

Moving forward with our fight to end solitary confinement

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by Todd Ashker

Greetings of solidarity and respect to all similarly situated members of the prison class unified in our struggle to end long term solitary confinement and win related long overdue reforms to the broken California prison torture system! As one of the four principle prisoner class representatives, I am presenting this further update on where things stand with our human rights movement from my perspective.

I personally believe the prisoncrats' efforts to turn the global support we have gained for our cause against us will fail. An example is CDCr (California Department of Corrections and rehabilitation) Secretary Beard's reliance on 20-40-year-old prison history, much of it taken out of context and/or telling only one – biased – side of the story, which was transparently weak, for the purpose of dehumanizing the prisoner class in response to our global exposure of CDCr's decades long, state sanctioned "policy" of torturing thousands of prisoners in SHU and Ad-Seg cells. [Security Housing Unit (SHU) and Administrative Segregation (Ad Seg) are forms of solitary confinement in California – ed.]

Such CDCr rhetoric indicates desperation – a very concerning desperation in the sense that it is demonstrative of CDCr's top administrators' intent to continue their culture of dehumanization, torture and other types of abusive policies and practices. See, for example, Corrections Secretary Jeffrey Beard's *Los Angeles Times* op ed of Aug. 6, 2013, "Hunger strike in California prisons is a gang power play.")

California prisoncrats have little to no credibility regarding most of their policies and practices in what is a failed, multi-billion dollar fraudulent system. Our global support remains strong and continues to grow, as we patiently continue to observe the progress of our evolving movement with an eye on planning additional ways to improve the effectiveness of our resistance, as necessary, to achieve victory. Here's where things presently stand, from my perspective:

Our key demands remain unresolved. The primary goal is abolishing indefinite SHU and Ad Seg confinement and related torturous conditions therein: The abolishment of the debriefing policy and meaningful individual accountability. (Note: CDCr's Security Threat Group-Step Down Program policy is NOT responsive to our demands for numerous reasons. See our prior statements rejecting said policy.)

Our class-action civil suit continues to proceed; the court recently allowed us to supplement our claims to include SHU conditions at the other three SHUs across the state in addition to Pelican Bay. And the trial date remains set for December 2015. The case is looking solid, with excellent support from 10 experts, and our outside supporters are ramping up their supportive actions to keep

the public's attention on our cause.

The legislative aspect is presently on hold to a large extent. I will add that legislators Tom Ammiano and Loni Hancock kept their word and held two joint Public Safety Committee hearings regarding our issues, in October 2013 and February 2014, and they each tried their best to get legislation passed, responsive to our five core demands.

Their courageous efforts were stymied by the CDCr and CCPOA (guards union), using their political influence over Gov. Brown and many lawmakers. All of them took active roles in squashing Ammiano's bill as well as repeatedly amending Hancock's bill to the point of it being of very little relevance to our five core demands, thereby resulting in withdrawal of much of our outside support and finally Hancock's withdrawal of the bill.

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Gov. Brown and the other lawmakers who opposed these two bills are thus exposed as CDCr prisoncrat collaborators. Their acts and failure to act regarding CDCr prisoncrats' indefinite SHU-solitary confinement policies and practices we helped expose to the world via our prisoner class collective's mass peaceful protest actions between 2011 and 2013 make them supportive enablers of torture. And they need to be constantly exposed as such.

Keep in mind that since we formed the PBSP Short Corridor Collective in early 2011 (now known as the Prisoner-class Human Rights Collective), we have made a lot of positive progress in a relatively short amount of time. And it's important to note that those who formed the collective are now in stronger positions, capable of being more effective now that many of the collective members have been transferred out of Pelican Bay State Prison (PBSP) to other prisons via CDCr's Step-Down Program, enabling them to more effectively promote our Agreement to End Race-Based Hostilities.

This is directly related to our overall strategy on prison reform – our primary goal being to end long term SHU and Ad Seg confinement. Our secondary goal is to bring an end to CDCr's abusive exploitation of the prisoner class, inclusive of our outside loved ones. That is related to CDCr's failure to adhere to the legislative mandate to prioritize public safety via the rank and file staff's "promotion of prisoner-on-prisoner violence" in order to justify the ongoing endless warehousing of tens of thousands of prisoners in the general population prisons across the state, especially in the Level 4 institutions.

Thereby, our goal is to limit the violence amongst the prisoner class and thus end the justification for indefinite massive warehousing. This forces prisoncrats to open up the general population prisons and use the billions of dollars budgeted annually for the purpose intended by the people: to promote public safety via programs beneficial to prisoners, our outside loved ones and society in general.

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This includes allowing lifers' to once again have conjugal visits with their loved ones on a regular basis, because maintaining close family ties is a well known, proven method of rehabilitation, including the reduction of violence in the prison environment.

And we are additionally hoping our example of effective collective unity for the benefit of all those

who are similarly situated behind these walls will be followed by the working class poor in the communities.

We are in a protracted struggle against a powerful entity that includes an element with a fascist police state mentality and related agenda. We are fighting to make major changes to the way prisoners and our outside loved ones are viewed by society and treated in the prison system – inclusive of more than 30 years of well entrenched cultural policies that exploitatively dehumanize the prisoner class in order to subject them to systematic, state sanctioned torturous treatment and brutal conditions that have been condemned by international treaty law.

We cannot allow this to continue. We have taken a stand against it, and we must continue to do our part, collectively, from behind these walls, to end such malignant practices.

The reason for our progress is our empowering collective unity inside and outside these walls, the unity amongst prisoners, our outside loved ones and other supporters. Our efforts have helped to expose horrendous, immoral treatment of tens of thousands of incarcerated men and women, nationwide for decades. And we gratefully acknowledge the world interest, support and outraged condemnation of the United States prison industrial complex' torture regime openly occurring in public institutions.

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I believe it's important for people outside who support our cause to be able to effectively counter the prisoncrats' propagandist, dehumanizing rhetoric, as well as their ability to educate the public in general as to what's really going on in this system – the current CDCr annual budget is more than \$12 billion – and it is for this purpose that I include the below points.

1) Prisoncrats' claim that "CDCr does not confine any prisoners in solitary confinement; nor do we torture prisoners." These self-serving claims are demonstrably false.

Prisoncrats – the "civil servants" within the prison industrial complex, which is related to the military and homeland security complex, all being utilized in the class war on the working class poor – have been utilizing coercive brainwashing and torture techniques to exploit, manipulate and control prisoners and the related working class poor in the communities since the early 1960s. These techniques are modeled on those created by the Russians and used on American POWs by the Chinese during the Korean War (1950-1953).

Such techniques were subsequently studied – per CIA and military directives – by psychologists, psychiatrists and social scientists, resulting in two influential texts published in 1961: "The Manipulation of Human Behavior" and "The Power to Change Behavior." The latter "became a theoretical and practical foundation for the behavior modification programs that shaped U.S. domestic prison policy in the 1960s and '70s. Both publications were heavily indebted to the literature on 'Communist' thought reform and sensory deprivation and both yielded specific techniques for the production of social death, both within the United States and beyond," according to an excellent book on the history of solitary confinement in the U.S. called "Solitary Confinement: Social Death and its Afterlives" by Lisa Guenther, 2013.

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Further support is the 1961 symposium, “The Power to Change Behavior,” convened in Washington D.C., by the Bureau of Prisons (BOP). It brought together prison wardens and behavioral scientists – including Edgar Schein, an important researcher on Chinese Communist thought reform to consider how prisoners could be “treated” with behavior modification therapy.

“Edgar Schein’s contribution to the symposium, ‘Man Against Man: Brainwashing,’ draws on his 1953 research (published in 1956) on Communist brainwashing techniques to reflect on how these techniques might be used to reform U.S. domestic prisoners. Schein was a professor at the MIT Sloan School of Management (then the School of Industrial Management). After publication of his 1971 book, ‘Coercive Interrogation,’ he went on to have a highly successful career in corporate and organizational psychology” (Guenther, “Solitary Confinement,” pages 84-87).

At the symposium, “Schein put forward a set of ‘practical recommendations,’ throwing ethics and morals out the window. They include: physical removal of prisoners to areas sufficiently isolated to break or seriously weaken close emotional ties; segregation of all natural leaders; spying on prisoners, reporting back private material; exploitation of opportunists and informers; convincing prisoners they can trust no one; systematic withholding of mail; building a group conviction among prisoners that they have been abandoned by or are totally isolated from their social order; using techniques of character invalidation, i.e., humiliation, revilement and shouting to induce feelings of fear, guilt and suggestibility; coupled with sleeplessness, an exacting prison regimen and periodic interrogational interviews” (Nancy Kershan, “Out of Control: A Fifteen Year Battle Against Control Unit Prisons,” page 12-13).

Of course, these brainwashing techniques have been refined and perfected over the course of the past 60 years, such as techniques the British have used on Irish Republicans and similar tactics refined by the West German government to try and destroy the Red Army Faction, who were fighting the imperialism in their country, related to a large extent to West German government leaders adhering to the dictates of the U.S. government. And these are the techniques applied to prisoners confined in this country’s “control unit” prisons, as summarized with reference to specific examples in my Dec. 30, 2014, article “The way forward to end solitary confinement torture: Where’s the army?” posted on the *San Francisco Bay View* website on Jan. 25, 2015 [<http://sfbayview.com/2015/01/the-way-forward-to-end-solitary-confinement-torture-wheres-the-army/>].

Indeed, the control unit prison environment and effects thereof on the “living beingness” of those subjected to it are much more damaging than most people can imagine. Of course, one who studied the subject, obtaining a doctorate degree in the related fields of psychology and psychiatry, would be well versed in these effects, as I’m sure CDCr Secretary Beard is.

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Examples of this are taken from Lisa Guenther’s book, “Solitary Confinement,” shared below in rebuttal to CDCr’s claims:

“We don’t operate solitary confinement – nor do we subject prisoners to sensory deprivation or torturous conditions in our SHU and Ad Seg Units.” This and the following quotes are taken from Beard’s *LA Times* op ed of Aug. 6, 2013, in which he states that “all SHU cells have outside facing windows” and “At Pelican Bay, all cells have skylights.” These are boldfaced lies.

“Inmates have TVs and radios.” This is true only if you can afford to purchase your own, and many can’t.

“They have weekly access to a law library.” This is a boldfaced lie. You might get access once a month.

“They have daily exercise time.” In Pelican Bay SHU, you may go to “yard” for one and a half hours per day, depending on circumstances from day to day. The “yard” is akin to a concrete cell, absent a toilet and water unit. You’re on camera, by yourself, unless you’re one of the few who have a cellmate.

“Many have cell-mates.” Very few have cellmates.

“They can earn degrees.” There are only a few openings, and one must pay for the required books; most prisoners can’t afford it.

“They send and receive letters.” Mail is one of the things IGI and other staff withhold and play games with.

“Their family and friends visit them every weekend.” Due to the isolated location of Pelican Bay, most prisoners never receive a visit.

“This is not ‘solitary confinement,’ in that prisoners can have visitors and, in many cases, interaction with other inmates.”

As described in my Dec. 30, 2014, article referenced above, the control unit environment is designed for the purpose of enabling prisonrats to maximize their ability to dehumanize and psychologically exploit prisoners in order to coerce them into becoming informants for the state. One tactic is to place a prisoner of one race in a pod – a pod consists of eight cells – totally isolated from his social group. This can and does go on for years.

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From Guenther’s “Solitary Confinement” (2013): “What is it like to be confined in a supermax unit? A typical cell ranges in size from 6 feet by 8 feet to 8 feet by 12 feet; it is part of a ‘pod’ of eight to 10 cells arranged into two tiers. Cells are usually painted white or pale grey to reduce visual stimulus. Furnishings consist of a bed, table and seat, a toilet and sink – all bolted in place. [In California’s SHUs, all are concrete and steel].

“The door is constructed of perforated stainless steel resembling a dense wire mesh that obstructs the prisoner’s view to the outside while allowing some natural light to filter through along with the sounds and smells of adjoining cells, or even the pepper spray used on prisoners during cell extractions.

“There is a slot in the door, called a cuff port, tray port, meal port or pie flap, through which food trays are exchanged and the prisoner’s hands cuffed or uncuffed for removal from the cell. There are either no windows at all or just a small, high window that lets in light but does not afford any

view of the outside. Surveillance via listening devices and cameras is constant.

“Prisoners are confined in solitude for 22 to 23.5 hours a day, with the remaining time spent – again, in solitude – in an outdoor exercise yard, surrounded by concrete or tightly woven security mesh walls that offer little or no view of the outside and only a small glimpse of the sky. These yards are often called ‘dog pens’ or ‘dog runs’ because of their resemblance to an outdoor kennel. Remotely operated doors allow prison staff to release prisoners from their cells for showers or exercise without coming into contact with them. Depending on the prisoner’s level of good behavior, they may be given access to books, radio, television ...

“A prisoner in a Control Unit can for years, even decades, go without experiencing any form of touch beyond the chaining and unchaining of wrists through the cuff port in the door. ... Officers are entitled to perform strip searches ... Often, these searches are conducted as a matter of routine. ...

“What would it be like to have one’s bodily contact with others reduced to the fastening and unfastening of restraints, punctuated with the most intimate probing of the surface and depths of one’s body? Not to be able to speak to anyone except through intercom or by yelling through a slot in the door? To be kept in solitude and yet exposed to constant surveillance and to the echoing noise of other prisoners? What would it be like to be prevented from having a concrete experience of open, unrestricted space? Not to see the sky or the horizon for days, weeks or even years on end?

“A prisoner in a Control Unit can for years, even decades, go without experiencing any form of touch beyond the chaining and unchaining of wrists through the cuff port in the door.”

“It is impossible to imagine. ... Prisoners in solitary confinement are, by definition, excluded from the looping effects of social interaction; they are isolated in their cells, with no one to see or to look back at them, no one to touch or to receive their touch. And yet, precisely by virtue of their forced isolation, prisoners’ situation is mediated by countless others: the guards who keep them, feed them and monitor their activities; the wardens who oversee the guards; the prison review board that continues their isolation every 90 days [In California, it’s 180 days.]; ... and us, the public who tolerate their ongoing isolation, even (or especially) if we are not even aware of it.

“Supermax prisoners are unperceived and unimaginable ‘others,’ but they are our others, and a society that practices long-term, wide-scale solitary confinement cannot help but be shaped by our (non)relation to those who have been ‘disappeared’ but who remain among us, and sometimes return to haunt us.

“Many prisoners speak of their experience in supermax prison as a form of living death. On the one hand, their bodies still live and breathe, eat and defecate, wake and sleep (often with difficulty). On the other hand, a meaningful sense of living embodiment has for the most part drained out of their lives; they’ve become unhinged from the world, confined to a space in which all they can do is turn around or pace back and forth, blocked from an open-ended perception of the world as a space of mutual belonging and interaction with others ...

“[P]rolonged solitary confinement amounts to a production of something like schizophrenia in the prisoner (Merleau-Ponty, 2002, page 335). I argue that supermax confinement is not a solution to the problem of finding a place to keep ‘the worst of the worst’ from harming others. It is – among other things – a technology for producing what one could call mental illness, if ‘mental’ were not too narrow a term to express the complex intertwining of body, mind and world that I have

undertaken to describe.

“Many prisoners speak of their experience in supermax prison as a form of living death.”

“Prolonged solitary confinement in a control prison threatens to exhaust the otherwise inexhaustible horizons of perceptual experience by blocking prisoners’ concrete experience of depth in its spatial affective and social dimensions. It leaves prisoners feeling like their lives have been drained of meaning, like they are dead within life, no longer of space but merely in it” (Guenther, pages 161-194).

2) Related to the above, is my response to those who question the position that we are in a class war, inclusive of policies and practices referenced herein, I will add my viewpoint of personally seeing our struggle for human rights and dignity in these prisons as being directly related to the war being waged against the working class poor in this nation – going on for far too long now. And that’s the point I’ve intended when various media reporters have taken my words out of context.

The imperialistic, fascist police state elitists’ abusive exploitation of the working class poor is out of control, and the only way for people to bring about meaningful change is to come together collectively. This includes the prisoner class, which is a microcosm of the working class poor, with most prisoners being casualties of the class war.

Related to this class war is CDCr prisoncrats’ intentional, systematic, state sanctioned torture regime for the diabolical purpose of breaking prisoners, using coercive sensory deprivation and other brainwashing techniques. One only needs pay attention to the consistent use of methods designed to dehumanize the prisoner class, especially those in SHU, and thereby psychologically indoctrinate those in control of said prisoners with a mental image of the subhuman “other,” thereby ensuring a continuation of the culture of malignant abuse.

This position regarding intentionality of CDCr prisoncrats’ continual dehumanization of the prisoner class is supported by more than 100 years of scientific study and experimentation, as exemplified in the various books covering the subject. As you read the following excerpts, remember – CDCr Secretary Beard holds at least one doctorate degree in psychology.

Part 2

From Stanford Professor Phillip Zimbardo’s book, “*The Lucifer Effect: Understanding How Good People Turn Evil*,” at page 307, “Dehumanization and Moral Disengagement”:

[art: “Pelican Bay State Prison: Torture, Oppression, DRB vs. The Silent Voices” – Art: Michael D. Russell, C-90473]

“Dehumanization is the central construct in our understanding of ‘man’s inhumanity to man.’ Dehumanization occurs whenever some human beings consider other human beings to be excluded from the moral order of being a human person. The objects of this psychological process lose their human status in the eyes of their dehumanizers. By identifying certain individuals or groups as being outside the sphere of humanity, dehumanizing agents suspend the morality that might typically govern reasoned actions toward their fellows.

“Dehumanization is a central process in prejudice, racism and discrimination. Dehumanization stigmatizes others, attributing to them a ‘spoiled identity.’ Under such conditions, it becomes

possible for moral, morally upright and even idealistic people to perform acts of destructive cruelty. Not responding to the human qualities of other persons automatically facilitates inhumane actions. The golden rule becomes truncated: 'Do unto others as you would.' It is easier to be callous or rude toward dehumanized 'objects,' to ignore their demands and pleas, to use them for your own purposes, even to destroy them if they are irritating."

At pages 311-312, "In '*Faces of the Enemy*,' Sam Keen shows how archetypes of the enemy are created by visual propaganda that most nations use against those judged to be dangerous 'them,' 'outsiders,' 'enemies.' ... Such propaganda has been widely practiced on a worldwide scale ... In creating a new evil enemy in the minds of good members of righteous tribes, 'the enemy' is: aggressor, faceless, rapist, godless, barbarian, greedy, criminal, torturer, murderer, an abstraction, or a dehumanized animal."

Taking the above into context, those people who pay attention will recognize the correlative relevance to what I've been pointing out: The fascist-elitists in power positions in this country have been waging an all-out, ever expanding war upon the working class poor – inclusive of the prisoner class. Support is self-evident when we consider the constant bombardment of propagandist war-monger rhetoric that the masses are subject to 24/7, via the government controlled mainstream media. Examples are "The War on Crime," "The War on Drugs," "The War on Gangs," "The War on the Worst of the Worst."

"Dehumanization is the central construct in our understanding of 'man's inhumanity to man.' Dehumanization is a central process in prejudice, racism and discrimination."

Those in power have been using this fear mongering, dehumanizing propagandist tactic in response to our societal social problems, keeping the people in a never ending war AGAINST EACH OTHER, while being constantly exploited by those in power in countless other ways. And the underlying root causes of our major societal problems remain unresolved – No. 1 of which is the growing unequal distribution of wealth. As Einstein so eloquently stated, "We can't solve problems by using the same kind of thinking we used when we created them."

I will add, it's important to note that California prisoners' and our outside loved ones' treatment and conditions under the malignantly manipulative leadership of CDCr Secretary Beard have not gotten better. They have actually gotten worse when one examines the new police state-type regulations implemented over the course of the past three years. For example:

- a) "The Security Threat Group Step Down Program" policy, which will ultimately enable prisoncrats to greatly expand upon the numbers of prisoners entombed indefinitely in SHU cells;
- b) The expansion of the so-called "obscenity" policy, which criminalizes any and all prisoner – and public – writings critical of prisoncrats' dehumanizing abuse of power; and
- c) The mandated drug testing of all prisoners, together with subjecting all visitors to invasive searches and drug sniffing dogs, based on Beard's crusade to rid prisons of drugs.

Beard's pretextual support for this is his underlings' fraudulent manipulation of "random" voluntary prisoner drug tests that allegedly demonstrated more than 25 percent of the population was on dope!? Most of the "dirty tests" were from people on their medically prescribed meds.

The above examples are textbook tactics, historically employed by fascists. These types of tactics

are always initiated against the marginalized, disenfranchised segments of a society, and incrementally expanded to include the rest of a society. Under Beard's watch, the system will continue to be a multi-billion dollar failure.

The deeply rooted culture of abuse will continue as long as leadership utilizes old policies and practices, expanding on them in spite of such being proven failures and violations of human rights. CDCr's exploitative dehumanization of the prisoner class must end.

As summarized from the above excerpts taken from Professor Zimbardo's book, such dehumanization is for the sole purpose of perpetuating the cultural climate of endless abuse of prisoners and our outside loved ones. Such is contrary to the principles of a society which promotes evolving standards of decency.

The deeply rooted culture of abuse will continue as long as leadership utilizes old policies and practices, expanding on them in spite of such being proven failures and violations of human rights. CDCr's exploitative dehumanization of the prisoner class must end.

It's disturbing Gov. Brown would appoint a malignant psycho-doctor like Beard to run an already twisted prison system. Secretary Beard is an opportunistic, career corrections administrator – a malignant torturer of prisoners – with a doctorate degree in various types of psychology. Prior to his appointment as CDCr's secretary, he spent more than 30 years in the Pennsylvania prison system, retiring as the director of that system.

He was subsequently hired as an expert witness by lawyers representing California prisoners in the class action case, Coleman-Plata regarding mental and medical care violations, and he testified before the federal court in 2010 and 2011, declaring the systemic problems re mental health care violations in the California system had not been fixed, only to flip-flop on his position a few months later after Gov. Brown made a deal to hire him to run the California system, with an annual salary of nearly \$300,000. That's in addition to his large pension from Pennsylvania.

Once he became CDCr's secretary, Beard submitted a declaration on behalf of the state, claiming the problems regarding mental health care had been fixed. He did this at a time when CDCr prisoncrats were regularly subjecting mentally ill prisoners to gallons of pepper spray, prior to brutally beating them, resulting in at least one prisoner's death, which prisoncrats attempted to cover up. No big deal in a system operating with a long standing culture of dehumanizing prisoners, placing them on sub-human status with the support and enablement of lawmakers.

Also notable under Beard's watch in Pennsylvania, the system instituted its own brand of additional, torturous sensory deprivation, via the creation of a unit for the "worst of the worst." In this unit, prisoners are in solitary confinement cells, deprived of virtually all reading material, including newspapers and magazines. Apparently, the only reading material allowed is a fictional book once in a while, no personal photographs etc., a draconian policy upheld by the U.S. Supreme Court in *Beard v. Banks*, 548 U.S. 52 126 S.Ct. 2527 (2006).

Notable under Beard's watch in Pennsylvania, the system instituted its own brand of additional, torturous sensory deprivation, via the creation of a unit for the "worst of the worst."

With the above points in mind, it is no surprise to see the fascist policies of malignant oppression occurring under Beard's watch in California. This is the purpose for which he was appointed by Gov. Brown – without opposition from California prisoncrats and the CCPOA guards' union. They

allowed appointment of this outsider without a peep.

3) In response to those who pose the question, “Why should we care about what’s going on in prisons?” there are many reasons for people to care, including their civic responsibility as citizens to be conscious of what their elected representatives are doing in their name. Here are a few more examples of why it’s in the peoples’ best interests to care and, in caring, hold those they allow to be in power accountable:

a) We, as a people, do not condone the torture or other cruel, inhuman or degrading treatment or punishment of our fellow human beings under any circumstances. Such practices are not in keeping with our nation’s international public stance of being a protector of human rights, nor is it in keeping with our society’s evolving standards of decency.

Our nation’s prisons are intended for the purpose of punishing convicted offenders humanely. Our U.S. Constitution’s Eighth Amendment prohibits cruel and unusual punishments. We know that most of our imprisoned people will be released one day and it’s contrary to society’s interests to have people returning to society much worse than when they went in, especially not after being subjected to years of exploitative, dehumanizing techniques, inclusive of the worst types of physical and psychological torture that most people will never be able to imagine.

It’s no secret our nation incarcerates more people than any other nation on the planet – not surprising when we consider the fact that those in power have exploited the masses, the working class poor, via promotion of an endless state of war upon each other – War on Crime, War on Drugs, War on Gangs, War on the People. It’s also no secret that our nation subjects between 25,000 and 80,000 to a type of intentional sensory deprived solitary confinement as an ultimate control mechanism, designed for the purpose of completely severing those relegated to worst of the worst, sub-human status from their own sense of “living beingness.”

It’s no secret our nation incarcerates more people than any other nation on the planet.

In the California system, tens of thousands of prisoners have been subjected to an indefinite type of dehumanizing sensory deprivation in SHU and AdSeg cells. Many have been subjected to this endless form of state sanctioned torture for decades. And thousands of California prisoners have collectively participated in three massive peaceful protests, 2011-2013, thereby exposing this fact to the world.

Such practices are immoral and illegal. According to “Restatement of the Law Third, the Foreign Relations Law of the United States,” “a state violates international law if, as a matter of policy, it practices, encourages or condones ... (d) torture or other cruel, inhuman, or degrading treatment or punishment, or ... (g) a consistent pattern of gross violations of internationally recognized human rights.”

According to the Inter-American Court of Human Rights, “Prolonged isolation and coercive solitary confinement are, in themselves, cruel and inhuman treatments, damaging to the person’s psychic and moral integrity and the right to respect of the dignity inherent to the human person” (*Velasquez v. Rodriguez* case, InterAm. Ct. H.R.(ser.C) No. 4, at page 156 (1988)).

The United States is a party to the Convention Against Torture and Other Cruel Inhumane or Degrading Treatment or Punishment (CAT). The CAT was ratified by the U.S. in 1990. The CAT defines torture as:

“An act by which pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as ... punishing him for an act he or a third person committed or is suspected of having committed or intimidating or coercing him or a third person ... when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.”

There is no question of California’s intentional violation of international treaty law via their policy and practice of subjecting prisoners to decades of indefinite solitary confinement, one purpose of which is to break the prisoner via brainwashing torture techniques, so the prisoner agrees to become an informant for the state – the worst sort of coercion.

The conditions and effects thereof on the person are summarized above. One additional point of support that such dehumanizing treatment and related conditions cause severe pain to those prisoners and their outside loved ones mercilessly subjected to such is the studies conducted by Matthew D. Lieberman, a Harvard trained professor in the Departments of Psychology, Psychiatry and Behavioral Sciences at UCLA. In his book, “*Social: Why Our Brains Are Wired to Connect*,” Lieberman relies on MRI brain studies and related experiments to support the position that we respond to social pain and pleasure in the same way we respond to physical pain and pleasure. And social pain may hurt more than physical pain.

There is no question of California’s intentional violation of international treaty law via their policy and practice of subjecting prisoners to decades of indefinite solitary confinement.

“When asked what the most painful experiences in our lives have been, most of us do not recount an injury or a broken bone; we describe the death of a loved one or the end of a marriage or a relationship.” The studies also demonstrate that empathized pain is real too. This supports what people have known for a long time: Social isolation causes people to experience extreme pain. This includes the experience of our loved ones and people of conscience who know of and thereby feel our suffering.

Another note from the U.N. General Assembly, July 28, 2008 [A/63/175], 63rd Session, Item 67(a) of the provisional agenda:

“IV. Solitary Confinement [Paragraphs 77-85, pages 17-20]

“When the element of psychological pressure is used on purpose as part of isolation regimes, such practices become coercive and can amount to torture. ...

[At page 24] “Research indicates that small group isolation in some circumstances may have similar effects to solitary confinement and such regimes should not be considered an appropriate alternative.”

And then there’s the following from the introduction to the United Nations Committee Against Torture’s “Convention Against Torture: Periodic Report of the United States of America”:

“2. The absolute prohibition of torture is of fundamental importance to the United States. As President Obama stated in his address to the nation on national security, delivered at the National Archives on May 21, 2009:

“I can stand here today, as president of the United States, and say without exception or equivocation that we do not torture, and that we will vigorously protect our people while forging a strong and durable framework that allows us to fight terrorism while abiding by the rule of law. Most recently, in his May 23, 2013, speech at the National Defense University, the president reiterated that the United States has ‘unequivocally banned torture.’”

Finally, let’s not forget the revelations in late December 2014 regarding disclosure of the Dec. 9, 2014, release of the redacted portion of the Senate Intelligence Committee’s finding the CIA tortured countless detainees – per directives from Bush, Cheney et al. President Obama’s response declared that past practices were “brutal and, as I’ve said before, constituted torture in my mind. And that’s not who we are.”

The above points, when considered in the context of this nation’s blatant, ongoing violations of treaty law regarding exploitive torture of tens of thousands of prisoners subject to long term solitary, sensory deprived conditions of confinement, begs the question: Why? Why are you, the people, allowing these decades-old policies and practices of dehumanizing treatment and torture to continue to be carried out upon your fellow people – the casualties of the class war?

b) The fact that CDCr’s current annual budget for this fiscal year is more than \$12 billion, while most other social programs are suffering from the past years of continual deep cuts, and the present push to substantially increase college tuition should be cause for the people to care.

This is \$12 billion going to a corrupt state agency whose policies and practices are a 100 percent failure. We’re talking about a state agency funded by billions of taxpayer dollars each year, a state agency subject to a legislative mandate to prioritize public safety that has for decades done the opposite via a philosophy and culture of exploitive dehumanization of the prisoner class for the purposes of the expansion and related profit of the prison industrial complex – the related factor being the fascist, police state-type psychosocial war on the working class poor and related mass incarceration, including the expansion of the control-unit prison, as one means of keeping the masses in check.

The CDCr system is an ongoing, multi-billion-dollar fraud on the taxpayers; this fraudulent scheme includes involvement of most of our state lawmakers, who receive their share of kickbacks from various prisoncrats, including the CCPOA, the guards’ union.

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People should care because there are more than 7 million children going without enough to eat every day. People should care because we’re treating our fellow human beings worse than our poultry and other animals. This is what our elected officials are doing to SHU prisoners, in the people’s name.

c) People should care because, historically, fascist police state regimes occur incrementally, via the initial oppression of the marginalized and disenfranchised members of society. Usually such oppressive action is taken based on the government’s claim that such is necessary “to protect the people’s freedoms.”

The fact that there is an element with an expanding police state agenda in this nation is not a secret, and an excellent book pointing to specific examples of this, with reference to similar historical events resulting in fascist regimes, is Naomi Wolf’s “*The End of America: A Letter of Warning to a*

Young Patriot.”

In typical fashion, these police state tactics are being borne out by CDCr’s dehumanizing police state practices of torture and other malignant oppression, presently being expanded upon to further oppress the working class poor people in the communities.

A current prime example of this is the San Diego District Attorney’s Office’s recent use of a clause in Proposition 21, passed in 2000, which states that anyone who benefits from gang activity can be charged with conspiracy. This is being applied to anyone who’s entered into the “California Gang Database,” created per Prop 21.

People are entered into the database based on meeting two or more criteria that for the most part are based on the subjective view of the officer who enters one into the database, no questions asked. The gang conspiracy charge is being applied to everyone who is affiliated anytime any one of the other affiliates commits a gang related crime.

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Those familiar with CDCr’s alleged “gang management” policies will note the correlation between the Prop 21 provisions and CDCr’s policy of using three or more items to validate a prisoner as a gang affiliate and thereby, on the basis of said classification alone, place him or her in SHU indefinitely. We remain until we parole, die, go insane or debrief – become an informant for the state.

Keep in mind the additional, more recent policies of oppression implemented under Beard’s watch, referenced above. I urge people to pay close attention to what is going on in San Diego because, if successful, such tactics will be used statewide, with the result that anyone with a sliver of association with someone in the gang database can be arrested and charged with conspiracy.

People should care because the CDCr tactics referenced in this document will, in time, all be implemented in our communities, if people continue to sit back and fail to hold lawmakers accountable.

What people can do

Resist! Using peaceful action, fight for what’s right via coordinated, collective efforts – inside and outside these walls.

In early 2011, our collective drew the line and said, “Enough!” We, the prisoner class, will no longer complacently accept being dehumanized, subject to the social death and related endless torture many of us have been forced to endure in this tomb of non-living death for three or more decades with no end in sight.

Prior to our peaceful actions beginning in 2011, the prisoner class being exploited and abused in these long-term SHU units were all but forgotten. We were the faceless, nameless, socially dead subhuman “worst of the worst,” per prisoncrat propaganda, and we set out to take back our living human beingness and force major changes to the system, via our united, collective, peaceful actions.

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Our intent is to educate and expose our decades of torturous treatment in these publically funded dungeons, the nature of which is the ongoing, multi-billion-dollar fraud on the taxpayer – on the people – to the world. And to date we’ve had some success, with more to accomplish.

In 2011, we said, “Enough!” and meant it. We are not going to accept anything less than the complete end to long-term SHU and AdSeg confinement, as well as the humane treatment and dignity that all living beings are entitled to. In the prison context, this requires an end to the CDCr culture wherein the prisoncrats have systematically dehumanized the prisoner class with impunity.

By prisoner class, I’m referring to prisoners and our outside loved ones. And we remain committed to our cause, no matter how long it takes or what sacrifices are required. And, crucially, we remain united in our collective struggle toward bringing the long overdue reforms to this broken, fraudulent, publically funded state institution – with the help of the people.

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The above is my perspective on our struggle, and here are a few quotes I try to keep in mind as we move forward. They’re from Howard Zinn’s *“The Zinn Reader.”*

At page 418: “The novelist Aldous Huxley once said: ‘Liberties are not given; they are taken.’ We are not given our liberties by the Bill of Rights, certainly not by the government, which either violates or ignores those rights. We take our rights, as thinking, acting citizens.”

At page 407: “It is never to be expected in a revolution that everyone will change their opinion at the same moment. There never yet was any truth or principle so irresistibly obvious that all people believed it at once. Time and reason must cooperate with each other to the final establishment of any principle; and therefore those who may happen to be first convinced have no right to persecute others on whom conviction operates more slowly. The moral principle of revolutions is to instruct, not destroy.” This quote is from Thomas Paine’s *“Rights of Man, Common Sense and other Political Writings.”* Paine was a leader in the American Revolution.

From *“Zinn Reader”* at page 632: “Action is preferably organized, thought out action, but there should be room for whatever kinds of action any individual or group feels moved to undertake ...

“We never know exactly the depth or the shallowness of the resistance to our actions – until we act. We never know exactly what effect we will have. Our actions may lead to nothing except changing ourselves, and that is something. They may have a tiny cumulative effect, along with a thousand other actions. They may also explode. We should not be preoccupied with prediction or with measuring immediate success but rather should take the risk of acting.

“We are not totally free, but our strength will be maximized if we act as if we are free. We are not passive observers, students, theorizers; our very thoughts, our statements, our speeches, our essays throw a weight into the balance which cannot be assessed until we act.” Action based on conscience. Action based on one’s civic duty as a “free” citizen to hold those in power accountable.

With all of the above in mind, I hope people will consider the following points

i) From the outset, we reject all intentions of prisoncrats and collaborating stooges of those operating with a fascist, police-state agenda of oppression to dehumanize our just cause, accusing us of being “worst of the worst,” making a power play to “regain control of the system,” or other labels used by the enemies of the working class poor. Our struggle adheres to the principles of the Constitution and International Treaty Law and is inspired by all oppressed people’s demand for human rights, dignity, respect, justice and equality – the demand to be treated as living beings.

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ii) Our outside supporters have all of our gratitude; their tireless efforts supportive of our cause make a gigantic positive difference. They have recently begun monthly supportive actions across the state, publicly rallying on the 23rd of each month for the purpose of keeping the subject of our endless torture in public view, and thereby exposed to the world. The 23rd of each month is symbolic of our 23-plus hours per day in these tombs of the living dead and it is hoped such rallies will spread across the nation.

iii) The people need to step up and hold their elected officials accountable. Our endless torture in these tombs is directly related to the power elite’s war of oppression and exploitation on the working class poor; we are casualties of this war. The people have the power. Power is worthless when it’s not utilized. The lawmakers in this state need to be constantly exposed as supporters and enablers of torture.

iv) I personally am no longer participating in CDCr’s Step Down Program. At this point I believe we’ve sufficient examples of such program being the sham we said it would turn out to be when we rejected CDCr’s STG-SDP pilot program proposal back when they first rolled it out in March 2012. We rejected it 100 percent back then and have never wavered from this position.

At this stage, I personally believe it’s a mistake for mass participation in the Step Down Program, especially for those doing life and/or long terms, because it’s a b.s. policy and ongoing mass participation is only helping provide prisoncrats with validation for such policy. As we’ve said many times before, if you’re not doing a “determinate” SHU term, you shouldn’t be in SHU, period.

Why should you have to eat shit – which is what’s being shoveled out in Tehachapi and Corcoran – to “earn your way out of SHU” when you shouldn’t have been in SHU in the first-place? I’m not going to do it, and I refer people to the open memo I’d put out to Secretary Beard et al, dated Sept. 1, 2014, regarding the way in which their policy, as structured, is open for failure. CDCr never responded.

v) And I encourage other people to put their heads together and see what types of further peaceful, non-compliant, non-cooperative, resistive means of achieving our goals they can come up with. One thing I’d like to see our outside supporters add to their agenda is a program targeting the CDCr rank and file’s culture of dehumanization of the prisoner class.

We’ve already demonstrated the power we have when united and collectively fighting for the benefit of all who are similarly situated, it’s time for CDCr to see and respect us as human beings and end long-term SHU. It will be a start towards meaningful reform of the entire system.

Onward In struggle and solidarity,

Todd Ashker

Send our brother some love and light:

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This essay is also downloadable as a PDF here:

<https://toddashker.files.wordpress.com/2015/05/moving-forward-with-our-fight-to-end-solitary.pdf>

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