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[insurgencies]

Repression, Resistance, and the Neocolonial Prison Nation

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In California, the past several months have witnessed one of the most impressive prison struggles in recent memory. For 21 days in July and 17 in September/October of 2011, thousands of prisoners participated in a hungerstrike against torture. Despite not winning all of their demands, the prisoners won politically, transforming the terrain on which they, and we, must organize our next move.

Prisoners in isolation at Pelican Bay State Prison's Security Housing Unit (SHU) had put out the word that they would be going on hungerstrike on July 1, news that traveled the length of the California system in the months beforehand. While their demands were specific to their own situation, they remained broad enough to reflect the reality of other prisoners held in isolation throughout California, and so individuals and then groups in other prisons began expressing that they too would be joining the hungerstrike. Men and women with different national and organizational affiliations promised to come together in unity behind these demands (listed in the sidebar).

Strikes, Retaliation, Resolution

During the first week of the strike in July, over six thousand prisoners refused state meals. Some did eat food they had bought beforehand, some took only the liquid portion of their

meal (i.e. juice or milk), while others refused any sustenance whatsoever. Regardless of the degree of participation, all were acting as part of a collective rising up, signaling their solidarity with those being held in long-term isolation.

It was the greatest challenge to the California prison system in recent memory.

The first strike lasted three weeks before a deal of sorts was struck. According to the prisoner representatives from Pelican Bay, the California Department of Corrections and Rehabilitation (CDCR) agreed to address all of the strikers' demands, and as a token of good faith agreed to immediately allow prisoners to buy warmer clothes, wall calendars, and to take classes with proctored exams. But as soon as the prisoners resumed eating, CDCR officials began to publicly distance themselves from this deal, stating instead that the agreement had only been for these "tokens of good faith," denying any commitment beyond that.

As a result, the Pelican Bay prisoners put out the call to resume their hungerstrike on September 26. Many observers expected this second strike to be more difficult, and smaller, than the first. It was feared that because the July strike had been called off with some confusion over what had or had not been won, that it would be more difficult to move people to put their lives on the line for a second time. What these fears did not take into account was the psychological terrain that had been liberated by the first strike, the sense of collective empowerment that resulted from the fact that thousands had together succeeded in drawing attention to the realities of life in California's isolation chambers.

When the second strike started in the last week of September, 12000 prisoners refused food, almost twice as many as during the summer.

Once again, after weeks of playing hardball, CDCR returned to the negotiating table, promising this time that within the next year they would review the cases of all prisoners held in the SHU. As a result, the second hungerstrike was called off on October 13.

During the course of these two strikes there were support demonstrations throughout California, and across the United States. This was centered around San Francisco, where the left has a considerable infrastructure built up, and spearheaded by

an ad hoc Prisoner Hunger Strike Solidarity Coalition.[1] Over time, though, more and more support actions were taking place in Los Angeles, where the communities and families of many of the prisoners are to be found. Support activities also took place on the international stage, with vigils and demonstrations taking place from Montreal, Canada, to London, England. By the time of the second hungerstrike, Amnesty International was taking a public position calling "for urgent implementation by the California prison authorities of policies to improve conditions in, and assignment to, the state's Security Housing Units," and calling "on the Department of Corrections and Rehabilitation to ensure that prisoners seeking an end to inhumane conditions are not subjected to punitive measures."[2]

Despite this call, and unusually sympathetic coverage in the national media, hungerstrikers faced a variety of forms of repression, both during and after each strike.

Prisoners are one of the least healthy sections of the U.S. population, with many having chronic medical problems and special needs. One of the first things prison officials did was to state that those who were not eating would be denied their medication, on the grounds that medicine must to be taken with food. As Chad Landrum, who suffers from end-stage liver disease, recounted in a letter:

> In an effort to break my strike they began withholding my pain medication as leverage. At first cold turkey until I reminded them of the *Plata* and the federal judge's ruling that it is criminal to cold turkey a long-time recipient of medications for chronic pain. So they issued just enough to clear them, but so minute and ineffective to cause extraordinary pain, from both disease and withdrawal symptoms. When that failed they came to my cell and said I need to go to the CTC [infirmary] because I'm so sick and totally disabled [...] Well, in an effort to "help me" and ensure my dire health needs are met, when I refused to go they extracted me. A very brutal act. They did not enter as I prepared for, but instead, with three types of "toys", an overwhelmingly suffocating gas, or like an impenetrable cloud or fog, filled my cell. Then they tossed in a type of gas bomb. Then hit me with a direct spray of another gas. On the verge of passing out I left the cell. Interestingly, all the taunting and provok-

[1] See: http://prisonerhungerstrikesolidarity.wordpress.com/

[2] "USA: Amnesty International calls for urgent reforms to California security housing units as prison hunger strike resumes" accessed at http://www.amnesty.org/en/library/asset/AMR51/085/2011/en/fb49a11e-6b06-47c5-8379-97051bab6247/amr510852011en.html

> ing challenges [by guards] abruptly ended when the video camera arrived.

"What happened to me," Landrum observes, "was wrong on so many levels."

In some prisons, hungerstrikers were also denied liquids. For instance, at Calipatria, during the second strike prisoners had been clear in all of their declarations that they were on a "solid food only strike", by which they meant that they were only refusing solid foods. Located at the southern end of California, Calipatria houses many prisoners awaiting transfer to Pelican Bay. Facing desert temperatures on the Mexican border, prisoners intended to continue accepting the liquid portion of their meals. Nevertheless, they were not only denied such liquids but the water in their cells was also turned off for hours at a time. Despite this, it looked like the Calipatria prisoners would continue the second strike even after the Pelican Bay representatives had struck a deal; at that point the warden announced that if they did so not only would they be refused their medications as well as liquids, but so would all other prisoners, including those who were not on hungerstrike. Faced with this threat, the Calipatria prisoners called off their strike.

This was not the only escalation during the second strike. Lawyers from California Prison Focus and Legal Services for Prisoners with Children, who had actively visited with hungerstrikers during the first strike, were now barred from entering prisons and threatened with investigation for "jeopardized the safety and security of CDCR" institutions.[3] In prisons across California, hungerstrikers were denied their right to visits or yard time. In an attempt to foster tensions in the general prison population, it was threatened that non-striking prisoners would also be locked down. In many prisons those suspected of being hungerstrike leaders were thrown into solitary. At Pelican Bay's SHU, where prisoners are already in solitary, hungerstrikers were removed to the Administrative Housing Unit where their isolation continued, only now with air conditioning

[3] Prisoner Hunger Strike Solidarity, "CDCR Threatens Crackdown of Prisoner Hunger Strike, Bans Lawyers: Mediation Team Appeals to Governor for Action," Press Release, September 30, 2011. Accessed at http://prisonerhungerstrikesolidarity.wordpress.com/cdcr-threatens-crackdown-of-prisoner-hunger-strike-bans-lawyers-mediation-team-appeals-to-governor-for-action-2/

left on at maximum 24-hours a day. As Chad Landrum, one of those moved to the ASU, explained: "It freezes 24 hours a day and you are entitled only to the linen on your bed, what's on your back, and a towel." The *New York Times* quoted one striker, Ronald Yandell: "It's like arctic air coming through, blowing at top speed. It's torture. They're trying to break us."

Such retaliation, along with the actual health effects of not eating, did take a toll, and in both the summer and the fall, the numbers on strike began to decline sharply after the first week. Nevertheless, in each case, hundreds of prisoners continued to refuse food for the full course of the action, and had no agreement been reached, several indicated that they were willing to die.

PELICAN BAY: THE EYE OF THE STORM

It surprised no one that the epicenter of this struggle was to be found at the extreme northern tip of California, at Pelican Bay prison's notorious Security Housing Unit. There should be no mistake: this is a torture unit, the site of an unabashed behavior modification program, all conducted under cover of containing "gangs".

Prisoners at the SHU live alone in 8'x10' cells. The lights are kept on 24 hours a day, and there is no natural sunlight. Unlike most prisons, no phone calls are allowed nor can prisoners have photos taken to send to their loved ones. Any visits that are approved must take place through a glass partition, and are restricted to 90 minutes and only on weekends. Allowed out of their cells for less than two hours a day, prisoners spend this time – alone – in what the prison refers to as the "exercise yard"; in reality simply a larger cell with grating on the ceiling. Needless to say, there is no exercise equipment provided. The only time SHU prisoners might see one another is at the law library, other than that life is spent in total isolation. Even shouting out to one another through the slot that is used to deliver food can be considered engaging in "gang communication", and may be used as a pretext to add years onto one's time in the SHU.

According to Craig Haney of the University of California Santa Cruz:

> there is not a single published study of solitary or supermax-like confinement in which nonvoluntary confinement lasting for longer than 10 days, where participants were unable to terminate their isolation at will, that failed to result in negative psychological effects. The damaging effects ranged in severity and included such clinically significant symptoms as hypertension, uncontrollable anger, hallucinations, emotional breakdowns, chronic depression, and suicidal thoughts and behavior.[4]

Haney's own research at Pelican Bay, published in 2003, found that

> virtually all of the isolated prisoners were plagued by nervousness and anxiety, by chronic lethargy, and a very high percentage (70%) felt themselves on the verge of an emotional breakdown. In addition, a very high number suffered from headaches and troubled sleep, and more than half were bothered by nightmares. Well over half of the supermax prisoners reported a constellation of symptoms - headaches, trembling, sweaty palms, and heart palpitations - that is commonly associated with hypertension.[5]

What's more

> Almost all of the supermax prisoners reported suffering from ruminations or intrusive thoughts, an oversensitivity to external stimuli, irrational anger and irritability, confused thought processes, difficulties with attention and often with memory, and a tendency to withdraw socially to become introspective and avoid social contact. An only slightly lower percentage of prisoners reported a constellation of symptoms that appeared to be related to developing mood or emotional disorders - concerns over emotional flatness or losing the ability to feel, swings in emotional responding, and feelings of depression or sadness that did not go away. Finally, sizable minorities of supermax prisoners reported symptoms that are typically only associated with more extreme forms of psychopathology - hallucinations, perceptual distortions, and thoughts of suicide.[6]

It is important to appreciate the fact that these torturous conditions are not the result of some accident, oversight, budgetary constraints or simple ignorance on the part of prison administrators. The conditions at Pelican Bay's SHU, and other isolation units across the United States, were carefully crafted with the goal of breaking prisoners' minds while withstanding any legal challenges. Isolation torture was scientifically developed in the postwar era, generally targeting small numbers, often po-

[4] Haney, Craig "Mental Health Issues in Long-Term Solitary and 'Supermax' Confinement," *Crime & Delinquency* 2003 49, p. 132.
[5] Haney, p. 133.
[6] Haney, p. 134.

litical prisoners. In Europe, the most (in)famous experiments in this vein occurred in Northern Ireland and West Germany. In the United States, scientific interest in using prisons to conduct such programmes was evident in the early sixties,[7] though the most obvious forerunners of today's SHUs were Marion prison and the Lexington High Security Unit in the 1980s. These conditions were then refined and replicated in a wave of control unit construction in the late 80s and early 90s. In the words of political prisoner Bill Dunne, this "inaugurated an age of escalating ruling class resort to this qualitatively higher level of repression aimed at more class-interest effective use of the prison system, the leading edge of the apparatus of social control."[8] (Dunne, serving an over-100-year long sentence for attempting to break a comrade out of prison, can attest to this personally: he was at Marion in the 80s, and is presently buried in a Communications Management Unit in Pollock, Louisiana.[9])

Today, control units like the SHU are an integral aspect of America's system of mass incarceration.

According to CDCR, the SHU holds "the worst of the worst", hardened gang leaders who would otherwise engage in violence against other prisoners. In fact, though, most prisoners in the SHU are there for administrative, not disciplinary reasons. Their "gang" label is not based on any behaviour, but on profiling and association. A typical example: in the 2009 court ruling *Lira vs. Cate*, it was found that former prisoner Ernesto Lira had spent years in the SHU because of a sketch he had allegedly drawn, an anonymous tip, and a report from a prison guard that was mis-transcribed. The court found that as a result of his time in the SHU, Lira now suffers from post-traumatic stress disorder and clinical depression, and that throughout his incarceration, despite his objections that he was not a gang-

[7] Dr. Mutulu Shakur, Anthony X. Bradshaw, Malik Dinguswa, Terry D. Long, Mark Cook, Adolfo Matos, James Haskins, "A Scientific Form of Genocide," in *Let Freedom Ring*, pp. 73-5.

[8] Dunne, Bill "Strings Attached in the Age of Authority," in *Let Freedom Ring*, p. 110.

[9] As of Sept. 2010, according to Denver ABC, his address is: Bill Dunne, #10916-086 USP POLLOCK U.S. PENITENTIARY P.O. BOX 2099 // POLLOCK, LA 71467

member, he was never provided with any meaningful review of his "validation".[10]

Other prisoners end up at the SHU as retaliation for lawsuits against CDCR, or for organizing with other prisoners, or for their political beliefs. As Sanyika Shakur, a New Afrikan Communist, and author of the bestselling book *Monster: The Autobiography of an L.A. Gang Member*, explained in a letter shortly before the first hungerstrike:

> The CDC cited writings i had from Comrade-Brotha George, exercising in military fashion with known revolutionaries & conducting joint military manoeuvres with other formations in the New Afrikan Independence Movement. i came up for an "inactive" review in 2008, but the political police said my name was found on a roster of known & active members of various formations in the cell of a New Afrikan on San Quentin's death row. For this & writing "Black August" in a letter, i was given an additional six years in the SHU, on an indeterminate status.[11]

The NCTT-COR-SHU prisoners' collective at Corcoran recently provided another example of such political profiling:

> a debriefer who was briefly in this individual's cell told I.G.I. [the Institutional Gang Investigator] the individual spoke of the merits of socialism, the history of political resistance to racism in America, and the validity of the socio-economic and political views of Frantz Fanon, Ho Chi Minh, and George Lester Jackson. The I.G.I. told the debriefer this was "B.G.F. [Black Guerilla Family] education", to which the debriefer quickly agreed, framed it in those terms, and parroted what his I.G.I. handler told him to. Now this same guy the debriefer was lying on wrote an article in *California Prison Focus* in 2003 critical of CDC, its use of validation on political + politicized prisoners and some leftist political ideas. They considered this "more than one source independently provid[ing] the same information" and part of the information provided by the source has already proven to be true. They of course gave him a "1030" for the article itself, 5 years old, at that same time for "providing BGF education" in a *California Prison Focus*. This expression of his political views and social criticism of CDCR's practice of arbitrarily targeting and punishing left wing political ideologues in prison, in violation of the 1st Amendment and California Code of

[10] *Lira v. Cate*, 2009 U.S. Dist. LEXIS 91292 (N.D. Cal. Sep. 30, 2009). See also Carbone, Charles "The Jailer Has No Clothes" *California Prison Focus* #34 pp 13-4 accessed at http://prisons.org/documents/CPF-34.pdf

[11] "Sanyika Shakur, August Third Collective, On July 1 Hunger Strike", see http://www.kersplebedeb.com/mystuff/july1/june_sanyikashakur.php

> Regulations Title 15 §3004, was sufficient to earn him an indefinite continuation in SHU.[12]

Many people end up in the SHU because of what an informant says about them. There is no trial, or chance to appeal. As prisoner representative George Franco has explained

> I been in on an indeterminate SHU since beginning of 1992. For conspiracy to commit harm to others safety. This info was given by informant(s). Every six yrs I could appear before a committee to see if I'm eligible for the six yrs. non-active so that I can be sent to a mainline but before this six yr. period an institutional gang investigator (IGI) with search property in cell and for some reason will always use something a picture, drawing, pattern, address plus some so called valid info to use to extend the six yr non-active period all over again. It's a cycle we all go through. If I choose to debrief: snitch-rat I would be let out to a mainline but that is not my belief. I would never have a person put in SHU. So like I said only option to get out of SHU is either snitch, die or parole.

Indeed, turning people into informants is the stated goal of confinement in the SHU. Snitching on other prisoners or associates on the outside is referred to as "debriefing", and for administrative SHU prisoners it is the only way back to general population.

These are the conditions against which the prisoners went on hungerstrike. While CDCR's agreements do not entail dismantling the SHU or an end to abusive use of anti-gang measures, these must be seen as the only longterm goals worth pursuing. By coming together in collective action as they did this year, the California prisoners have taken an important step in that direction.

While Pelican Bay's SHU is one of the most infamous control units, such facilities exist across the United States. Most state prison systems have one or more control units, referred to as "segregation units", "high security units", "special handling units" and a variety of other names. On the federal level, there are several Communications Management Units, housing mainly Muslim prisoners incarcerated during the so-called "War on Terror". Add to this the isolation wings and "holes" within prisons throughout the country, and it has been estimated that at

[12] NCTT-COR-SHU, "A Brief Discussion on the Reality and Impact of SHU Torture Units in the Wake of the August 23rd Legislative Hearings" accessed at http://www.kersplebedeb.com/mystuff/july1/sept_nctt.php

any one time over 100,000 prisoners are being held in some form of solitary confinement.

Not only are the numbers of people in isolation unprecedented, but so is the amount of time spent in such conditions. At Pelican Bay, where 1,111 people are in held in the SHU, less than 100 have been there for less than five years; 513 have spent more than a decade in isolation, 78 have spent twenty years or more. Long-term isolation is in fact a reality across the United States, one often directed specifically at political prisoners. Some examples: Herman Wallace and Albert Woodfox, along with Robert King, had organized the first prison chapter of the Black Panther Party, in 1971. They were subsequently framed for the murder of another prisoner, and have been held in solitary confinement ever since. Hugo Pinell was one of the San Quentin Six, charged with murder and conspiracy following the assassination of George Jackson by guards in 1971. Pinell was found guilty of assault, and has been held in solitary for the past forty years—since 1989 at Pelican Bay. Russell Maroon Shoatz was a soldier with the Black Liberation Army, and managed to escape from prison twice in the 1970s—he has been held in solitary confinement for over 21 years now, despite recommendations from the Pennsylvania Department of Corrections that he be released into general population.

These are just a few of the many political prisoners who are subjected to these conditions in the hopes of either coercing them to renounce their beliefs, or destroying them psychologically. Ralph Arons, the former warden at Marion in the 1980s, was blunt about this goal, testifying in court that, "The purpose of the Marion Control Unit is to control revolutionary attitudes in the prison and in society at large." At Lexington's High Security Unit at the same time, political prisoner Susan Rosenberg and POW Alejandrina Torres were each told by unit director Ogden that they would be released into general population only if they renounced their views.

Indeed, as the Committee to End to Marion Lockdown wrote in 1987:

> Although the government denies the existence of political prisoners in this country, it often reserves the harshest treatment for these very people. Control Units are designed to break every prisoner's spirit. In the case of political prisoners and prisoners of war, the

> Control Units are part of a calculated strategy to weaken these movements and to intimidate others from taking a stand.[13]

Bringing such pressure to bear on political prisoners is one part of the state's counterinsurgency strategy against the liberation movements. A corollary to this targeting of revolutionaries is the identification and targeting of those segments of the population that revolutionary movements have emerged from historically. In the United States, this means the internal colonies: Indigenous nations, Puerto Rico, Aztlan, New Afrika. If the first aspect counterinsurgency warfare took the form of COINTELPRO and political imprisonment, the second took the form of mass incarceration, as colonized communities found themselves newly criminalized, with millions of their members now slated to spend decades of their lives behind bars.

As Michelle Alexander concludes in her 2010 book *The New Jim Crow:*

> Saying mass incarceration is an abysmal failure makes sense, though, only if one assumes that the criminal justice system is designed to prevent and control crime. But if mass incarceration is understood as a system of social control— specifically, racial control —then the system is a fantastic success.[14]

Control units such as the Pelican Bay SHU are emblematic of both aspects of the state's relationship to oppressed communities and the liberation movements that have emerged from them. As such, in their struggle against isolation, the California hungerstrikers have underscored a connection between prisoners who may have different pasts, but whose futures promise to share much in common. They have struck a blow on behalf of all prisoners' rights, and indeed, on behalf of the rights of all of us who may some day end up in prison – and as Chad Landrum wrote shortly before the second hungerstrike

> Rights are relative, they are in a constant state of transformation and change, of perpetual transition. There are no such thing as rights, there are only power-struggles. The moment we cease to struggle, we cease our claim to rights. All who can be mobilized, stand up! Unite![15]

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[13] Committee to End the Marion Lockdown, "The People's Tribunal to Expose Control Units" Let Freedom Ring p. 95.
[14] The New Jim Crow, p. 225.
[15] Landrum, Chad "A Statement and Call for Mutual Support in Unity" September 23, 2011 accessed at

THE 5 CORE DEMANDS OF THE PELICAN BAY SHU HUNGER STRIKERS**

1. **End Group Punishment & Administrative Abuse—** This is in response to PBSP's application of "group punishment" as a means to address individual inmates rule violations. This includes the administration's abusive, pretextual use of "safety and concern" to justify what are unnecessary punitive acts. This policy has been applied in the context of justifying indefinite SHU status, and progressively restricting our programming and privileges.

2. Abolish the Debriefing Policy, and Modify Active/ Inactive Gang Status Criteria—

- Perceived gang membership is one of the leading reasons for placement in solitary confinement.
- The practice of "debriefing," or offering up information about fellow prisoners particularly regarding gang status, is often demanded in return for better food or release from the SHU. Debriefing puts the safety of prisoners and their families at risk, because they are then viewed as "snitches."
- The validation procedure used by the California Department of Corrections and Rehabilitation (CDCR) employs such criteria as tattoos, readings materials, and associations with other prisoners (which can amount to as little as greeting) to identify gang members.
- Many prisoners report that they are validated as gang members with evidence that is clearly false or using procedures that do not follow the Castillo v. Alameida settlement which restricted the use of photographs to prove association.

3. Comply with the US Commission on Safety and Abuse in America's Prisons 2006 Recommendations Regarding an End to Long-Term Solitary Confinement—

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http://www.kersplebedeb.com/mystuff/july1/sept_landrum.php

CDCR shall implement the findings and recommendations of the US commission on safety and abuse in America's prisons final 2006 report regarding CDCR SHU facilities as follows:

- End Conditions of Isolation (p. 14) Ensure that prisoners in SHU and Ad-Seg (Administrative Segregation) have regular meaningful contact and freedom from extreme physical deprivations that are known to cause lasting harm. (pp. 52-57)
- Make Segregation a Last Resort (p. 14). Create a more productive form of confinement in the areas of allowing inmates in SHU and Ad-Seg [Administrative Segregation] the opportunity to engage in meaningful self-help treatment, work, education, religious, and other productive activities relating to having a sense of being a part of the community.
- End Long-Term Solitary Confinement. Release inmates to general prison population who have been warehoused indefinitely in SHU for the last 10 to 40 years (and counting).
- Provide SHU Inmates Immediate Meaningful Access to: i) adequate natural sunlight ii) quality health care and treatment, including the mandate of transferring all PBSP- SHU inmates with chronic health care problems to the New Folsom Medical SHU facility.

4. Provide Adequate and Nutritious Food—
cease the practice of denying adequate food, and provide a wholesome nutritional meals including special diet meals, and allow inmates to purchase additional vitamin supplements.

- PBSP staff must cease their use of food as a tool to punish SHU inmates.
- Provide a sergeant/lieutenant to independently observe the serving of each meal, and ensure each tray has the complete issue of food on it.
- Feed the inmates whose job it is to serve SHU meals with meals that are separate from the pans of food sent from kitchen for SHU meals.

5. Expand and Provide Constructive Programming and Privileges for Indefinite SHU Status Inmates—

Examples include:

- Expand visiting regarding amount of time and adding one day per week.
- Allow one photo per year.
- Allow a weekly phone call.
- Allow Two (2) annual packages per year. A 30 lb. package based on "item" weight and not packaging and box weight.
- Expand canteen and package items allowed. Allow us to have the items in their original packaging [the cost for cosmetics, stationary, envelopes, should not count towards the max draw limit]
- More TV channels.
- Allow TV/Radio combinations, or TV and small battery operated radio
- Allow Hobby Craft Items – art paper, colored pens, small pieces of colored pencils, watercolors, chalk, etc.
- Allow sweat suits and watch caps.
- Allow wall calendars.
- Install pull-up/dip bars on SHU yards.
- Allow correspondence courses that require proctored exams.

****as signed by**

Todd Ashker	Arturo Castellanos
Sitawa N. Jamaa (s/n R.N. Dewberry)	George Franco
Antonio Guillen	Lewis Powell
Paul Redd	Alfred Sandoval
Danny Troxell	James Williamson
Ronnie Yandell	*...and all other similarly situated prisoners*

Date: April 3, 2011

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