or from damaging property; in such instances the director shall at once consult the medical officer and report to the higher administrative authority.

“... Such instruments of restraint must not be applied for any longer time than is strictly necessary.” [MINRULE Part 1: items 33, 34]

Randy A. - Pelican Bay Prison, Crescent City, California, 5/10/98

“I was repeatedly a victim of the ‘stun belt,’ waist chains, leg chains...[D]eputies of the ... County Sheriff’s Department ... secur[ed] two additional chains on me. One was placed around my neck and wrapped twice and the loose ends of the neck chain [were] secured to my waist chains by small padlocks. I was then made to kneel down and a second chain was looped around my ankle chains and secured to my waist chains by small padlocks. All this was done during court dates in holding cell areas.”

Yahshua M - Northern Prison, Somers, Connecticut, 1/23/98, 1/18/98, undated

“In ... 1994 I was maced and chained because I refused to go to court without a hot meal. I would be given a bag meal, something like a cheese sandwich or tunafish at 6 a.m.... I never would leave for court before 8 a.m. so there was no sense in making me eat a cold ... meal. Every day it was the same, I wouldn’t go to court without them coming in and getting me, then I was late for sure because they would mace me and have to decontaminate me and it took hours.

“...if you go to court from here you cannot have the handcuffs removed, even when they put you in a secure cell at the court house, so creator help you if you have to use the bathroom. And you are kept there all day sometimes, denied your ability to do your natural function[;] that is torture. I was forced to [urinate] right in their van on a number of occasions.

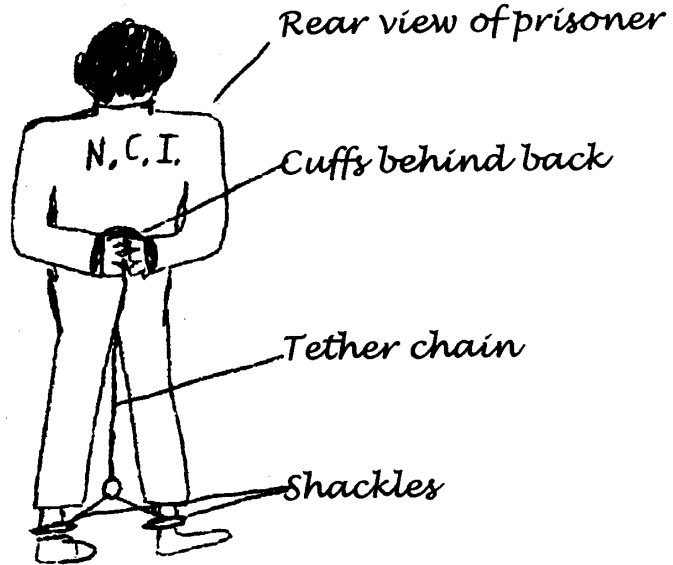
“Following is a list of men who have all been the subject of macing and or being chained down:” There follows a list of fourteen men. Of one of them, he says “[He] has been chained down a number of times[;] the travesty of his case is that he is greatly mentally disturbed.” And of another, “[He is] deceased as a result of being forced to cuff while having a severe asthma attack, died November 3, 1997. His death is being covered up. ... [In April] 1997, a lot of men were chained down as a result of protests over the death of a prisoner ... who died due to lack of medical care.”

"One (1) hour per day, five (5) days a week in a controlled area, excludes holidays. Restraints (handcuffs) required unless in a secure individual recreation area."

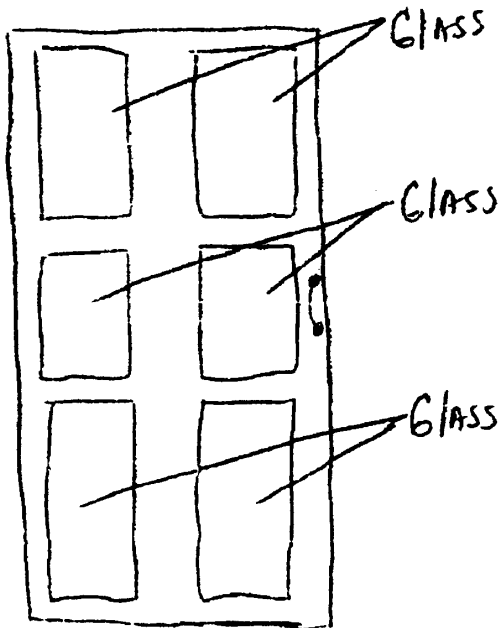
Connecticut Department of Corrections Administrative Directive 9.4
Restrictive Housing Status Provisions and Management Standards

"This is not recreation but punishment to be like this for one hour. Falls are bad because no balance nor could one break his fall in this position."

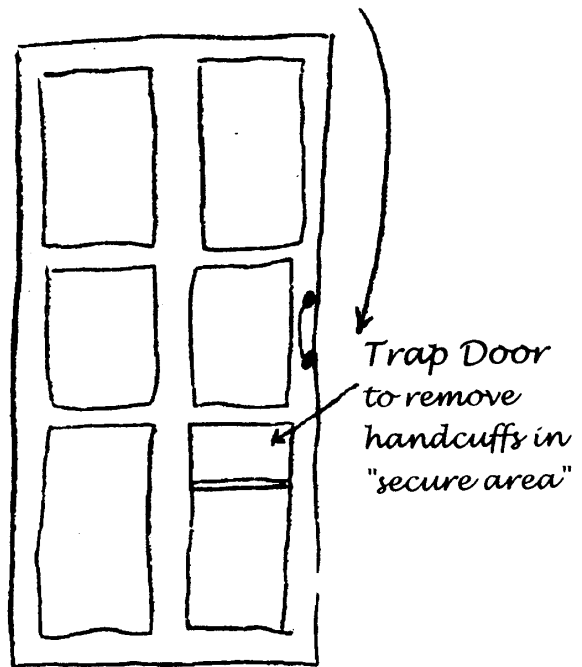
- Kevin J.
Norwood Correctional Institution,
Somers, Connecticut



Door of Recreation Area



Proposed Solution



Northern Correctional Institution is Connecticut's maximum security prison. According to its "Administrative Directives 9.4, Connecticut Department of Corrections, Restrictive Housing Status Provisions," prisoners in administrative segregation (phase one) are allowed "Recreation: One (1) hour per day, five (5) days a week in a controlled area, excludes holidays. Restraints (handcuffs) required unless in a secure individual recreation area...."

Whenever the prisoners are moved from place to place, they are chained with their hands cuffed behind their backs and their ankles shackled together with a chain attached to the handcuffs. Once at their destinations (e.g., the shower, the visiting room) the escorting guard(s) remove the cuffs through a covered and secure opening in the door thus enabling the guard(s) to remain outside the "secure area," in which the prisoner is partially freed. The reverse process (i.e., re cuffing) precedes the prisoner's exit from the "secure area" and return to his cell. According to the testimony of following prisoner the recreation area to which he is taken has no opening through which his handcuffs may be removed and he is obliged to wear them during his entire time in the area.

Kevin J - Northern Correctional Institution, Somers, Connecticut, 11/24/99, 9/20/00

"Connecticut DOC uses restraints as a means of corporal punishment, e.g., if one is sent back to segregation for any non violent act they will chain [him] up behind the back, between the feet and tethered in between every time [he] leave[s his] cell.

"I have been injured more than three times [and have gone on medical sick call] ... e.g., scarring, nerve problems, shoulder pain from falls because I am kept chained hand and foot and in between from behind while placed outside in a courtyard by myself for an hour each day - and all this problem could be avoided if there were trap doors to take the cuffs off while I am at 'rec.' This is a simple solution at a diminutive cost to the facility. Therefore this petitioner begs this court for injunctive relief until trial." [See prisoner's illustration]

Shunwand P. - Upstate Correctional Facility, Malone, New York, 11/30/00

"On [11/30/00] at approximately 9:10 p.m. [prisoner] was being shackled to see the psychologist. He was handcuffed with a waist chain around him and facing the wall following staff procedures. Then two unidentified correction officers went in his cell and began reading his legal mail and other materials. Prisoner asked the officers, 'Why are you reading my legal mail and my wife's letter?' ... At that time the officers told [prisoner] to 'shut up and turn around' [with] which [request] he complied. Nevertheless, the officers attacked him anyway for no apparent reason by pushing his body and face against he wall - hard! And grabbing his legs out from under him which made him fall to the ground and bump his head and face. He couldn't break his fall because he was chained, cuffed and shackled! I don't know of the injuries he sustained because the officers were told by a sergeant to close the flap over our cell door windows."

Mike T. - S.C.I. Greene, Waynesburg, Pennsylvania, 10/4/99

"I ...and two other [prisoners] ... were taken to this hall wing and stripped and searched. The COs [Correctional Officers - guards] took my 'boxers,' T Shirt and socks and told us to put on jumpsuits with no undercloth[ing]. I was [then] handcuffed and shackled and taken to a cell that wasn't my original. [T]his cell didn't have nothing in there but a sink, toilet and bed forms with no mattress. I was [there] for 24 hours with tight handcuffs

along with tight shackles, they had some kind of tape wrapp[ng] the belt I was wearing so if I tried to lay down it would be impossible ... to get some sleep.I asked all day could they please get a ranking officer so I can use the toilet. I didn't get no assistance until after dinner. They made me wait all that time just to go to the bathroom.”

Jerry M. - James V. Allred Unit, Texas, undated; early 1998

“I was chained to a bed ... sitting up... for about 21 days, fed one sandwich three times a day and one cup of water. I had refused to go in lock-up. Guards jumped on me, grabbed me by the balls and [in a] choke hold.”

JD - McNeil Island Correction Center, Steilacoom, Washington, 2/1/98 (describes conditions in Clallam Bay Corrections Center Intensive Management Unit)

“[The prisoner], young [and] confused, ... had a cast on one arm [and] both wrists handcuffed behind him as two guards were escorting him ... [A]s they reached the cell, [they] suddenly violently pushed and shoved [him] inside. [The guards taunted him verbally incessantly for several hours commanding him to do things he could never complete to their satisfaction.] The guards left and returned with more as a goon squad dressed in full riot gear - they rushed, ‘pepper sprayed,’ and then placed [him] in a strip cell (i.e., no clothing, blankets, hygiene items, working toilet or even toilet paper).”

Norwood N. - in civil commitment [see page 68] after serving sentence in Rahway, New Jersey, 8/23/00

Prisoner had completed his sentence and was being prepared for transport to another facility for civil commitment. “... an EJSP transport hack gave me a strip frisk and chained me up - like I have rarely seen. He made me put my hands one over the other palms down... Then he put the cuffs on me ... one over the other. Then he made me put my arms up at high chest level - almost under my chin. He put a ‘chinese box’ device that goes between the cuffs and prevents any movement.... [See prisoner’s illustration.]

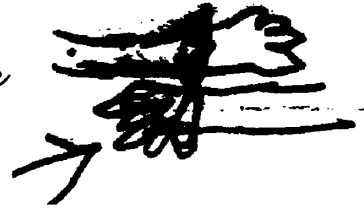
“He then got a *heavy* large link chain and passed it around me almost at arm pit level [emphasis in original]. I had to hold my arms up high and avoid any wrist movement or the cuffs cut into my wrists hard. The leg irons were put on so that there was no slack to let them swivel when I walked. That’s how I was required to walk and move during transport. Thank God it was a short trip, By the time I got to [the facility] my wrists were bloodied - but no serious damage - just some skin and a couple of shallow cuts from the cuffs.”

Eric S. - Ohio State Penitentiary, 6/2/99

This was written to Warden Johnson of the OSP on an “Informal Complaint Resolution” form. The warden’s response follows the prisoner’s statement.

Precautions deemed necessary to "transport" prisoners from one institution to another...

"Then an EJSP transport hack gave me a strip frisk and chained me up like I have rarely seen! He made me put my hands one over another palms down - this way - Then he put the cuffs on me this way, one over the other -



"

"Then he made me put my arms up at high chest level - almost under my chin. He put a 'Chinese box' device that goes between the cuffs and prevents any movement. Looks like this:



"He then got a heavy large link chain & passed it around me almost at arm pit level. I had to hold my arms up high and avoid any waste movement or the cuffs cut into my wrists hard. The leg irons were put on so that there was no slack to let them swivel when I walked..."

Norwood N. - East Jersey State Prison,
Rahway, New Jersey

“[In May of 1999 I] was taken out of [my cell] by officers Jackson, Thompson and Marshal. At that time I was placed in a locked room in B block hallway where C/O [Custodial Officer] Jackson, C/O Thompson and C/O Marshall chained me to the wall, while I already had leg shackles on, and handcuffed me behind my back. But I was still chained to the wall locked inside a room out in B block hallway for about an hour. I was heard by the [investigating] Committee while I was chained to the wall. I informed the institution investigators that I was in pain from being chained to the wall for so long. The investigator’s name is Mr. Moore. He [saw] me like that. Mr. Johnson, as an African American man I felt mental torture, degraded, raped of any dignity as a human being. I felt like a Hebrew slave - chained to that wall. That type of treatment of prisoners is wrong. Can you have it stopped? Thank you for your time, sir!!!”

In the section “Action taken by staff members to informally resolve the complaint” the following appears:

“The procedure [being] used to provide an area for confidential meetings is not at this time being changed.”

John Doe T - Ohio State Penitentiary, 1/20/99

This was also written to Warden Johnson of the OSP on an “Informal Complaint Resolution” form. The warden’s response follows the prisoner’s statement.

“Sir, Visiting ... encourages a prisoner by allowing him to see people of positive influence in his life. Visiting here, however, is a punishment [because] of [the prisoner’s] being chained to spine-stressing immobility, with arms locked in unnatural angles and being forced to sit on a steel stool with no back support for the entire visit. It is actually painful, and for that reason I have asked family to stop visiting. We are made to sit on a stool without even the ability to gesture with our hands in our conversations, due to our hands being twisted...Obviously you want us secured and unable to do anything dangerous, but *will you please consider this*: There are equally securing methods used that will allow a *bit* more relaxation.” The prisoner included several diagrams.

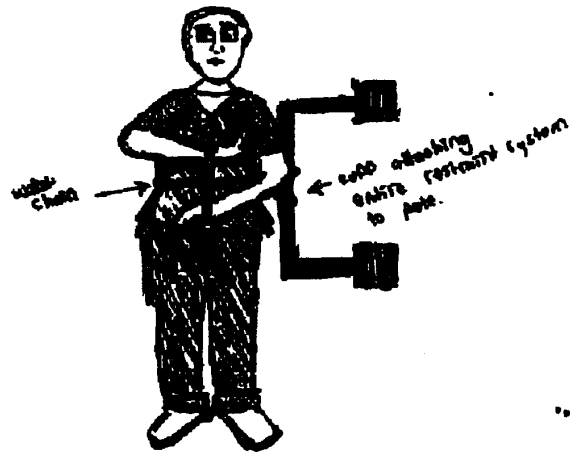
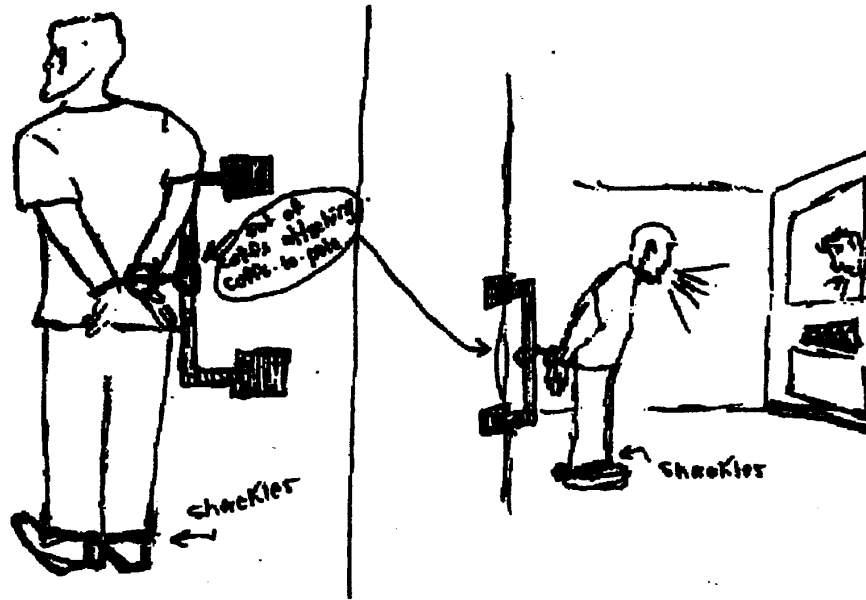
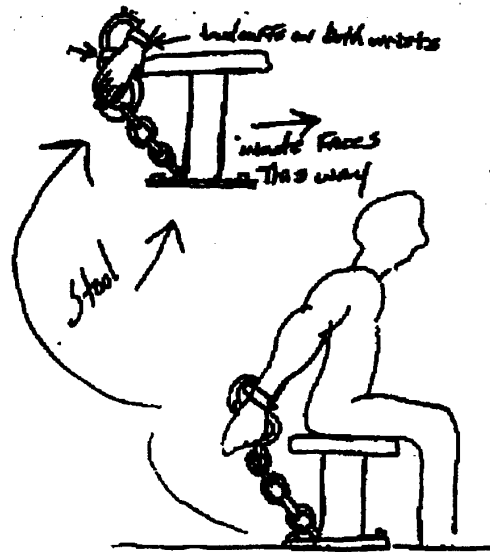
In the section “Action taken by staff members to informally resolve the complaint” the following appears:

“Your issue with the type of immobilizing restraints used is so noted. Your concerns will be and should be addressed to Mr. Wood, Deputy Warden of Operations. Your concerns will be reviewed.”

Jason - Ohio State Penitentiary, undated

“...they partitioned the room in half with plexiglass. They have a stool on one side of the partition like the ones we sit on in the [prisoner] visit side of the visiting room booths. There is a chain that is bolted to the floor and they sit you down on the stool, handcuffed behind your back, and take another pair of handcuffs and cuff one lock to the [prisoner’s] handcuffs and the other to the chain. It is very painful on the shoulders and arms as well as back. You cannot move or you could dislocate or break your wrist and shoulders. They use this chair for [investigative] hearings and consultations with psychologist or religious counselors and there is a two way speaker above the door to the partition [so] that the officers in the control center can listen to your conversations.

“This is the room [where] I [saw] the committee to be released from OSP [Ohio State Penitentiary]. I was chained to this stool and it was very painful for me. My arms fell asleep in five minutes.”



Jean A. - fiancée of prisoner at Wallens Ridge State Prison, Big Stone Gap, Virginia, 4/19/00, 5/2/00, 5/5/00

“In the letter I got from John today he writes, ‘Someone collapsed today. They put leg chains and hand cuffs on him (behind his back) then put him in a wheelchair and took him to medical.’ John said the man wasn’t much taller than me (I’m 5’9”) and probably didn’t [weigh] 140 pounds but they surrounded him with five guards who aimed their stun guns on him - and the whole nine yards. ... (I wonder if he got a write up for collapsing?)

“So many things John writes about that place [are] just absurd.”

****FOUR POINT RESTRAINT****

(To *four point* is to strap a prisoner down by ankles and wrists either to a bed or to a bare table).

“The sanitary installations shall be adequate to enable every prisoner to comply with the needs of nature when necessary and in a clean and decent manner. Adequate bathing and shower installations shall be provided so that every prisoner may be enabled and required to have a bath or shower ... at least once a week. ... Prisoners shall be required to keep their persons clean, and to this end, they shall be provided with water and with such toilet facilities as are necessary for health and cleanliness.” [MINRULE Part 1: items 12, 13 and 15.]

Cinque - Utah maximum security, 1/12/01

“Basically ‘the Board’ is a piece of board three feet wide [and] six feet long that is covered with towels. The prisoner is stripped and shackled spread eagle to the board. The board is then inclined from the wall. ... Three times a day a guard comes in with chow (always cold) and a bedpan. If you have to use the bathroom you do it in the bedpan. *You are not unshackled.* The guard holds the pan under you!! They give you *Ensure* which is a protein drink so you don’t have to eat solid food. This eliminates defecation.”

Doc S. - Red Onion State Prison, Wise County, Virginia, 4/18/00, 5/29/00

“The latest in the methods of torture now allows nursing staff to order the use of four-point restraints for prisoners who masturbate in view of female staff. There have been false claims as some prisoners have been strapped down for simply a dislike of a prisoner or a prisoner making an off-color comment to a nurse. Twenty four hours is the usual strap down period but one prisoner ... was in four points for 72 hours. He refused to apologize to the nurse, so the warden ordered 72 hours strap-down. ...

“[T]here is a new twist to how the four-points are applied. Normally a man is strapped at his ankles and his wrists with his arms down at his side. Now, in the nurse cases the man’s arms are placed above his head. He is strapped to the four corners of the bed on a bare mattress in only boxer shorts. As usual he is let up at 8 a.m., 12 noon and 4 p.m. for meals and at 1 a.m. to use the toilet. By 1 a.m. a man has usually already soiled himself. ...[I]n

the case of the [aforementioned prisoner], the man had already vomited while on his back. Now the kicker: ... log copies and medical records relating to the period of restraint staff [reports] no records of *any* prisoner being placed in four-point restraints per a nurse[‘s] request for viewing a prisoner masturbating. Go figure?

“In apparent anticipation of the influx of prisoners to be strapped down, an extra cell in the SHU was converted to a strap-down cell earlier this month.

“[I] was in the shower when a guy was let up from the restraints so he could take a two minute shower because he had pissed [on] himself. The jack-booted thugs made the guy carry his piss soaked boxers while handcuffed. the thug told him, ‘We don’t give out new boxers because you pissed in them. Carry them back to the cell and we’ll put them in your property.’ ...[W]hen the dude came up and went into a regular cell his wet piss-stinking boxers were in his property box along with his other clothes and food items.”

Mike C. - USP Lewisburg, Pennsylvania, 1/21/98

“[In] April, 1997, I was 4-pointed with steel handcuffs and steel leg irons for 70 hours (and was chained up with those and a belly chain for an additional 19 hours)... as summary punishment...Numerous governmental regulations [require] an independent lieutenant review every two hours. The warden stated at the outset that I was ‘down for the weekend’ thus preventing like 30-35 independent lieutenant reviews.”

Alan Q. - , USP Lexington, Kentucky, 2/18/98

“I have been four pointed twice and left in progressive restraints (shackles, belly chain, hand cuffs) for over five days.”

Yahshua M. - Northern Prison, Somers, Connecticut, 1/23/98, 1/18/98, undated

“On October 2, I was chained to a bed for more than 27 hours for tipping over a food cart and during the preceding month many men were chained to their beds in the segregation unit at Somers [Northern] Prison. ...[In my case,] a Black lieutenant came and spoke to me, found no reason to chain me down. The white officer wanted me chained down, so ... a white captain overruled the Black lieutenant some three or four hours later and I was chained down to [the] metal bed for 27 hours.”

”In their further attempts to break you, like they used to break slaves, they chained me butt naked to a metal bed, cold air blowing on me, no heat in the cell for more than eight hours. ... This female officer kept coming to the my door every fifteen minutes gawking at me.”

Frank A. - Northern prison, Somers, Connecticut, 7/10/99

“The prison staff at Somers (Northern) use devices of torture, harassment and brutality. These are carried out by means of four point restraints for days - and medical staff be covering up for the injuries. A prisoner is forced in[to] four point restraints for *minor incidents*. The following prisoners are [undergoing] torture, harassment [and] brutality: ...” There follows a list of 20 prisoners and their numbers. Attached to the letter is the copy of a Connecticut DOC report on the four pointing of the writer, naming the prisoner, his number, location and the date. Following are entries:

“[Prisoner]’s version: I informed [the] lieutenant I had to take a shit. He refused to let me use the bathroom. I shitted on myself.

“[First] witness’ [statement]: [Prisoner] complained to the lieutenant that he had to use the bathroom. Lieutenant refused. [Prisoner] shit himself.

“[Second] witness’ [statement]: I don’t know what happened around the corner. But while [prisoner] was tied down, he asked lieutenant to use the bathroom. [The] lieutenant would not let him. He had to wait for [the captain].

“[Third] witness’ [statement]: I heard him tell lieutenant that he had to use the bathroom. [The] lieutenant told him he had to wait for [the] captain. [Prisoner] used the bathroom on himself and got feces all over himself.”

Ed F. - Utah State Prison, Draper, Utah, 6/13/99

“While I have been [in this control unit] I have suffered assault by [prisoners], [been] forced to live with [prisoners] who have assaulted me, handcuffed and shackled and strapped [me] to a metal four point.”

Adrian H. - Security Management Unit (SMU), Gunnison, Utah, 9/27/95, 11/17/95

“...I am a state prisoner that is mentally ill. ... I just wanted you to see for yourself the torture that prisoners go through. Th[ese] picture[s are] living proof of the torture. [Prisoner is shown strapped to table in two separate photos] There is a lot more torture that goes on besides this: psychological warfare and excessive force constantly by SWAT teams of 12 or more guards with gear and weapons.”

Ben C. - Wallens Ridge State Prison, Big Stone Gap, Virginia - transferred from Connecticut, 9/30/00

Prisoner was refused his in-cell dinner. After requesting it several times he covered the window of his cell with a piece of writing paper. When the guard told him to remove the paper he refused, he said, until he was brought his meal - which the guard continued to refuse to do. When the prisoner continued to refuse to remove the piece of paper the guard told him “he was going to call the team to suit up. ...The ‘team’ is a cell extraction unit which is called upon when prisoners are to be strapped down to [four] point stationary restraints. [The prisoner] told [Major] Yates, [whom the guard had called,] that he and his CERT team could all go F... themselves that nothing was coming down from the window until [he] was fed. [Prisoner] then heard Yates radio in to have the team suit up and report...

“[At] Wallens Ridge State Prison, once a prisoner is strapped down it is an automatic 48 hour placement. [When prisoner] heard Yates radio for the CERT team he flooded his cell...[Prisoner] was then hosed down with OC pepper spray mace. ...

“[Prisoner] was then strapped down [with four] point restraints in an isolated strip cell. ... The strip cell has absolutely no furnishings except toilet, sink and bed frame. [Prisoner] was laid stretched [out] on his back, legs strapped one to either side of the bed frame, arms strapped down along his waist and a leather belt strapped from underneath the arms going across his chest. ...All of [prisoner’s] clothing was removed from his body except for one pair of wet boxer shorts. For the next 48 hours the [prisoner] remained in this state of condition. ... [Prisoner] was not allowed to use the bathroom until staff determined they wanted to let him use the bathroom. ... [When the prisoner was] sitting on the toilet one officer stands behind [prisoner] holding electric stun gun to [prisoner’s] back while another officer held an electric body shield against [prisoner’s] front. [Prisoner] remained fully handcuffed and shackled. [Prisoner] was unable to use bathroom under such duress [and] was re strapped down as above. Starting

[two hours later prisoner,] along with several other prisoners, began notifying staff of [his] need to use the bathroom. All attempts were laughed off by the staff. [Officer] Moles told [prisoner] to shit on himself if he really had to go. Names of other staff involved are unknown at this time. ... After repeated refusals for attention, [prisoner] ended up [urinating] over himself approximately [an hour and a half] later. [Fifteen minutes later] three staff members entered cell [and] questioned as to [whether] he shit himself.” The prisoner finally defecated on himself after having been told nothing would be done about cleaning him up for another two hours.

During that two hours the assistant warden, Randy Phillips, happened to be touring the prisoner’s housing unit and when told of the prisoner’s need to be cleaned and to have clean clothing, Assistant Warden “Phillips walked away without doing a single thing.” When the prisoner was allowed up for lunch an hour later the sergeant who did so tried to get a shower for him but he was ordered to give the prisoner nothing. The prisoner was “allowed to wipe himself down with paper towel, however ... being in restraints only made matters worse and urine and feces ended up smeared [all over his body.] The prisoner was forced to eat his lunch in this condition.

For the remaining two days of the prisoner’s restraint other prisoners complained to the staff on his behalf to no avail. One staff member remarked that “she wished she could tie a rope around [prisoner’s] neck that she’s tired of everyone calling her over this...” When the prisoner was finally released from four point restraint he filed a grievance which was determined to be unfounded. When he then began a suit in federal court against the correctional personnel involved he was threatened by one of the defendants.

Dan H. - MCF, Oak Park Heights Prison in Stillwater, Minnesota, 8/19/00

“In December of ‘98 they placed a [prisoner] who was 47 years old on a four point restraint board. After a sergeant set him up [and stepped] on his foot while the [prisoner] was chained to a steel loop imbedded in a table ... he wasn’t able to ... resist. When he pulled away in pain the officers from the Squad began beating him repeatedly and sadistically with knee blows to his thighs, arms, etc. Then they used pressure point holds to torture this [prisoner]. He was not resisting during this time. They then put him on the board [face down] and placed what appeared to be a golf ball under his left breast and these 240 pound squad guys put their weight and knees into his back pressing his breast bones and ribs down upon the board causing him to scream in terror and agony. Five months later I saw him again and he still had bruises under his breast bone. Supervisory officials refuse to believe this took place; everyone from the guards back here to the caseworkers, the lieutenant, all the way up the chain of command [all] deny the [prisoner’s] claims even when the *see it!*

“I kept complaining to the administration that staff were spitting in my food and damaging my property but no one would believe me. On December 22, 1999, I was placed on the board [and] four pointed [because] the guards said I was suicidal. However this was a lie as I would never threaten myself and I *never* said I would. I was then assaulted by staff while placed on this board, and the straps used to hold me down. I could barely breathe (I have asthma) and [I] lost *all* feeling in my feet and arms. I also began having problems breathing and began [to [panic] which caused me further breathing problems. [Because] I could not summon help for myself I seriously believed I would die. ... When I asked supervisory officials to review the film of the placement on they board they continued to deny they did anything wrong. I was so scared by this and other abuses [against] my person that I go into rages whenever I *see* any of these staff.”

Kevin, J - Northern Correctional Institution, Somers, Connecticut

“To keep up ... vindictive retribution for not being an ‘[prisoner],’ prisoncrats have designed a method (a modern day Newgate prison stocks or shaming penalty or corporal punishment) under the guise of security by having prisoners kept in restraint status if their attitudes do not conform with the prisoncrats. [Since we are] doubled up now, when one prisoner is chained up first, the other prisoner beats up the chained prisoner. This happened to [a prisoner] who had his jaw broken because of this policy.”

RESTRAINT CHAIR

(prisoner is strapped to the chair by wrists, ankles and across the chest)

“In Utah there are no release provisions, [Prisoners] confined to the chair remain strapped down until they are calm. The chair is designed to allow them to urinate and defecate while sitting. ... As a result, Utah [prisoners] have been strapped into the chair for up to four days without a break, according to prison officials. Prolonged immobilization in a sitting position can cause blood clot formation in the extremities which can block major arteries and cause death. ... [Prisoner Michael] Valent ... was a diagnosed schizophrenic who heard voices. He had refused his medication for about two weeks, prison officials said. When released from the chair after 16 hours, Valent was led to the shower where he collapsed. He was pronounced dead about two hours later...” [*Salt Lake Tribune*, Salt Lake City, Utah, 3/26/97.]

Richard S. - Utah State Prison, Draper, Utah, 5/1/98

“[The prisoner] was directed to leave the strip cell and a urine soaked pillow case was placed over his head... He was then walked [-] shackled and hooded [-] to a different cell where he was placed in a device called the ‘chair.’ The chair is a restraint device designed for mentally ill persons who pose a significant danger of harming themselves or others. The [prisoner] is stripped nude, placed in the chair, with [his] buttocks several inches below the knees. The arms and legs are then cuffed or shackled to the legs of the chair to prevent the [prisoner] from moving. The design of the chair forces the [prisoner] back against the chair. Mobility is almost non-existent.

“The [prisoner] cannot relieve himself without soiling himself. He is left uncovered and unprotected, in pain and shackled. [The prisoner] was kept in the chair for over thirty hours. This resulted in extreme physical and emotional suffering.”

Larry M. - El Dorado Correctional Facility, El Dorado, Kansas, 3/15/98

“...I have been subject[ed] to the [restraint] chair many times. The first few times I was made to set in it 48 hours straight and had to use a bed pan so I could urinate. Then I was told that they have to let me out every three hours for five minutes for a range of motion and toilet break. I have been placed in the chair for many reasons, such as: tearing things up, a screw out of my light, blocking my window and not answering count. Nobody knows how to put the restraints on correct[ly], ... I have never been in [ones] that I haven’t got out. The last time ... I was placed in it with leather cuffs. They had to put two of them together and I have scars where they pinched me. I ask[ed] that photos be taken at the time and was told ‘photos are taken only to cover the institution’. ... I have also tipped the chair over many times so they put a plate on it. ... Officers have poked me with their knives in my sides when they cut the tape off the restraints.”

Ed F. - Utah State Prison, Draper, Utah, 6/13/99

“When I was put on the four point a [prisoner] a cell away from me tried to get out of a restraint chair... The

handcuffs, leg shackles and leather straps cut his wrists, ankles and one shoulder. He cannot use his left hand anymore because of what the doctors told him is now a 'limp wrist.' After this incident another [prisoner] lost his life from blood clots that were caused [by] the restraint chair he had been in."

Charlie S. - federal prisoner, Jackson, Michigan, 8/1/00, 8/20/00

"[The chair] is a hard plastic restraining device in the form of a chair. It is built on a steel frame with two wheels so when it's tilted back it can be rolled. The front legs are steel and have two nylon straps on each leg for immobilizing a person's legs. The seat of the chair is higher in the front than the back causing a person to ... slip back into the seat area. The seat [itself] is solid with formed molding; [this] causes a person's weight to jam the raised molding into pressure points like the sciatic nerve and the coccyx bone. The back of the chair has raised molding to press on the kidneys, spine and between the shoulder blades. To insure this [pressure] there [are] two nylon straps to crisscross the chest. The third chest strap is placed directly across the upper rib cage to insure minimal breathing. Lastly, a strap is placed directly across the forehead. The pigs then place a hood over the person's head. The hood is supposed to stop a prisoner from spitting on the pigs... A person is then tilted back and rolled into the isolation area.

"The straps can be placed in such a manner as to cause broken bones and permanent nerve damage. Prisoners, once in the chair, can remain that way for [indefinite] periods... The least I've known is 3 hours plus and the longest I've heard of was seventeen hours plus. Naturally, the straps cause [the prisoner] to urinate and defecate - [this, in addition to] the lumps in the molding pressing on the nerves and spinal cord.

"I know of one [17 year old] kid who suffered a broken arm [because of] the straps and of a [prisoner] who actually died in the chair. ... He was killed by the pigs using the chair on 12/17/98 at Pueblo County Jail [in] Pueblo, Colorado. I saw them kill [him] and I was unable to help him as I was in a court return holding tank. They had no need to put him into that chair! He did nothing to deserve that death.

"I was interviewed by a journalist from the *Pueblo Chieftain* at the jail on 12/22/98 concerning this murder. [The reporter] told me that [the prisoner's] murder had been ruled a heart attack brought on by methamphetamine and that his body was already scheduled for cremation. ...

"Between [the last month of 1998 and the early months of 1999] I was in fifteen different county jails across the United States and I saw the chair mainly in the west: Arizona, Colorado, Utah, Nevada, California."

This prisoner is 6'2" tall and, at the time, weighed 218 lbs. He was in good physical condition; his own experience with respect to the chair follows.

"[T]wo pigs ... came to the federal prison [for me] on 10/23/98. ...[T]hey drove me into [the] Pueblo County Sheriff's ... garage, ... sprayed two large cans of mace into the car and went to the jail... [T]hey returned with eight deputies and pulled me from the car. Dragging me into the jail intake they removed the hand cuffs and told me to sit down in the chair. I proceeded to open up a serious can of defensive whoop-whoop ass and they could not get me into the chair because it took too many to control me and by that time we were in a ball on the floor. Finally they just threw me into a strip cell and turned on the mace. I stayed this way [in the mace filled air for about 13 hours] when they finally abandoned the chair idea. I am renowned in that jail for avoiding the chair.

"I learned that there is another device called 'the board' that immobilizes a person flat using the nylon straps but a couple [of] people strangled on their own vomit and died while lying on their backs. I've never seen that one in use." [See *Four Point Restraint*, above]

Cinque - Utah maximum security, 1/12/01

“Until four years ago Utah used a form of torture called ‘the Chair.’ The chair was/is a chair made of steel that was bolted to the floor. The prisoner was strapped down to each leg and the arm rest and placed inside a bare dark cell. The room temperature of this cell was *always* at least 60° and of course the prisoner was always naked. About three or four years ago the gestapo troops got a little too zealous and a prisoner was killed. ... [His] name was Michael Valent. [see *RESTRAINT CHAIR, opening quote from Salt Lake Tribune, above.*] His mom filed a lawsuit and while the gestapo was cleared of all wrong doing the chair was outlawed throughout the U.S. [sic]. The supervising doctor was transferred to [the] Montana DOC with a \$100,000 pay raise. Since then Utah has adopted a ... kinder gentler form of torture. It’s called ‘the Board.’[See *Four Point Restraint, above*] ”

Ron F. - Federal prison, Tampa, Florida, 9/25/00

Prisoner is currently in federal prison for parole violation; in addition he has pending charges, both state and federal. When he wrote, in September of 2000, he was “housed in Hillsborough County Jail system, Tampa, Florida, now for over four months in [administrative] segregation. I served over ten years in prison - [half] in federal facilities and [half] in county jails and pretrial detention facilities all over the U.S. - from California to Florida... I would like to comment on the use and abuse of the restraint chair, specifically in Florida. I have seen it used numerous times - often misused and utilized for punishment - torture - and psychological manipulation of young [prisoners], mentally disturbed [prisoners] and general population as well as segregation unit housed [prisoners] here in Florida. ...

“The restraint chair is used excessively for control purposes...I can go into more details relative to the restraint chair but the basic use has been punishment not control of out-of-hand [prisoners]. ...These chairs should be used in drastic or extreme circumstances, not routinely, but they have become tools for daily threat and intimidation.”

Jeremy B. - Texarkana, Texas, 1/10/01

“After a verbal altercation with a correctional officer I was taken ... to an isolation cell. After approximately two hours ... I [pushed] the intercom button requesting to speak to a ranking officer... About five officers came into the isolation cell and asked me to step out into the hall. When I [did so] the officers ordered me to sit down in a restraint chair and they strapped me into it. Then they pulled the restraint chair back into the isolation cell and flipped it backwards (by the way the restraint chair is designed I was nearly upside down).

“They left me upside down for approximately five and a half hours. I was screaming for help after about two hours. A nurse that was walking by ... noticed what was going on, ... came into the cell, radioed for an officer and then examined my wrists and ankles and noticed that I had cuts from the restraints and I was bleeding. She then ordered the officers to remove me from the chair. They said they had orders and that they couldn’t remove me ... They finally removed me three and a half hours later. And the cuts went all the way to the bone in [the] wrists.”

Richard B. - Erie County Prison, Erie, Pennsylvania, undated

“I was put in restraint several times. Each time was for a time no shorter than eight hours and sometimes longer than 12 hours.

“Just about every time I was put in restraint it was for being loud in that Restricted Housing Unit (RHU). Most of that time I was already quiet and/or lying down when the extraction team would come and yell for me to lie on my stomach and put my hands behind my back. All but one time I left the RHU quiet or just stating that they were in direct violation of the Eighth Amendment ... I was always calm when they put me in the restraints. But always went crazy after being in the restraints for a couple of hours. I remember one time I had a panic attack that had me crying off and on for maybe two weeks....

“In the restraint chair there’s a strap that ties both your ankles down, a strap that goes across your knees, two straps that crisscross over your chest, there’s also straps that tie both your hands down and the helmet they put on your head just to humiliate you. You’re immobile from the neck down.

“I’ve been slapped in the face and spit on while being in the restraint chair. I think I’ve lost all respect for authority when I went through what I went through in [Erie County] prison.”

*** PEPPER SPRAY, TEAR GAS, OTHER CHEMICAL AGENTS AND STUN TECHNOLOGY ***

STUN GRENADES

Mike C. - USP, Lewisburg, Pennsylvania,, 1/21/98 (describes conditions from his experience at FCI McKean, Bradford, Pennsylvania)

“Stun grenades have been classified since 1980 by the Treasury Department as ‘destructive devices’ and [since 1968] as ‘firearms.’ [They] are made from aluminum flashpowder which [the ATF] classifie[s] as ‘high explosives.’” At FCI McKean in 1995, after a disturbance “in response to Congress disapproving the crack cocaine sentencing guideline amendment had been quelled, ... [a] ‘disturbance control team’ massed at the front of each unit. At my unit, ... the guards, however, threw stun grenades into the unit and one landed near my bed (in the open common area). The blast injured my ears. Grenades were also thrown into all the ... housing units even though their vandalism had ceased. Apparently they did this as a show of force, to show off, for fun or for training purposes.” The prisoner filed suit to which “the government filed a Motion to Dismiss claiming that a stun grenade. ... when used by government officers, becomes a mere ‘nonlethal distraction device’.”

Scott R - ADX-Florence, Colorado, 3/3/98

“[In] July, 1992, at USP Lewisburg, Pennsylvania, there was a prisoner disturbance in which staff used stun grenades and tear gas grenades on 150 (approximately) prisoners. Ten to 15 [prisoners] threatened the officers ... after the officers turned off the television. The officers abandoned the unit and the [prisoners] barricaded the ...doors.

Staff surrounded the unit and demanded ...it come out peacefully ... The doors were blocked and the bulk of the [prisoners] who were not participating could not exit. For approximately 45 minutes staff threw in stun grenades. Along with the stun grenades, thrown in by hand, staff placed the barrels of grenade launchers through the windows and shot canisters of tear gas into the unit - I remember seeing [one prisoner] get shot in the face with a canister of gas.

The staff used [an] explosive device to blow open the doors at the same time. Staff entered the unit in gas masks and, ...in crews of three, beat and handcuffed every prisoner, whether involved or not. I was hit in the face with a baton and treated later for a cut above my eye. (I was not a participant in the disturbance.)

STUN BELTS

“You are hereby advised that you are being required to wear an electronic restraint belt. This belt discharges 50,000 volts of electricity. By means of a remote transmitter an attending officer has the ability to activate the stun package attached to the belt, thereby causing the following results...1) Immobilization causing you to fall to the ground; 2) Possibility of ... defecation; 3) Possibility of urination.

“Failure to comply with officer directions could lead to any of the above.

“The belt could be activated [by] the following actions on your [part]: A) Any tampering with the belt; B) Failure to comply with staff’s verbal order to halt movement...; C) Any attempt to escape custody; D) Any attempt to inflict

serious bodily harm on another person; E) Any loss of visual contact by the officer in charge.

“I understand the above information and acknowledge being advised.” [US Department of Justice, Federal Bureau of Prisons; hereinafter referred to as USDOJ-BOP]

John M. - Ina, Illinois, undated

“I was forced to stand trial wearing a stun belt. I tried to fire my public [defender] but the judge denied my request. I was told if I spoke out I would fry like a potato and shit and piss my pants as I lost consciousness. I was 35 and it was my first offense. The issue is currently on post conviction appeal at the Fifth District Appellate Court of Illinois. I never acted out or was violent during my incarceration, prior to trial or since.”

“He was shackled and chained at the hearing and he had also been fitted with a stun belt under his jail issue clothing because, according to court officials, he had been violent in jail and had disrupted previous court proceedings. [He] was acting as his own lawyer at the ... hearing in the Municipal Court of the Long Beach Judicial District. When the judge grew angry with his repeated interruptions she warned him that he was wearing a ‘very bad instrument.’ According to reports, [he] was being loud, but not abusive; nor was he making any threatening or aggressive movements. After further interruptions ... including complaining that the activation of the stun belt against him would be unconstitutional, the judge ordered a Los Angeles County bailiff to set off the device. ...[He] grimaced and his limbs stiffened as the 50,000 volts hit him. He later said, ‘It was like a stinging in my spine and then a lot of pain in my back. I was paralyzed for about four seconds.’

“During the prosecutor’s closing arguments at the capital trial of [the prisoner] in Las Vegas, Nevada, ... the stun belt that the defendant was wearing was activated. The electro-shock caused [the prisoner] to fall from his chair and ‘shake uncontrollably’ on the floor. An officer had inadvertently set off the stun belt off when he leaned across a desk and touched the remote control switch. Just over an hour later the jury sentenced [the prisoner] to death for the murder of his wife. It is not clear why the authorities felt it necessary to put a stun belt on [him] as he was a cooperative defendant to the point of his own self destruction. He had represented himself during the proceedings and had urged the jurors to give him the death penalty.

“A defendant facing rape charges is reported to have been electro-shocked at two separate trials... [He] was made to wear a stun belt during his first trial in Dade County, Florida, ... after he had displayed bizarre behavior during an earlier competency hearing, which included talking to an imaginary person called Frank and throwing feces at the judge. His lawyers, who argued that [he] was mentally incompetent to stand trial, state [that] he sat ‘still and quiet’ during the trial (to the extent that he did not assist his defense counsel). Then, as the prosecutor began to make her closing arguments, [the prisoner] suddenly stood up and picked up a chair as if to throw it. Officials activated the stun belt and the defendant sprawled across the table and fell to the floor. ...At his second trial... [he] was shackled and made to wear a stun belt. When he caused a similar disturbance during the proceedings the belt was again allegedly activated against him. ...

“[He] was allegedly subjected to severe sexual and other abuse as a child in his native Nicaragua, including being beaten, tied up and hung up outside his house. Around the time of the arrest he was said to be hearing voices and displaying disturbed behavior including eating his feces. He is currently serving two life sentences.”

The above three examples of stun belt use show clearly that it is used not only against the normal but disruptive individual but against the mentally ill - and that it can be set off accidentally relatively easily. They have been taken from AICRUEL, pages 23-26.

PEPPER SPRAY, CHEMICAL AGENTS

“Special Agent Thomas Ward oversaw the FBI Firearms Training Unit at Quantico, Virginia... Under his direction, the Training Unit produced the 1991 ‘Quantico Studies,’ which declared pepper spray a safe, effective weapon for police use.

“[In 1996] Ward pled guilty to accepting \$57,000 in kickbacks from Luckey Police Products, which manufactures ... pepper spray. FBI officials are trying to determine how badly Ward distorted the pepper spray studies.

“The American Civil Liberties Union ... called on Attorney General Reno to rescind all studies tainted by Special Agent Ward and to warn all police departments across the country not to rely on FBI pepper spray research.” [*Prison Legal News*, October 1996, page 17]

Ron E.S.- Arizona State Prison, 1/20/98

“[In] October 1996, ...corrections officers half carr[ie]d and half drag[ge]d a prisoner into the visitation area [where] myself and eight other [prisoners] were being detained ...awaiting turnout for the ‘Hard Labor Crew.’ ...[I]t was evident he had been sprayed with a great amount of chemical agent as it was dripping from his hair and he was soaked in it, he had his hands handcuffed behind him and was being carried by his lower arms. ...[The prisoner] was crying out in pain and begging the officers to relieve the strain on his shoulders and wrist[s]. Both of [his] knees were bleeding as he had been dragged on them, and he was wearing no pants. [He] was placed in [a] small holding cell where he continued to scream and cry out in pain. [H]e had been sprayed in the area of his penis, anus and scrotum [and] was begging to be allowed to shower to remove the chemical agent. [He] was in such pain he lost control of his bowels and bladder.... [The prisoner] was then ‘escorted’ to the work site where he was confined to a small pen for approximately five hours. [He] continued to scream and cry out, begging the officers for help or a chance to wash off the chemical agent.” A prisoner not confined to the work pens who had seen and heard him “disobeyed a direct order ... and gave this man a waterhose to wash off the chemical agent. A corrections officer turned off the water before this man could wash off the chemical agent. ... [The prisoner] was forced to endure the pain and suffering caused by this extremely dangerous chemical agent and the exposure to the sun for the entire day. ...At one point medical personnel was called ...but refused to allow a shower. [I]nstead [he charged the prisoner] a \$3 medical charge. This is the standard practice. ...[The prisoner] was forced to stand in the sun, covered with this chemical agent, with temperatures in the upper 90s for almost six hours.

“I myself was sprayed with pepper spray [also in October of 1996] and it was approximately ten hours before I was allowed to wash off the chemical agent. This resulted in burns and blisters on my arms, face, chest and feet. For the entire ten hours it felt like I was being boiled alive. When you are forced to stand in the sun, with *no*

shelter from the sun, the sweat from your body continues to reactivate this chemical agent so that you remain in extreme pain the entire day.”

Yahshua - Northern Prison, Somers, Connecticut, 1/23/98, 1/18/98, undated

“In 1994,...at Walker Correctional Institution, I was maced with pepper spray (*oleoresin capsicum*) and chained to a metal bunk with metal hand cuffs and leg irons for more than eight hours a number of times.”

Dan M. - Gander Hill Prison, Delaware, 1/19/99, 2/10/99

“I was sprayed with [pepper spray] starting from the left side of my face to the right side and back again. I was blind for about ten or fifteen minutes and I experienced a burning in my face and I had difficulty with my breathing. This happened in an open area and I was told the [prisoners] about 30 feet away began vomiting from the exposure. ... [and] that ...the spray was primarily cayenne pepper. My eyes were bloodshot and for the remainder of the day stayed that way. Nothing was provided to soothe my burning face nor were my eyes rinsed. I have been exposed since to a different spray that caused me to vomit and gag. The vapors coming under the door caused my cellie and myself to experience respiratory problems.”

Lonnie E - Telford Unit, New Boston, Texas, 2/2/98

“Dangerous quantities of tear gas,... [and] mace are being used ... to remove recalcitrant prisoners from ‘Day Room Areas’ and their cells and are used on individual [unarmed prisoners] who could be removed from the areas by other means.

“When these chemical agents are used virtually every prisoner in the ... area [is] made to suffer in [his] small cell area while breathing [them]. Even the mace effects ... [prisoners] in adjacent cells. *These chemicals are painful and can cause permanent damage and even death. ... [They] are never to be used against [prisoners] already secured in their own cells* [italics added]. We are also never given medical attention ... and the decontamination procedures set out in their own rules are never adhered to. The fall out from the tear gas settles in our cells, small shower areas and on our persons. ... The showers are never [cleaned of chemical agents]. We are then subject to breath the chemicals in a shower stall with a shut door[;] the exhaust fan only sucks the fall out in. From February 3 [until] February 18, 1998, chemical agents were used [in our area] at least nine times.”

Bert C. - Amarillo, Texas, 8/20/98

[In] August, 1998, at 3-Building, B Pod, C Section, 17 Cell, about or between 5 and 6 p.m. a prisoner in neck brace and back brace, while laying on the floor, was sprayed with gas, by [a] sergeant [who is named in the prisoner’s letter].

JD - McNeil Island Correction Center, Steilacoom, Washington, 2/1/98 (describes conditions in Clallam Bay Corrections Center Intensive Management Unit [IMU])

“...In response [to the particularly brutal treatment of a prisoner by guards (*see GENERAL HOUSING, LIVING AND WORKING CONDITIONS above*)] other prisoners destroyed [nine] cells (kicking down concrete cinder block walls; ripping apart metal sinks; breaking break proof windows, etc.) I stopped counting; CBCC was quite literally having its cells taken from it.

“Pepper spray was everywhere. It did not matter if you were a participant in the outburst or not - most prisoners weren't - you were suffering constant spraying. During one 72 hour period it seemed there was a constant 'pepper spray' cloud [that stayed] in the air.

“Each cell has its own intake-outtake ventilation system. However, *after* each spraying the guards would shut off *all* ventilation and water in the IMU. ... - Also the guards would shoot pepper spray into a cell and run out of the pod laughing, leaving the prisoner inside the cell.”

Matt B. Wisconsin prisoner, transferred to Corrections Corporation of America prison, Sayre, Oklahoma, 8/24/00

“A disturbance broke out in the dining room and the facility was ordered to lock-down. There were about four [prisoners] out of 120 that refused to lock-down, and they were just running about when the entrance door opened and one guard yelled lock-down and then started to open fire. They were shooting in 37 mm tear gas canisters and hand held tear gas grenades, approximately 12 total that time and they were also shooting rubber bullets off of a 12 gauge shotgun at two [prisoners] that were still out.

“Now I'm locked in my cell with no place to go and I'm watching in horror as this thick smoke comes rolling towards my cell. ... The thick smoke began sucking into my cell from under and around the door, and also was coming in through the vents in my cell. My eyes and skin began to burn like I was on fire and I started to choke and gasp for air. I fell to the floor and started to yell for help but couldn't yell because I couldn't breathe. I crawled to my sink and grabbed a face towel and wet it down to put over my face. ... The tear gas was so thick and heavy I could not see my hand a foot in front of my face. By now I was fading in and out of consciousness and the wet face towel was making my skin burn even more so I used it only to breathe through. I managed to crawl to the door and tried to look out but could not see anything or hear anyone. I stayed down on the floor thinking I was going to die, there was no way out.

“I lay there for what seemed like hours because when the SORT team got there they stayed outside the unit and as they entered they threw in an *Omni Blast* distraction bomb and a rubber ball grenade and two or three more tear gas grenades. I really thought they were trying to kill us for sure now. I climbed up to my window in the door and there was all this yelling for help and the SORT team yelling to get on the floor. They just came in to remove those few [prisoners] that refused orders to lock down. (At this point I just wish I had refused to lock down just to get out of there.) Then they left us in there to battle the tear gas. My eyes and skin burned so bad I thought my skin was peeling off my face, and it was so hard to breathe all I could do was take short gasps of air because the smoke just choked me so bad. I swear a couple of times I really thought I was going to die and things start running through your head like seeing your kids and family and all. I just hope I never have to go through something like that again in my life.”

Howie L. - Pittsburgh, Pennsylvania, 6/14/00

“Lieutenant [Anthony] Bovo and several COs advanced on my cell and used excessive force in the form of unauthorized use of an electric immobilizing unit and *oleoresin capsicum* [pepper spray]. [They] advanced to my cell

to force me out with *oleoresin capsicum* spray. Lieutenant Bovo gave me an order to come to the door and be handcuffed or he would spray me out. I came to the door to be handcuffed. He then handcuffed me and put me in the corner in the hallway in front of my cell. Lieutenant Bovo then pushed the electric immobilizing unit in my lower back. He told me to be quiet and face the wall. I told him to stop pushing the electric immobilizing unit in my back. He then sprayed my face and eyes and he and several other COs threw me to the floor. Lieutenant Bovo then put his foot on my neck hard. While all this [was] going on there was no camera. RN K. Danner washed my eyes with water.”

Sylvester S. - Florida State Prison, Starke, Florida, 3/14/01

“When they brought the mace back my cell lights were off. I ripped a curtain for the small window in the steel door so they couldn’t look inside. I wet my towel and wrapped it around my nose and mouth because the pepper spray takes the oxygen out of the air and lungs. I sealed the food flap and the bottom of the steel door off with the plastic mattress.

“They assume that all of their captives are broken and submissive slaves and will stand submissively to get maced. When the sadist stuck his mace hose to the flap and started spraying most of the prisoners blew back in their faces. They came in crowds like a lynch mob to watch and gawk at the amount of suffering the prisoner can take before he breaks or collapses. The captain and his henchmen ran ... when their poison blew back in their faces.

“After they discovered that they were not dealing with one of their model captives they lost their appeal to use more mace. They gave me a cold shower, a disciplinary report (disorderly conduct) and put me in a strip cell.”

Juan C. Pérez - High Desert State Prison, Susanville, California, undated

“A boom truck was positioned on the outside and above the wall of the concrete yard. This way the C/O could use *oleoresin capsicum* pepper spray against me and [my] fellow Mexican prisoners.

“On 11/28/99 ... numerous prison officials used unnecessary and excessive force against me and the [other] 18 Mexican prisoners. Prison officials sprayed [us] with nine canisters of pepper spray from MK 46 dispensers [followed by 4 more canisters] from the boom truck. C/O Abney sprayed two canisters.. from the rooftop of [a] unit. Prison officials Lieutenant Peterson, C/O M.S.York, C/O T. Kissinger and C/O T. Bainbridge used ... approximately three canisters against [us] from the control booth.

“While these prison officials were dispensing pepper spray others were firing the 37 mm launcher and throwing tear gas grenades onto the yard from the control booth.

“While the prison officials were subjecting [us] to this unnecessary force they taunted [us] by [asking], ‘You want more, motherfuckers?’

“When I came off the yard I was denied proper decontamination... The decontamination consisted of running a water hose over my head for about twenty seconds. This allowed the pepper spray and chemicals to run into my eyes. I could not see for about an hour because my eyes were burning intensely. During the decontamination I was handcuffed with hands behind my back and in leg irons.

Keith C. - Graterford, Pennsylvania, 11/4/00

“I was never on any kind of meds but was forced to take thorazine. I broke out in a rash real bad over my arms. Two days later I was forced to take it again - after they knew what happened. And about 70 percent of my

body was covered in a rash. Maybe they are trying to make me build up some kind of anti-rash cells?"

Ty E.F. - Kershaw Correctional Institute SMU, Kershaw, South Carolina, 10/31/00

The cells in the Kershaw SMU have food access slots, openings in the cell doors through which prisoners' meals are slipped to them. The openings are covered with flaps which must be raised to pass anything from one side of the door to the other. Prisoners are often required to extend their arms through the openings so that they may be shackled prior to their being removed from their cells. The openings have other uses, as the following testimony evidences.

"Officer J. Sanders applied a liberal amount of ... chemical agent upon my head, face, limbs, torso and inside my cell. Shortly thereafter Lieutenant A. Caesar approached my cell and attempted to close my arm inside the food access flap. He then secured the flap and stated, 'I'm gonna fuck you up,' along with several other profanities and threats. I...made an attempt to wash the chemicals off me. At this point Lt. Caesar ... went to the office area to retrieve the OC chemical agent [pepper spray] 'fogger.'... Moments later ... Lt. Caesar unsecured my [food access] flap and administered an exceedingly large amount of gas upon my head, face, limbs, torso and inside my cell. [He] ejected almost 400 grams of chemicals in at least 10 long bursts. Several [prisoners] and officers pleaded with [him] to stop but he continued in a blind rage. He only stopped when he saw that the gas had ... incapacitated me. He then secured the flap again and walked off. Shortly [thereafter] I was attempting to wash the chemicals off of me [and] I heard Lieutenant Caesar turning off the in-cell water supply. He then stated, 'I hope you die.' This was done without provocation and intended to cause me greater pain.

"Major Blackwell approached my cell and informed me that I would be [allowed] a shower... He stated that after medical checked me out I would be given a shower. I informed [him] that my in-cell water supply was off and that I desperately needed to wash the chemicals off of me. He reassured me that I would be allowed to shower.

"Medical made a perfunctory examination and assured me I would be given a chance to ... shower. This was [stated] in the presence of Lt. Caesar. I was then sadistically denied a shower by Lt. Caesar with the approval of Associate Warden Burt." Prisoner was finally granted permission to shower and to clean his cell 58 and a half hours after his original encounter with Officer J. Sanders.

Dan G. - Washington Corrections Center, Shelton, Washington, 9/10/00

The incidents described by this prisoner occurred in an IMU in Washington State in 1993. He says he "was subjected to what I believe to be an excessive use of force." It would be difficult to disagree with him.

"At the behest of Sergeant Sheldon Weaver, I was extracted from my cell by the prison's tactical squad. They used pepper-based gas, spraying my cell with a large dose from a canister. Once removed from my cell, I was taken to a [recreation] yard where my clothes were cut from my person, leaving me nude. This was done in the presence of female staff. I was then placed back in my cell, which was still full of gas. This was a violation of [Department of Corrections] policy governing [the] use of force.

"The pain induced by the gas was excruciating. The gas didn't abate for about two or three hours. I believe this over-exposure to gas caused permanent damage to my eyesight. Prior to the gassing I had 20/20 vision; thereafter I couldn't see five feet in front of me and required prescription eyeglasses to see.

"To compound matters they stripped my cell, leaving it completely empty . No mattress, no bedding, no toilet paper, no clothes - nothing. The next day they gave me undershorts and a T-shirt but nothing else. I was left [in the] strip-cell for 14 days. I was told this was done to teach me a lesson."

Glenn S. - Gulf Correctional Institute, Wewahitchka, Florida, undated

“I... declare that on May 18, 1999 ... Sergeant Pippin and Captain Hatcher came to my cell in disciplinary confinement (DC) and sprayed me with two cans of pepper spray for what they said was a ‘demonstration’ that they could do ‘anything’ they wanted to [prisoners], especially in disciplinary confinement since [prisoners] have ‘no rights’ because they are ‘not human beings’ and to ‘teach a lesson’ that grievances could not be filed at Gulf CI without the reprisal of more gassing and additional disciplinary reports (DRs) to continue to stay in DC and which would result in placement in control management (CM). Subsequent to the gassing I was told by Sergeant Pippins that I had been given three DRs and Captain Hatcher said that he would kill me or I would die in confinement ‘and we’ll see who grieves that’ ...

“About 4 p.m. ... Sergeant Pippin came to the cell followed by Captain Hatcher who said ... I was given another DR. Later that the evening, CO [Correction Officer] Frye came by the cell and told me that I was being come down on because of ‘phone calls’ ... made.”

Later prisoner filed an emergency grievance because “I cannot file this grievance here unless I want to be sprayed again and get more DRs.... This is an emergency grievance because Captain Hatcher has previously threatened my life and has now taken further steps to harm me and I need to be immediately removed from his purview.”

*** WOMEN IN PRISON ***

“In an institution for both men and women, the part of the institution set aside for women shall be under the authority of a responsible woman officer who shall have the custody of the keys of all [of] that part of the institution.

“No male member of the staff shall enter the part of the institution set aside for women unless accompanied by a woman officer.

“Women prisoners shall be attended and supervised only by women officers. ...” [MINRULE, Part I, Institutional Personnel, 53: (1) to (3)]

Women write from Arizona, Texas, Missouri, New York:

“The only thing you get in isolation is a peanut butter sandwich in the morning, a cheese sandwich in the afternoon and for supper another peanut butter sandwich. If you want a drink here, you have to drink toilet water...”

“The guard sprayed me with pepper spray because I wouldn’t take my clothes off in front of five male guards. Then they carried me to a cell, laid me down on a steel bed and took my clothes off. They left me there in that cell with that pepper spray in my face and nothing to wash my face with. I didn’t give them any reason to do that, I just didn’t want to take my clothes off.”

“When I refused to move into a double cell, they came into my cell and dragged me out and threw me on my back. I was beaten about my face and head. One of the guards stuck his finger in my eye deliberately. I was rolled on my stomach and cuffed on my wrists with leg irons on my ankles ... I was made to walk a thousand feet with the leg irons. Then they put me in a device called a restraint chair. When they put you in this chair your hands are cuffed behind your back and tucked under your buttocks. They stripped me naked ...and kept me there over nine hours until I fouled myself on my hands which were tucked underneath me through a hole in the chair.”

“I am tired of being gynecologically examined every time I am searched.”

“That was not part of my sentence to ... perform oral sex with officers.”

Women report giving birth handcuffed and shackled.

Yvette W. - Camden County Correctional Facility, Camden, New Jersey, 1/16/99

“From the time you change your clothes down stairs and put on one of their uniforms you as a human being die and all your rights [are] taken away from you.

“The Camden County Jail has no unit to house women. It is a men’s jail and everyone knows it. The female [prisoners] are reminded every day that they have no place here and terrible horrendous things happen to women here. We are forced to sleep on the floor in the middle of winter with bad backs and aching bodies; cold air still blows from the vents no matter what the temperature outside.

“We are also forced to sleep four females to a room. The officers disrespect us and use foul language and any response from us they lock us in our rooms without cause. No matter what the problem they turn a deaf ear until trouble or something happens and then they punish everyone. Even if you had nothing to do with it.

“They come in sometimes [at] two o’clock in the morning, wake you up out of bed and tell you to clear the room for a shake down. Then they go through your personal belongings and they put your things in the trash - after they give you permission to purchase them from the commissary [in the first place].

“If you go to Internal Affairs with a complaint against an officer they retaliate against you along with other officers and many others on staff.

“Since I have been here I have had all kinds of infections with no proper treatment from the health department. I keep going back for the same problem with a charge of ten dollars per visit each time [and see] only a nurse.

“I fell from a top bunk ... I was left in bed with no food or [medication] because I could not walk many days. I went to the bathroom on myself. They will not give me a crutch to help me walk with a cast on my leg. My leg was broken. I had what is called a compound fracture of my right leg. In that fall I also injured my back. They have repeatedly refused my request for treatment. I [am] in a lot of pain and sometimes unable to walk.

“I understand this is a jail. America goes around the world to defend other people against abuse and violent crimes ... while right in our own backyard, county jail [prisoners] are mistreated and their rights violated. ... It is the [responsibility] of the State of New Jersey and the Corrections Department to see to it that [prisoners] are treated like human [beings] for they are people too. While we may want to turn our backs let us all remember these may turn out to be our sons, daughters, aunts, uncles, nieces, nephews, fathers and mothers.”

Judy V. - Edna Mahon Correctional Facility, Clinton, New Jersey, 6/1/01

“...for over two years I have been sexually abused by male prison guards and male civilian personnel at this institution.

“I have formally filed a complaint ... to internal affairs, Ms. Monica Baylor, who I feel is responsible for so much sexual abuse taking place in this facility. She refused to believe anyone claiming that those of us who make these accusations are either lying or mentally unfit [-] then she uses these reasons to close the case....

“This abuse started in 1998 ... by touching, then oral sex, then intercourse. [A]t one time, one of the officers felt I was pregnant and quickly administered some pills he brought in to ‘bring it down,’ as he stated to me. I remember becoming very [sick] from this.

“One of the officers was very brutal with me and one day actually slammed me against the wall while his hands held me tightly around the neck; [he stated] he [would] kill me if I ever said anything. Then the sergeant who had the most sexual acts with me threatened me a few times saying if I [or anyone else] dare[d] ruin his career that he [would] kill me. I strongly feared for my life and did as [I was] told each time I was called upon. ...[T]he word ‘no’ does not exist in our vocabulary and when we dare say [it] we get punished.

“...I just couldn’t take this abuse anymore and ... my health is so bad and I get no medical attention [that] I started to fear that without medical attention these people will let me die just as they have done with others.

“I have spoken with an attorney who has a civil case against ...the same guards who did this to me along with many other girls who were also abused by these very guards. He has told me that the Attorney General is coming down here possibly in June, 2001, to take depositions from us. ...

“Some girls have backed off due to attacks made upon them ordered by these same guards and, as much as I fear having one of these attacks ... upon myself, I feel if I fight this all the way I can get the sex abuse here to stop. *I do not feel I was put here to be sexually abused.*” [Italics added]

*** GENERAL HEALTH; MEDICAL, LEGAL SERVICES ***

“20. (1) Every prisoner shall be provided by the administration at the usual hours with food of nutritional value adequate for health and strength, of wholesome quality and well prepared and served.” [MINRULE]

“Prisoners shall have access to health services available in the country without discrimination on the grounds of their legal situation.” [UN General Assembly Resolution 45/111 of December 1990]

Following is part of a letter sent by a prisoner representative to Terrance Moore, Administrator of the East Jersey State Prison.

“... an individual related to me some horrific conditions in the cookhouse. .. I asked him to reduce his account to writing and send it to me [and] I would send [it] to the administration for resolution. Because he had concerns of job security, I told him to just send me the facts and there would be no need to affix his name to this list. If these accounts are factual, I am sure you will agree that they are troubling... I received this information today and [attach] a copy for your review.”

Jerome C. Perkins, 1 Left Wing Representative, East Jersey State Prison, Rahway

Following is the list submitted to Perkins and which Perkins was sending to Terrance Moore:

“Cookhouse Deficiencies

“I would like to appraise this administration of the following deficiencies ... in the cookhouse at EJSP:

1. The diet room is in dire need of cleaning, it is filthy with long standing grease on its walls;
2. There is mildew on certain wall areas of the cookhouse, especially in the tray room;
3. Eating trays should be placed individually in the tray [rack] after cleaning to prevent contamination;
4. Pans are piled up over each other causing mildew and other bacteria to set in;
5. The cooking pans are not cleaned properly. Food from other meals is left in the pans [because] various cooks do not wash them prior to [placing food in them]. There is no one available to monitor the washing process, therefore food is left in the pans by the pot washers;
6. On several occasions food [has been] placed in the ice boxes without lids or covering and is ... being served to the general population; ...
7. Garbage cans are left a few feet from the serving line during the serving of food causing cross contamination...

“These and many more violations occurred in the cookhouse. On most occasions they are overlooked by the cookhouse personnel.”

In the summer of 2000 the New Jersey Department of Corrections revoked the prisoners' right to receive

monthly food packages because, it was said, of the possibility that drugs might thus be brought into the prisons.

“Our office has been in receipt of a large number of letters, addressed to you and to Governor Whitman concerning reinstatement of food packages in New Jersey State Prisons.

“[N]utrition has been a large concern of ... family members of prisoners. Reconsideration of some form of supplemental nutrition, be it source of sale or family food packages, would be an important move forward....

“...We receive many complaints on an ongoing basis about hunger and lack of healthful food.”

from a letter to New Jersey Department of Corrections Commissioner Jack Terhune from Bonnie Kerness,
31 July 2000

Following are some of the letters sent to New Jersey Governor Christine Todd Whitman with respect to the revocation of the right to receive monthly food packages:

“I have been incarcerated for the last thirteen years and remember well how nice it was to receive a home cooked meal from my family and how special it made each holiday. Now these days are just calendar spaces.

“As you probably know, the food that is served to us is so terrible and most times it is so inedible it is often thrown away by most of the population. We do not receive proportions of healthy food that [are] adequate for a grown man to remain in good health....

“Now I find myself going hungry or filling up on empty calories to get by. The only real food in the commissary costs so much that we can’t afford to purchase it.”

John J. Peplinski, Jr., East Jersey State Prison, Rahway

“I have been incarcerated since I was nineteen years old. I am now 33... When your administration took the food packages from [prisoners] you hurt our families as well. Sometimes bringing home cooked food on window visits gave my family more relief than it did me. It was a way to keep family intimacy ...

“Sometimes in the process of trying to punish [prisoners] you create new victims within [the prisoners’] families. Please give us back our food packages for health reasons, family reasons and because it is the right thing to do.”

Matthew J. Brewer, East Jersey State Prison, Rahway

“I am one of the many prisoners who are not receiving the proper nutrients and beneficial vitamins from the present food menu set up here in the State of New Jersey.

“I would ask that you also take into account that I am a Muslim with no way of receiving the proper food [required] by my religion, Al-Islam.”

“I am writing to you on behalf of other elderly [prisoners] and myself ... hoping you will take into consideration reinstating the food packages program for the [prisoners] in this state due to the [fact that the] institution is not serving us nutritious meals. As an elderly person, my health has been affected by the non nutritious meals my body [receives] and I am appealing to you and your office to intercede on our behalf and have the food packages reinstated.

“Rest assured [that] any and all consideration given this request will be most appreciated...”

Leroy Wiggins, East Jersey State Prison, Rahway

“Please, please can I have your assistance in this matter. I wish to take the opportunity to ask for the food packages back. And to extend to you my gratitude if you do.”

Samuel Mince, East Jersey State Prison, Rahway

“22. (1) At every institution there shall be available the services of at least one qualified medical officer who should have some knowledge of psychiatry. The medical services should be organized in close relationship to the general health administration of the community or nation. They shall include a psychiatric service for the diagnosis and, in proper cases, the treatment of mental abnormality.

(2) Sick prisoners who require specialist treatment shall be transferred to specialized institutions or to civil hospitals. Where hospital facilities are provided in an institution, their equipment, furnishing and pharmaceutical supplies shall be proper for the medical care and treatment of sick prisoners, and there shall be a staff of suitable trained officers.”
[MINRULE]

Jim B. - Limon Correctional Facility, Limon, Colorado, 3/30/98

“Prisoners are denied medical treatment if they cannot afford it; denied dental treatment for months.”

Ray L. - USP Atlanta, Atlanta, Georgia, 3/5/00 (personal correspondence)

“And the SHU [security housing unit] has been under investigation for months.... All sorts of rumors as to the focus ... the most credible appears to be medical neglect resulting in prisoners’ deaths. While I was in SHU, I saw one prisoner who celled near me carried out, reportedly dead. He looked it. Previous to this he had been arguing with a Physician’s Assistant over medical treatment.”

Tommy - East Jersey State Prison, Rahway Ad Seg Control Unit, 3/14/00

“...[In] November ... the guards broke my fingers and the seventh and eighth rib on the left side. I didn’t see a doctor for five days then X-rays were taken eleven days later. I got this for asking for my medication. ...The nurse told my wife that nothing was wrong.”

Lawrence W. - Northern State Prison, Newark, New Jersey, 8/3/99, 8/16/99

“It took me two years to get a hernia operation. I went to St. Francis Medical Center ... to see Dr. Starrett about my hernia not being right. She said the same thing. I... be in pain all the time. ... I have been going to see Dr Starrett about my heart ... beating erratically...I asked for an EKG and it [indicated] my heart is beating erratically. She has not referred me to any specialists to determine the cause [and] this [has been going] on for nine weeks... I am very depressed over this.”

From a letter to the Superintendent of the Northern State Prison on behalf of the above prisoner: “[Prisoner] has been examined a number of times by Dr. Starrett, a physician at the prison, relating to an irregular heart beat. ... The doctor did an EKG which confirmed [the condition], but was unable to give a cause for that condition. [She] took [the prisoner] off *Motrin* and an antidepressant medication, but did not provide him with any medications for the irregular heart beat. As I understand it, there is no plan to take additional steps such as inserting a pacemaker to stabilize the heartbeat. ... This seems to be a life threatening situation which should be carefully diagnosed and treated.”

Adrian T. - Northern State Prison, Newark, New Jersey, 4/30/99, 8/13/99(2)

“[In August of 1997 at Bayside State Prison] I was brutally beaten by correction officers. ... I received numerous bruises and cuts to my head, face, back, groin, wrists and legs. My mouth, nose, head and wrists were busted and bleeding. I was also knocked unconscious. ... [In the infirmary] all [the nurse] did was clean my bruises.” The prisoner included several of his medical prison medical reports. “As you can see they failed to give me medication [for the pain]. They failed to give me X-rays. ... [In December of 1998] I [saw] a Dr. Odunsi for my back and neck problems. The Doctor’s prescription was for me to receive physical therapy because the medication I [had] been receiving for a year and a half ... [was] not working. ..[Since then] the doctors tell me that they will put me on the list, but I never received it. ... It’s been over two years now [in August 1999] and I just now seen the therapist. All [he] did was give me some papers showing me how to do some exercises and then [he] scheduled me for a two month return date.”

Rene A. - Northern State Prison, Newark, New Jersey, 1/7/99

“They deprive me of my medication which is life and death. I take [medications] plus I get [a] blood check every day. The nurse hasn’t had the machine for two weeks now, [one of my medications] I was without [for] five days. ... The medication I take is life and death. ... When I spoke with Dr. Odunsi about these problems he told me ‘he would be stepping on the Administration’s toes.’”

Carl F. - Northern State Prison, Newark, New Jersey, 11/2/98

“I am in Northern State Prison. ... I am a diabetic [and] am insulin dependent. [In November of 1998] I passed out in my room. The nurse came to my room to give me my medicine and the same problem happened again - I almost passed out. I told the nurse and he told me to eat something sweet. I told him I didn't have any sweets so my roommate gave me some juice. The nurse did not give me my insulin. About two hours later they took me to the hospital.... I asked ... if the nurse had told them what happened and they said he did not report it.”

Terry C. - Northern State Prison, Newark, New Jersey, 9/6/99

“My problems started [in August 1997] when I was moved into a cell that had no working cell light. There is a built in night light ... that comes on when the officers take their 10 p.m. count.... [Late in September] when the night light was on so the guard could take the ... count, I was exiting my top bunk when the light went off ... I was taken off balance and missed the stool [and] landed on and twisted my ankle and fell hip first into the top edge of a foot locker. It was after 10 p.m. [so] I knew getting a guard's attention was [hopeless]. ... I waited for morning. ... The housing officer sent me to the prison infirmary [where] I sat in front of the nurses' station for over an hour and a half without being seen.... I was finally told to report back to my unit for count. [At the end of September] an officer asked me why I was still limping. [When I explained] he called up the [infirmary] ... so that my hip could be looked at. ... [After] 45 minutes [waiting] a male nurse ... gave me a *Motrin* and told me he'd put me on the doctor's list.

“I wrote to [Superintendent of Northern State Prison, James] Barbo, and the Medical Department. ... No response. [At the end of October] I wrote to Mary Ellen Simellins, CMS [Correctional Medical Service] site administrator of NSP. [In November] I wrote again. I [then] saw a Dr. Odunsi who ordered X-rays. [At the beginning of December] X-rays rescheduled. (December 19, 1997, X-rays were taken - no broken bones.)“

During February and March prisoner wrote various letters to doctors and to the medical examiners complaining of the continuing pain in his hip (in spite of medication) but was not seen. In March

“I filed letters of intent to file a lawsuit against the CMS. ... [At the end of May] I was supposed to go to St. Francis hospital to see nerve specialist but Central Transport officer refused to take me. [In August] I was on authorized absence to go to the hospital but was never called out.

“After writing [over and over] to Barbo [and] Simellins .. I just gave up. I buy *Motrin* from other [prisoners] and buy aspirins at the canteen. The pain in my hip is an aggravating annoyance and I ... limp. ...Climbing stairs is a real pain. ... [In August of 1999] I was seen by Dr. Starrett ... who told me my medical records were lost and were found after all this time only because the attorneys for Mary Ellen Simellins wanted an update. ... X-rays were again taken of my left hip. I explained to the technician that an MRI should be ordered because the pain in my hip is at times severe and limits my mobility ...”

Bill V. - Northern State Prison, Newark, New Jersey, 11/19/98

“My mother has kidney problems and I wanted to get tested to see if I'm a match 'cause the rest of my family members are not. I wrote the prison administrator, Mr. James Barbo, [in May 1998] and didn't hear from him so I then wrote health services unit in Trenton .. and [they] tell me [they] wrote Mr. Barbo telling him the steps that had to be taken. ... I never heard anything. I wrote Mr. Barbo and Ms. Ricci here at the prison. Now [in November of 1998] ... my sister called that someone in the family is very sick and ... I come to find out that my mother is on her

death bed. ... My mother is dying and I'm going to have to live with this thought that maybe I was a match to my mother and have gave her life as she gave me. ... I'm going crazy in here and these people refuse to give me any kind of help or legal calls ... on this."

Ollie L. - Management Control Unit, State Prison, Trenton, New Jersey, undated

"When I had my last operation in torture in U. S. prisons what I endured was outright medical abuse under the facade of security, being operated on while wearing handcuffs, leg irons, plastic wrist restraints and plastic leg restraints all at the same time with two armed guards standing over me. That ordeal was stressful to the extreme for me. I was conscious during the whole operation."

"The Central California Women's Facility serves as a hospital and hospice throughout the Californian state prison system. There have been fifteen deaths at the prison this year [2000], nine in 1999 and ten in 1998. Four of the women who died in the past month [December 2000] were apparently suffering from terminal illnesses, but two of these women were reportedly not given prompt attention after they began suffering health problems.

"In just over a month, seven women have died at the Central California Women's Facility at Calalia. Local prison groups who have visited the prison have blamed slow and shoddy medical care for at least some of the deaths. They have also argued that the use of guards as medical personnel conflicts with their custodial roles. [Prisoners] have reported, for example, that the prison's medical technical assistants - guards who serve as the first line of prison health care - disregarded the complaints of one [prisoner], Pamela Coffey, less than an hour before her death."

Amnesty International Calls for Independent Investigation into Deaths of Women in California Prison,
21 December, 2000, *Amnesty International*, London, England

Maggie D. - Edna Mahon Correctional Facility, New Jersey, undated

The prisoner is suffering from breast cancer and the correspondence is from her mother who says Maggie is dying because of the poor care she is receiving at the Edna Mahon Correctional Facility.

"She has lost 31 pounds and continues to lose weight. They get her up at 4:30 in the morning before transporting her to the hospital [and she does] not get back to her cell until 4 p.m. or 10 p.m., only to have to get up at 6 a.m...There are days she does not get lunch or dinner because she gets back too late. This is an extremely long and exhausting day for a healthy person let alone someone who is fighting cancer. [Maggie] is not getting the vitamin supplements or the diet needed...Mr. Jeffrey Burns, Assistant Commissioner of the Department of Corrections stated, '[the prisoner] has advised the Edna Mahon correctional facility staff that the treatment she is receiving is adequate.' This is a lie..."

The prisoner's mother then gives the most recent prognosis for her daughter's cancer: "The cancer has

progressed to the right side and there are some spots on the lungs. Another tumor is in the right breast. ... Since her doctors had said it would be 2 or 3 years before this cancer would recur this is a sure sign of neglect [if] after six months at the facility, the cancer has moved to the right side. This surely shows neglect since she has been asking the facility for a mamogram [for six months]. This proves how poor the treatment really is at this facility. ... The Edna Mahon facility does not care about [Maggie's] life. We, her family, care very much. [Maggie] did not receive radiation [three months ago] as scheduled. The facility canceled the appointment. We are keeping a record of all treatment denied..." The prisoner's mother asks "everyone's help in correcting this horrible injustice," and gives her home phone number as well as that of the doctors who treated the prisoner.

Walliek D. - South Woods State Prison, Bridgeton, New Jersey, 6/17/00

Prisoner writes that, in August of 1999, he injured his back while working at Bayside State Prison in New Jersey. Sent to the infirmary, he "was told by the nurse that it was only a muscle strain and to go back to work. Well, the next day when I woke up I could not move. I again went to the nurse who again told me that it was only a muscle strain and given a *motrin*.

"For several days I complained ... still I was told I had a muscle strain. [By] about ten days later the pain had gotten so bad that I couldn't get out of bed. I was taken to the infirmary on a stretcher. given a *darvocet* for the pain and told to go back to my cell. ... I refused to go to my cell until I received medical treatment [because] I couldn't walk. I was then sent to South Woods State Prison ECU [Emergency Care Unit]. There I was given bed rest and pain pills.

"After two weeks at South Woods State Prison I was given an X-Ray which came back negative; I was then scheduled for an MRI. Mind you, this was September; I didn't receive the MRI until January of 2000, four months later.

"The MRI showed [it is] a herniated disk ... pressing on the sciatic nerve [that] is causing the pain. I then saw a neurosurgeon (Mr. Pizzi), who told me I would need surgery. I am now waiting to have the surgery; I was told I was scheduled for some time in July. [Prisoner's correspondence is dated June, 2000.] I figure this is a very serious matter and I should contact a lawyer. ... I think I may have a case for malpractice for [failure] to properly diagnose the problem, [failure] to give proper medical attention and [for the resulting] pain and suffering. Also for the fact that I'm not going to be able to do strenuous work; ... I work[ed] for a construction company."

Larry H. - Washington State Penitentiary IMU, Walla Walla, Washington, 4/2/00

"[My friend, Larry,] is, like myself, in a control unit called [an] Intensive Management Unit. He is unable to write to you himself as his hands are horribly deformed. [Hence] this letter.

"On July 22, 1999, Larry filed a suit against [the] Washington State Department of Corrections for deliberate indifference to serious medical need. A professional orthopedic surgeon ... in Tacoma, Washington, who contracts for McNeil Island [penitentiary] had examined Larry's hands and recommended immediate surgery to repair the damage officers at Washington State Penitentiary had caused. This surgeon, Dr. Robert Knukle, filed a report and placed it in Larry's medical file. Shortly [thereafter] Larry was transferred to Walla Walla, Washington's IMU at Washington State Penitentiary. ... Larry asked for the surgery that must be performed. Thus the lawsuit.

"But two days after he filed the suit, July 24th, officers stormed him and beat him senseless. For five days ... my friend lay in a strip cell in hypothermic condition receiving only a cursory medical examination. But ...it became so terrible for Larry that, ...unconscious, he was transported in an ambulance to the Mason County General Hospital where he [was] diagnosed with internal bleeding, head trauma, spinal injuries and a collapsed lung. ...

"Meanwhile the evidence for his original lawsuit is performing a disappearing act. His medical file is

tampered with and photographs of his [deformed hand] are mysteriously lost. Now that [he] is incapacitated by his recent traumas the defendants move steadily forward with their case. ..The administration desperately transfers him from institution to institution ... to keep him from his property.

“But a mistake was made. They sent him to Clallam Bay Corrections Center where [he] was able to visit the Contract Attorney there, David Triewieller, [of] Seattle, Washington. Triewieller looked at Larry’s case and his hands and wrote a letter to the administration and Superintendent Morgan detailing to them that [Larry] is being kept from legal access. ... [His] hands are so deformed that he cannot even write. Pain is an ever present problem and at times incapacitating. There is serious nerve damage to both hands. By not giving him some type of assistance, such as typewriter, he is being denied access to the courts.

“...Warden Morgan [then] had Larry transferred again. This time [his] legal work disappeared entirely! ...To make matters worse, three days after his arrival at the new institution - WCC IMU - officers slammed the cuffport on [his] left wrist, breaking it.... A new series of transfers began.

“Now Larry sits here in the IMU at Washington State Penitentiary. The officers here ... have begun an inhumane type of harassment against him; they are starving him! They say he must turn his light on to be fed - only our lights are always on - they NEVER SHUT OFF! They do not say this to me or to other prisoners. Clear harassment. I am very concerned for Larry’s health. In the last four days he [has] only had two dinners.”

Kenny M. - Northern State Prison, New Jersey, 8/23/00

“As a result of the beating I suffer from extreme ... pain in my head, neck, lower back and sometimes my shoulders. The headaches are so painful [I cannot] move a muscle... I have submitted numerous doctor and sick call slips concerning [this]. I also had a request for an X-Ray for my forehead where I got hit with the night stick - I had to get stitches; my neck, where I got stepped on with the boot; my shoulder where I got hit with the night sticks; and also my back, where I got kicked numerous times and hit with the night sticks. I still have scars from the beating....

“And every time I drop a medical slip and explain the problem I’m having they ignore me and refuse me for the X-Rays.... I have dropped numerous doctors call slips but I don’t think they be turning my slips in because the last time I gave First Shift Nurse Silvia my medical slips she told me not to drop any more ... because she’s not taking them. Second Shift Nurse Jackie does the same thing. Or sometimes they take it but they don’t turn it in. I know because I don’t get called to see the doctor. Out of 10 or 15 slips I may drop the doctor might receive one or two. They trash the rest. That’s why every time I ... give my nurses my sick call slip I write the date down on a piece of paper - and [the name of] the nurse... too.

“I’m not receiving the ... medical treatment and attention that I need. I’m being mistreated, ignored ... and taken advantage of by the medical department causing me to go through trauma, pain, suffering, also emotional distress, mental anguish.... There is absolutely no reason why [I] or any other human being should have to endure these types of treatment....”

Tony W. - Amarillo, Texas 9/5/00

“[I was arrested on July 26, 1998] ... I was called down to the medical department in the jail [and] informed I would have to take some vaccines for tetanus, flu and TB. I informed the ... nurse I did not want to take the shots [and] was informed I would be placed in a cell by myself if I did not, ... so I allowed her to give me the shots. On October 5, 1998 I was transferred to the Texas Department of Prisons ... Once I had arrived ... I was called down to the nurses’ department of the Texas prison’s John Middleton Unit [and] informed that I was going to get a set of vaccines. I informed the nurse that I had already received the vaccines on July 28, 1998 in [the] county jail.

“The nurse looked at my file and informed me that there was nothing stating that I had taken any shots... I

told the nurse I would ... pass on taking the vaccine and she grew very angry and said, 'You have to take these shots. It is the law that the state [must] keep you well in prison and keep you from spreading TB and stuff like that.' I told the lady that it would probably cause me to get sick if I took another set of shots, she said, 'No, it won't. There are people in the world [who] wish they could afford these shots.' So I asked, 'If I don't take the shots what will happen?' She said, 'You will be ... placed in isolation till you do take the shots.' So I allowed her to give me the shots the next day.

"I [began] experiencing muscle spasms in my throat and [had] a small amount of fever, my glands in my underarm hurt and my bones and joints hurt. I was assigned to work in the field squad. The officer in charge informed me that I would have to take a [writeup] not to go to work. I told the officer I had been over vaccinated by all of the shots and that at this point I didn't care if he killed me because I already felt like I was dying. I was placed in lock up and some 14 to 18 days later I was transferred to the Neal Unit in Amarillo, Texas....

"On or about December 23, 1998, I was called down to the medical department to take some vaccines. I told the nurse that I had already had all of the shots twice. She looked at my medical records and said, 'No, you have had something else, you have not had this vaccine.' I told [her] that the last set of these shots got me sick and depressed. She said that these shots do not do that. I said [that], yes, they do. She said that I would have to take the shots and that if I refused I would get a [write-up]. I told the nurse that I would take the shots and if I got sick I would hold her responsible for the damage [they] cause. I was given the shots. I also became sick: my energy level dropped, I gained a lot of weight. I also started having spasms in my throat again. I also experienced a headache for three days with fever and diarrhea. I was finally given some tests and it appeared that my thyroid ... had been damaged but no cause was given. Also, all of my chest pains [came] from the thyroid gland I was told. I was given the same vaccine that I had received at the John Middleton Unit: the flu, the TB, the tetanus.

"I received, in a four and a half month period, enough TB shots to last a person three years and enough tetanus shots to last someone twenty one years. I also received enough pneumonia shots to last me two lifetimes since it is only administered once in a person's life. I received three years worth of the flu vaccine. I now know why *Texas is having a shortage of all of its vaccine; it is because* the jails and prisons are forcing prisoners to take these shots so they can practice giving shots [emphasis in original]. I now suffer from heartburn and thyroid damage and migraine headaches. I also take medication for all of these things. I have numbness in my hands and feet. I did not experience any of these problems before I getting the shots that I was forced to take."

Norwood N. - in civil commitment after completing sentence in Rahway, New Jersey, 8/23/00

Prisoner had completed his sentence for criminal offense and been committed to a New Jersey mental health care facility where he will remain until authorities decide he is mentally fit to be released. He is no longer under the control of the Department of Corrections but rather of the New Jersey Court System. "The treatment program here ... is almost worthless and 'circular.' The staff are *CMS** employees. Therapy groups are run by social workers ... who know little or nothing about therapy. The treatment is far from intense. Most believe that *CMS* personnel are afraid to put guys up for parole because if they do, and a guy re-commits, they can be sued. ...[I know] that real therapy *can* work....Zero tolerance is an unrealistic goal or expectation. Nothing works 100 percent.

"The DOC operates on a punishment level. But punishment doesn't work on these guys. I think they know it and for that reason they're trying to fashion a lifetime punitive confinement set up with these new civil commitment laws [e.g., *Megan's Law*, in New Jersey].

"I don't know if I'll manage it - or if I can make it at all - but *CMS* is *not* the answer to treatment needed here. They cause more harm than good. But they own the show and will surely resist any change."

**Correctional Medical Services, Inc.* was contracted by the New Jersey Department of Corrections in 1996 to provide medical care for its prisoners. *CMS*, in turn, has contracted out the mental health care of prisoners to

****DENIAL OF LEGAL SERVICES****

Jim B.- Limon Correctional Facility, Limon, Colorado, 3/30/98

Originally a Wisconsin prisoner, he was sent to Colorado in 1992, “for allegedly inciting a riot,” he says, and “to keep me from Wisconsin Case Law and Statutes which I need to litigate both my criminal case and civil remedies for the wrong doing of Wisconsin officials.”

Tom R. - Connecticut prisoner in prison in Virginia, 1/20/00

“I am incarcerated in Virginia ... on an [interstate] compact contract with Connecticut. ... I am in the process of trying to get a new trial. ... I have a docket number with the court and [I’ve] even written to the judge [who] is presiding over my case to *no* [avail] though! [I need to take] the proper steps to try and get back to Connecticut. My life is on the line. I don’t have many options left. I can’t properly or adequately prepare for a court hearing here in Virginia. They don’t carry Connecticut case law in their law library. I can’t talk to my attorney or to my private investigator. I address[ed] the court on this matter and [the] Connecticut Department of Corrections [and they] never responded back .”

**** TREATMENT OF THE MENTALLY ILL ****

Marse H.- Ellis Unit, Huntsville, Texas, 1/2/01

“From my experience it appears that the prisoners who are the most susceptible to abuses are those who cannot control their anger.... Many prisoners are mentally disturbed. Therefore, they are not psychologically prepared to deal with the living conditions in a prison setting. And there are those who are mentally ill, but they are forced to live under stressful conditions; they are expected to cope with stress...

“The Texas prison system warehouses thousands of prisoners who have been diagnosed as psychotic schizophrenic [or with] various other mental disorders... Instead of the state acknowledging those prisoners as sick people they are often viewed by guards and medical staff alike as competent but violent prisoners deserving excessive use of force or long term solitary confinement.”

Dan H. - MCF, Oak Park Heights Prison, Stillwater, Minnesota, 8/19/00

“I witnessed several mentally ill [prisoners] get abused at the hands of CX-5 [isolation unit - ‘Complex-5’] staff and resident psychologist leaves them in this condition. The guards back here regularly take the bedding and property [including items necessary for hygiene] from mentally ill [prisoners] by claiming they are abusing these things - which they are not. I’ve seen these [prisoners] left to sleep on bare cold cement during the winter for months;

this cement bed is very cold to lie on, especially when these [prisoners] are also refused a blanket. The light in their cells is kept on 24 hours a day by guards and their 'bag lunch,' which they get three times a day, is taken out piece by piece and thrown at them by sadistic guards. They are also regularly assaulted as they are too far gone mentally to speak up for themselves. Sometimes the guards refuse to feed a [prisoner] altogether, claiming [he is] not sitting on the bed."

Mike N. - Indiana Department of Corrections Maximum Control Facility, Westville, Indiana, 6/13/00

"I'm in a cell 22 hours a day. I get out to rec in another room not much bigger than my cell for an hour and 45 minutes and 15 minute shower six days a week. Solid boxcar doors with the food slot padlocked. There's a button in here that one's to push in case of emergency but I swear to you if you came in here right now and pushed it for two hours straight you'd get no response. Mine is hooked up to nothing.

"I consider myself mentally stable but hearing the others yell and scream, kicking the doors, most of them are truly mentally disturbed, can't understand, that's their way of, I guess, venting but all it does is give the goon squad cause to form up, run in and beat the poor fellas into submission. They take all his stuff - which isn't much to begin with - and leave him handcuffed in trip gear (black box, waist chain, leg irons) in the cell for a couple of hours. He doesn't understand what's happened and the goons get a pat on the back and 'job well done, boys' and more money [allocated] to the goon squad because you can bet it's logged as subduing an incorrigible [prisoner] instead of running in on a mentally disturbed [prisoner] who was driven to the breaking point, one who should be in a psych ward, not here."

"Despite the detrimental impact of administrative segregation and disciplinary detention on mentally ill [prisoners], there are few mechanisms in place to rescue a [prisoner] who is psychologically deteriorating in these facilities. Indeed, a number of [prisoners] begin a cycle where their mental deterioration leads to new disciplinary infractions that, in turn, result in additional administrative segregation time. A significant subset of these [prisoners] become permanently trapped in administrative segregation."

New Jersey Prison System Report of Dr. Dennis F. Boson, 1998

Steve S. - Graterford, Pennsylvania, 11/3/00

"I am diagnosed as manic depressive, attention deficit hyperactivity disorder, obsessive compulsive and bipolar. *Because of the bi-polar disorder, I have yet to be properly prescribed by the medical department.* [emphasis in the original.] ...

"Because of poor or inadequate ... treatment, I get extremely bent out of shape. I often lose my composure and I have been threatened with the alternative of a 501 medical code being called on me. That is being *stripped naked and place on a metal slate with ... holes in it at the waist and ankle positions... A belt is placed around the waist with handcuffs on it with some extra chain to pass down into the holes so another set of handcuffs or ankle cuffs with extra chain is added.*

"The extra chain is then pulled taut under the slab by another set of handcuffs connecting the waist chain and the ankle chain. This is a four point security hold down which lasts for approximately 48 hours. In more [explicit] terms, you defecate and urinate under observation. The taunt you to determine if you're okay to be released. Your reactions are monitored.

"This is extremely barbaric. They claim it is necessary. I ask you this: if you treat someone like an animal what is to stop them from acting out? Only discipline will save those who endure this treatment. I have been on a

Spiritual journey since 1991. I can only be thankful to the Kingdom of God within me for my sanity.

“If that doesn’t tie your gut in knots, think about *how they get you into this device. They come at you two or three strong with shock shields until you collapse unconscious.* When you wake up your 48 hours begin. They also mess with your [prisoners] account if you don’t comply in an orderly fashion. They designed this institution to humiliate a [prisoner]. I am the kindest man you may have ever met. This is a fact. This institution in only four years has created a totally different man...”

D. Robert F. - Eyman Complex SMU, Arizona, 12/10/00

“If you’re in Mental Health in this unit you never get to go home [Prisoner had three years of a ten year sentence remaining to serve.] I believe that at the end of my sentence they will kill me by putting me in the gas chamber.

“The officers tried to kill me on 12/28/99, I think it was, when I walked away from an officer at the Tucson Complex, Santa Rita Unit because he would not let me get my medical diet for low blood sugar and he sprayed me with his pepper spray and beat the living hell out of me and didn’t even give me a shower to get the pepper spray off me. *This whole time I was seeing things and hearing voices.* ... When I was beat up it was right by the Chaplain’s office. Everyone saw what happened. I was put on report and only allowed to call two witnesses. I said the whole yard saw what happened and I was denied the forms to appeal because I was in the hospital at the time. ...

“My parents are in their late 70’s.... My father has cancer and I think he is going to die while I am in prison. At visitation he just sits there and falls asleep and it makes me feel so sad. ... The prison will not let me make phone calls home any more because they hate me. My mother was expecting a call ... but I was told I can’t call my parents any more.

“I got put on report last night because I kept asking to talk to a supervisor and I told the lady officer everything that’s going on with me and she said something bad about my Dad having cancer and I went off in my cell and called her a bunch of bad names and kicked the door to my cell because I don’t like people making fun of my 78 year old father. This is driving me crazy and, to make things worse, the medical people are not giving me all my medications all the time. *I have seizures and take ‘prima done’* for it and some nurses don’t give it to me. They make fun of me ‘cause I have this problem too. I am being charged money for mental health ‘cause they say I’m not crazy.

“I used to be on a lot of psycho meds but I don’t take them any more ‘cause the doctor took me off them. All the stuff they give out isn’t any good anyway. I go four or five days without sleeping sometimes.”

*** PRISONERS' OBSERVATIONS ***

“[Prisoners] are ... subjected to a dehumanizing process that someone on the street cannot hope to understand. Many prison guards refuse to recognize that the punishment prisoners receive is to be taken away from ... family members and communities - and to lose their freedom. Being sent to prison is their punishment, they are not ... sent to prison to be punished.” [*After the Madness: “A Judge’s Own Prison Memoir,”* Sol Wachtler, 1997]

Alan Q. - USP Lexington, Kentucky, 2/18/98

“I would be more than happy to give you any information that will help to stop this kind of torture... I will give you whatever is needed so that the public can see the truth.”

Santi N. - Los Angeles, California, 1/8/00

“I know this isn’t right. I’m not, nor ever have been on discipline ... HELP!”

Jim B. - Limon Correctional Facility, Limon, Colorado, 3/30/98

“I am 51 years old, have done time since 1967. I [have] been to Marion twice ..., been to Leavenworth twice, several other pens. I have served approximately 20 years in Wisconsin... I’ve been four-pointed, chained between box door and solid door [in] segregation, chained to wall by toilet, to floor in hospital. I am not crying but I figured we were beyond this once we came into the 70s. But now the prisons seem [to] have the courts’ and the government’s approval to start all over again. ... and now beatings are treated lightly again because the president signed away our Constitutional rights and he is just as much a criminal as I.”

Kevin J. - Northern prison, Somers, Connecticut, 11/24/99, 9/20/00

“I cannot find the rational relationship between writing a writ and being chained up... Are not stocks and other shaming penalties outlawed? .. There needs to [be] some light shed upon their machiavellian and draconian practices.”

Shawn W. - Hays State Prison, Trion, Georgia, 9/8/97

“No one [had] received disciplinary write ups nor was anyone charged with infractions. The actions by the Commissioner were unaccounted for. There was no riots, trouble or disturbances of any kind. ...Since that horrible nightmare ... I have suffered physically and mentally. In turn, I hope and pray that full retribution is sought.” Prisoner had been badly beaten.

Mike T. - S.C.I. Greene, Waynesburg, Pennsylvania, 10/4/99

“What they did to me was cruel and unusual punishment which is prohibited by law. I have a whole block that’s willing to testify on my behalf that witnessed this whole incident from beginning to end. If there is any way you can assist me in this bad ordeal I would really appreciate it..” Prisoner had been handcuffed 24 hours in a bare cell.

Ed F. - Utah State Prison, Draper, Utah, 6/13/99

“I have seen [prisoners] that have cut their wrists and throats trying to get away from [the] above listed conditions [four pointing, beatings and the restraint chair]. I was sentenced to one to 15 years ... for possession of stolen property. I was not sentenced to punishment that will cause me problems for the rest of my life. I am 57 years of age.” Prisoner was sentenced in 1983; his letter was written in 1999.

Juan E. - Wallens Ridge State Prison, Big Stone Gap, Virginia, 1/16/00

“I don’t know how much more of this abuse I can take. At times it feels as though I’m going to lose my mind... [there’s] just so much the physical mind can take. Can you help me or tell me who could help me...?”

JD - McNeil Island Correction Center, Steilacoom, Washington, 2/1/98

“I’ve been transferred ... to another IMU [Intensive Management Unit] because I refused to cease writing about the above [prisoner described intense pepper spraying of an entire area]. Most recently [I wrote] to the FBI in Seattle. Others include: [Governor Gary Locke, Joseph Lehman, Secretary of the Department of Corrections and an attorney].”

Adrian T. - Northern State Prison, Newark, New Jersey, 4/30/99, 8/13/99(2)

“The [prison] medical department ... is a joke. They have neglected my medical attention, conspired to cover up a beating and denied me physical therapy for over two years. ... I know that they do not take their jobs seriously. I feel that they are unprofessional and poorly trained. And if something is not done someone is going to end up seriously hurt or dead.”

Affirmation by Assata Shakur

I believe in living. I believe in the spectrum
of Beta days and Gamma people.

I believe in sunshine
in windmills and waterfalls,
tricycles and rocking chairs.

And I believe that seeds grow into sprouts,
And sprouts grow into trees.

I believe in the magic of the hands.
And in the wisdom of the eyes.

I believe in rain and tears.
And in the blood of infinity.

I believe in life.

And I have seen the death parade
march through the torso of the earth,
sculpting mud bodies in its path.

I have seen the destruction of the daylight,
and seen the bloodthirsty maggots
prayed to and saluted.

I have seen the kind become the blind
and the blind become the blind
in one easy lesson.

I have walked on cut glass.

I have eaten crow and blunder bread
and breathed the stench of indifference.

I have been locked by the lawless.

Handcuffed by the haters.

Gagged by the greedy.

And, if I know anything at all,
it's that a wall is just a wall
and nothing more at all.

It can be broken down.

I believe in living.

I believe in birth.

I believe in the sweat of love
and in the fire of truth.

And I believe that a lost ship,
steered by tired, seasick sailors,
can still be guided home
to port.

([Assata Shakur is a former prisoner at the Edna Mahon Correctional Institute in New Jersey.] It seems to me that [her] poem "Affirmation", which is so strong a statement about the human ability to overcome, belongs [here] in these pages. - B.K.)

*** CONCLUSION ***

“The folks in prison are mostly poor and working class people who need jobs and education. Prison issues are class issues and race issues...The crippling of our poor, young people of color in our prisons is expanding in unconscionable ways and none of this is about the rate of crime...

“Prisons reflect both the structure of society and the nature of the struggle against that structure. The wall of silence has got to be broken down. We need to expand the level of popular understanding of what is happening in this country’s justice system *and make it relevant to the lives of the people we know and touch.*” [italics added]

Control Units and the Use of Devices of Torture, speech given by Bonnie Kerness, Ann Arbor, Michigan, 1996

* INDEX OF PRISONERS and JURISDICTIONS *

Ademola O. - State Correctional Institution at Smithfield, Huntington, Pennsylvania, 2/15/00
Adrian H. - Security Management Unit (SMU), Gunnison, Utah, 9/27/95, 11/17/95
Adrian T. - Northern State Prison, Newark, New Jersey, 4/30/99, 8/13/99(2)
Alan Q. - USP Lexington, Kentucky, 2/18/98
Andrew P. - Upstate Correctional Facility, Malone, New York, undated
Andy T. - Pittsburgh, Pennsylvania, 6/14/00
Ben C. - Wallens Ridge State Prison, Big Stone Gap, Virginia - transferred from Connecticut, 9/30/00
Benny A. - Stiles Unit, Beaumont, Texas, 9/26/99
Bernard F. - Rhode Island prisoner, transferred to Wallens Ridge State Prison, Big Stone Gap, Virginia, 7/26/00
Bert C. - Amarillo, Texas, 8/20/98
Bill S.K. - Program for Aggressive Mentally Ill Offenders (PAMIO), Texas, 1/16/98
Bill V. - Northern State Prison, Newark, New Jersey, 11/19/98
Brian H. - Bayside State Prison, New Jersey, 12/27/00, 1/28/01
Bruce B. - Great Meadow Correctional Facility, Comstock, New York, 9/13/00. This prisoner's testimony is taken from time he spent at the Nassau County Jail, New York, *when he was a pretrial detainee.*
Carl F. - Northern State Prison, Newark, New Jersey, 11/2/98
Champ J. - Security Management Unit, Kershaw Correctional Institution, Kershaw, South Carolina, 6/28/00
Charlie S. - Federal prisoner, Jackson, Michigan, 8/1/00, 8/20/00
Cinque - Utah maximum security, 1/12/01
D. Robert F. - Eyman Complex SMU, Arizona, 12/10/00
Dan G. - Washington Corrections Center, Shelton, Washington, 9/10/00
Dan H. - Minnesota Correctional Facility, Oak Park Heights Prison, Stillwater, Minnesota, 8/19/00
Dan M. - Gander Hill Prison, Delaware, 1/19/99, 2/10/99
Dave L. - Security Management Unit, Boscobel, Wisconsin, 6/18/00
Doc S. - Red Onion State Prison, Wise County, Virginia, 4/18/00, 5/29/00
Earl D. - prison not named, Florida, 11/7/00
Ed F. - Utah State Prison, Draper, Utah, 6/13/99
Eric S. - Ohio State Penitentiary, 6/2/99
Errol C. - INS detainee, Hudson County Department of Corrections, Kearny, New Jersey, 9/21/00
Frank A. - Northern prison, Somers, Connecticut, 7/10/99
Glenn S. - Gulf Correctional Institute, Wewahitchka, Florida, undated
Howie L. - Pittsburgh, Pennsylvania, 6/14/00

Jason - Ohio State Penitentiary, undated

JD - McNeil Island Correction Center, Steilacoom, Washington, 2/1/98

Jean A. - fiancée of prisoner at Wallens Ridge State Prison, Big Stone Gap, Virginia, 4/19/00, 5/2/00, 5/5/00

Jeremy B. - Texarkana, Texas, 1/10/01

Jerry M. - James V. Allred Unit, Texas, undated; early 1998

Jim B. - Limon Correctional Facility, Limon, Colorado, 3/30/98

Jim K. - Southwoods Prison, New Jersey, 1/23/00

John C. - Cayuga Correctional Facility, New York, 1/1/01

John Doe T. - Ohio State Penitentiary, 1/20/99

John F. Doe - Florida, 3/18/01

John H. - Northern State Prison, Newark, New Jersey, 7/5/99

John M. - Ina, Illinois, undated

John M. Doe - Massachusetts, undated

John P. - Northern State Prison, Newark, New Jersey, undated (incident described occurred at South Woods State Prison, Bridgeton, New Jersey)

JT - Death row, Ely State Prison, Ely, Nevada, personal correspondence, summer 1999

Juan C. Pérez - High Desert State Prison, Susanville, California, undated

Juan E. - Wallens Ridge State Prison, Big Stone Gap, Virginia, 1/16/00

Judy M. - Ms. M is the mother of a prisoner at the Ohio State Penitentiary, Youngstown, Ohio, 10/9/00

Judy V. - Edna Mahon Correctional Facility, Clinton, New Jersey, 6/1/01

Keith C. - Graterford, Pennsylvania, 11/4/00

Kenny M. - Northern State Prison, New Jersey, 8/23/00

Kevin J. - Northern Correctional Institution, Somers, Connecticut, 11/24/99, 9/20/00

Larry H. - Washington State Penitentiary, Intensive Management Unit (IMU), Walla Walla, Washington, 4/2/00 (letter was written for prisoner by another prisoner in the same IMU)

Larry M. - El Dorado Correctional Facility, El Dorado, Kansas, 3/15/98

Lawrence W. - Northern State Prison, Newark, New Jersey, 8/3/99, 8/16/99

Len X. M. - Pittsburgh, Pennsylvania, 6/00

Leon H. - Santa Rosa Correctional Institution, Milton, Florida, 2/20/01

Lonnie E. Telford Unit, New Boston, Texas, 2/2/98

Maggie D. - Edna Mahon Correctional Facility, New Jersey, undated

Marse H. - Ellis Unit, Huntsville, Texas, 1/2/01

Matt B. - Wisconsin prisoner, transferred to CCA prison at Sayre, Oklahoma, 8/24/00

Mike C. - USP Lewisburg, Pennsylvania, 1/21/98

Mike N. - Indiana Department of Corrections Maximum Control Facility, Westville, Indiana, 6/13/00

Mike S. - Northern Correctional Institute, Somers, Connecticut, 6/28/00

Mike T. - S.C.I. Greene, Waynesburg, Pennsylvania, 10/4/99

Norwood N. - in civil commitment after serving sentence at East Jersey State Prison, Rahway, New Jersey, 8/23/00

Ollie L. - Management Control Unit (MCU), State Prison, Tenton, New Jersey, undated

Pete C.R. - Arizona State Prison Complex - Eyman, Florence, Arizona (prisoner is on death row), 9/17/00

Prisoner N. - Minnesota Correctional Facility, Oak Park Park Heights, Stillwater, Minnesota, 2/21/00

Q.F. & J.B. - East Jersey State Prison, New Jersey, 12/30/98

Randy A. - Pelican Bay Prison, Crescent City, California, 5/10/98

Ray L. - USP Atlanta, Atlanta, Georgia, 3/5/00 (personal correspondence)

Rene A. - Northern State Prison, Newark, New Jersey, 1/7/99

Rich M.L. - Springville, Alabama, 4/9/01

Richard B. - Erie County Prison, Erie, Pennsylvania, undated

Richard S. - Utah State Prison, Draper, Utah, 5/1/98

Robert V. - Rhode Island High Security, Cranston, Rhode Island, undated

Rodger L. - Lansing Correctional Facility, Lansing, Kansas, 7/5/00

Ron E. S. - Arizona State Prison, Eyman, Arizona, 1/20/98

Ron F. - Federal prison, Tampa, Florida, 9/25/00

Rose S. - Starke, Florida, writing for Florida prisoners, 4/27/99

Santi N. - Los Angeles, California, 1/8/00

Scott R. - ADX-Florence, Colorado, 3/3/98

Shawn W. - Hays State Prison, Trion, Georgia, 9/8/97

Shunwand P. - Upstate Correctional Facility, Malone, New York, 11/30/00

“Silent” - Oregon State Prison IMU, Salem, Oregon, personal correspondence, winter 2001

Steve - Ohio State Penitentiary, Youngstown, Ohio, letter to editor of *Against All Odds*, August 1999

Steve L. - Northern Correctional Institute, Somers, Connecticut, 6/4/00

Steve S. - Graterford, Pennsylvania, 11/3/00

Sylvester M. - Clallam Bay Correction Center, Clallam Bay, Washington, 11/28/99

Sylvester S. - Florida State Prison, Starke, Florida, 3/14/01

Terry C. - Northern State Prison, Newark, New Jersey, 9/6/99

Tim L. - Intensive Management Unit (IMU), Washington State Penitentiary, Walla Walla, Washington, 6/15/00

Tom R.- Connecticut prisoner in prison in Virginia, 1/20/00

Tom S. - South Woods State Prison, Bridgeton, New Jersey, 9/8/00

Tommy - East Jersey State Prison, Rahway Ad Seg, Control Unit, 3/14/00

Tony W. - Amarillo, Texas, 9/5/00

Ty E. F. - Kershaw Correctional Institute SMU, Kershaw, South Carolina, 10/31/00

Walliek D. - South Woods State Prison, Bridgeton, New Jersey, 6/17/00

Wally S. - Maximum security prison, Cranston, Rhode Island, 6/00

Yahshua M. - Northern Prison, Somers, Connecticut, 1/23/98, 1/18/98, undated

Yvette W. - Camden County Correctional Facility, Camden, New Jersey, 1/16/99

NUMBER of PRISONERS by JURISDICTION

103 prisoners in 28 jurisdictions

Alabama:	1	Kansas:	2	Rhode Island:	2
Arizona:	3	Kentucky:	1	South Carolina:	2
California:	3	Massachusetts:	1	Texas:	7
Colorado:	2	Minnesota:	2	Utah:	4
Connecticut:	5	Nevada:	1	Virginia:	6
Delaware:	1	New York:	4	Washington:	5
Florida:	6	New Jersey:	23	Wisconsin:	2
Georgia:	1	Ohio:	5	Federal:	3
Illinois:	1	Oregon:	1		
Indiana:	1	Pennsylvania:	9		

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