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Torture in U.S. Prisons

Evidence of U.S. Human Rights Violations



American Friends Service Committee

New York Metropolitan Region

Criminal Justice Program

972 Broad Street, 6th Floor

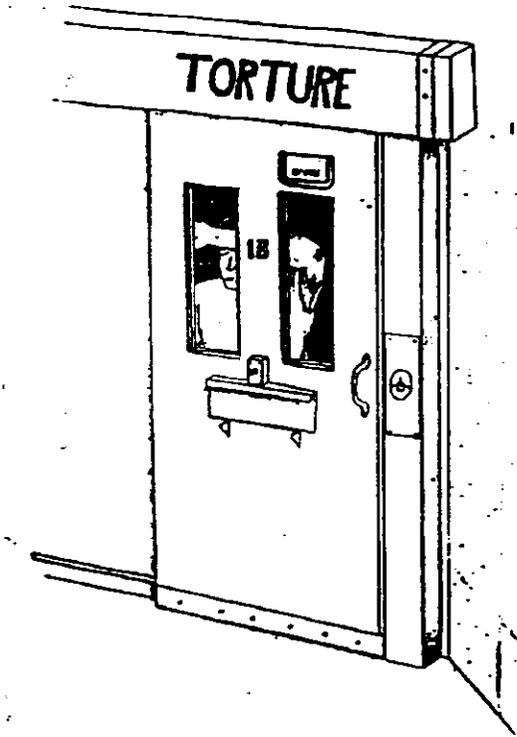
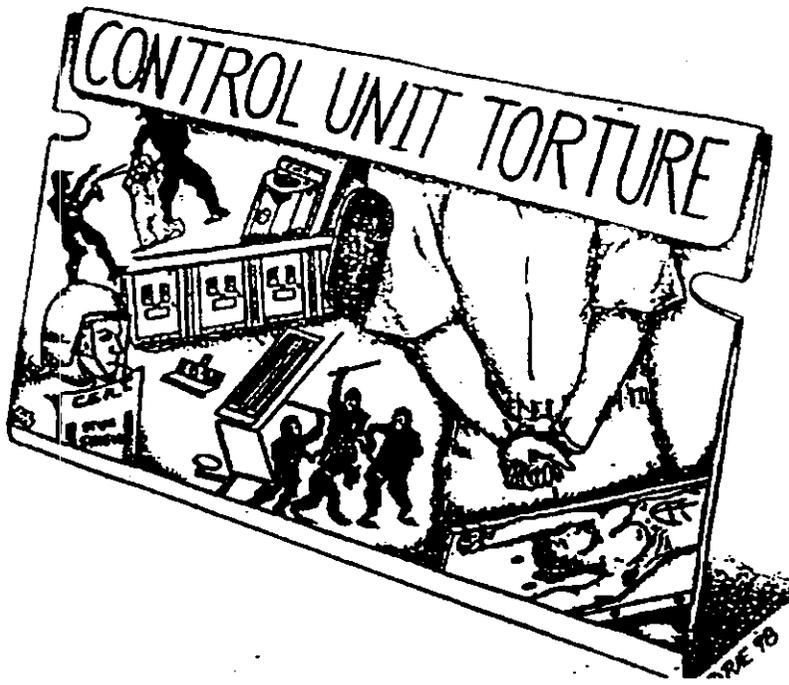
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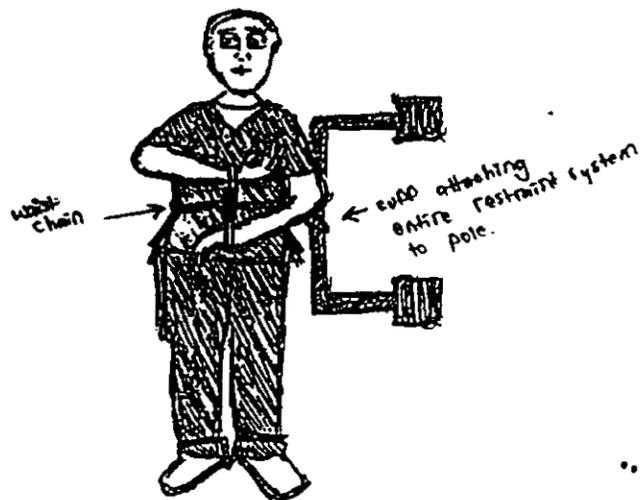
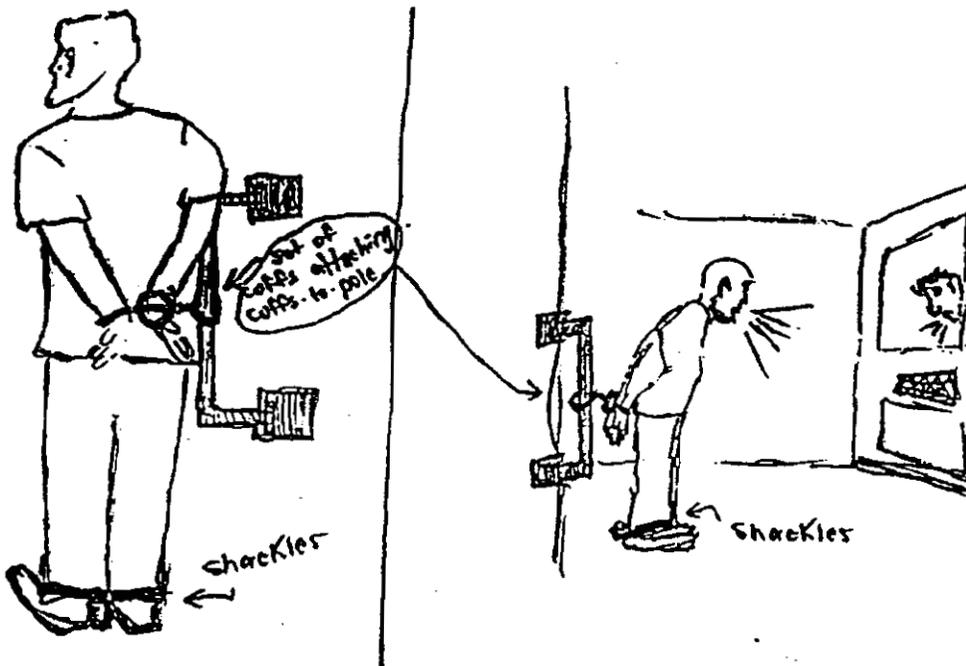
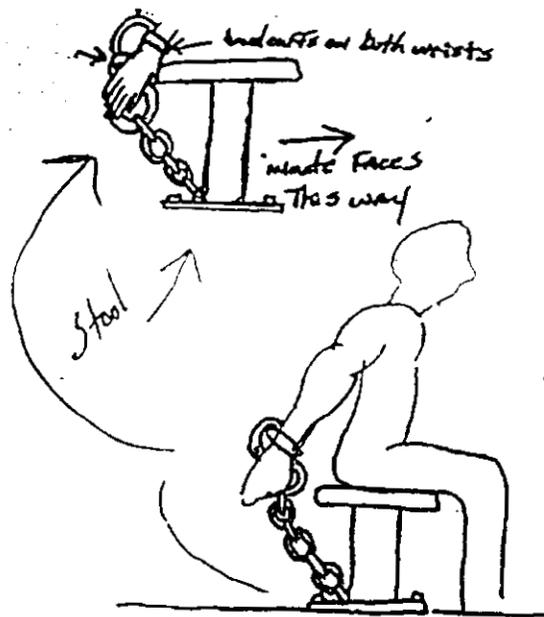
Bonnie Kerness, Associate Director,
Coordinator, Prison Watch

Edited by Julia Lutsky

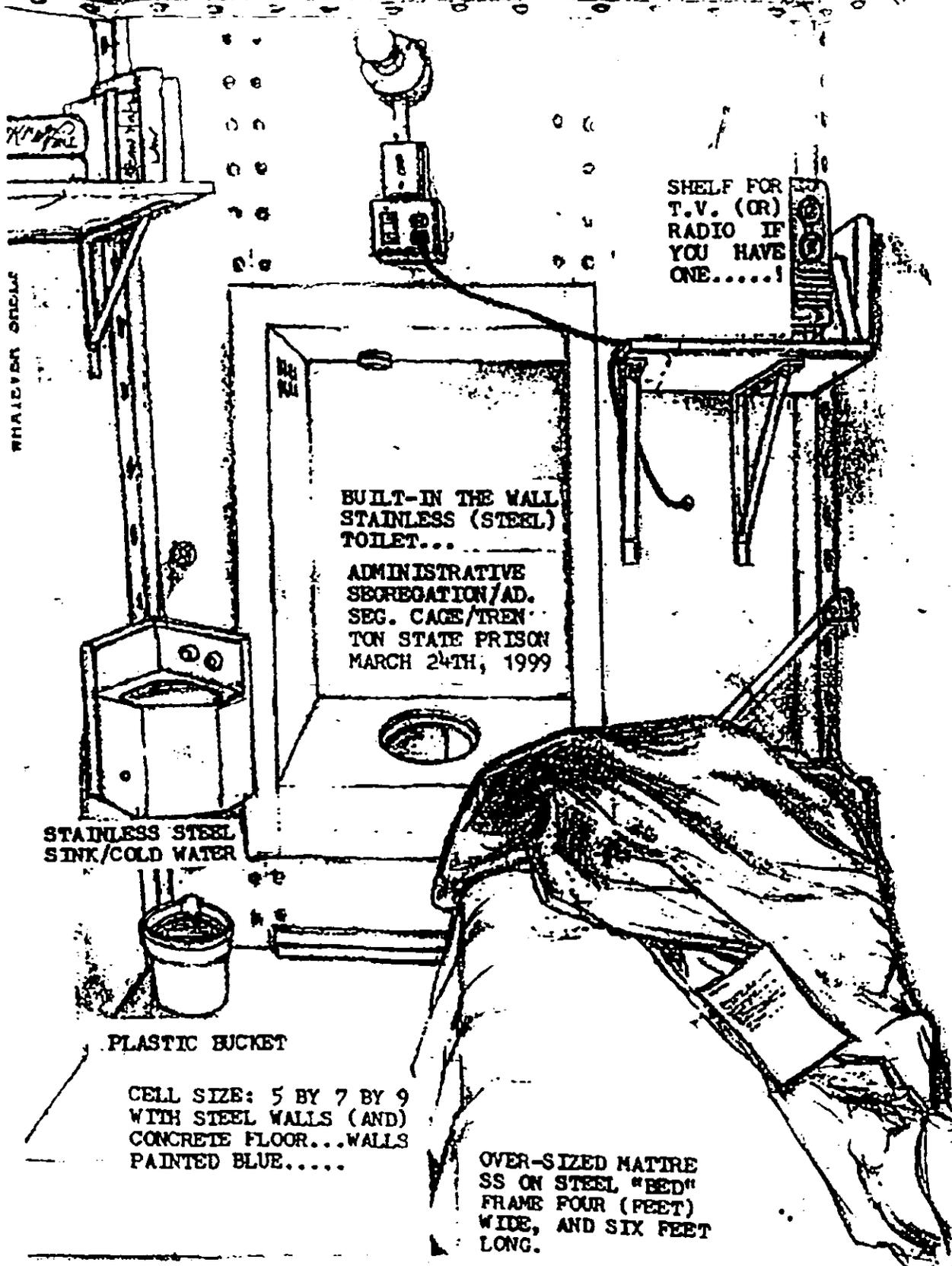
Regional Director, Elizabeth Enloe
Criminal Justice Program Director, Michael Elsner
Prison Watch Program Assistant, Masai Ehehosi

Dedicated to Holbrook Teter





How They Live Squeezed Together, Separately



The forceful rushes of this isolational perversion has pulled my

essence into a cesspool incessantly devoted to a grime

of darkness and sordid

pungents 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 wickedness This just
ain't life pathologized in a subsumed litany

of steel

and cement codes

preoccupied with the disturbing thrust of death.

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AO: State Correctional Institution at Smithfield, Huntington, Pennsylvania, 2/15/00
AQ: USP Lexington, Kentucky, 2/18/98
AT: Northern State Prison, Newark, New Jersey, 4/30/99, 8/13/99(2)
BA: Stiles Unit, Beaumont, Texas, 9/26/99
BC: Amarillo, Texas, 8/20/98
CF: Northern State Prison, Newark, New Jersey, 11/2/98
DLM: Gander Hill Prison, Delaware, 1/19/99, 2/10/99
EF: Utah State Prison, Draper, Utah, 6/13/99
ES: Ohio State Penitentiary, 6/2/99
FA: Northern prison, Somers, Connecticut, 7/10/99
J: Ohio State Penitentiary, undated letter
JA: Wallens Ridge State Prison, Big Stone Gap, Virginia, 4/19/00, 5/2/00, 5/5/00
JDE: McNeil Island Correction Center, Steilacoom, Washington, 2/1/98
JGM: James V. Allred Unit, Texas, undated; early 1998
JH: Northern State Prison, Newark, New Jersey, 7/5/99
JHE: Wallens Ridge State Prison, Big Stone Gap, Virginia, 1/16/00
JK: Southwoods Prison, New Jersey, 1/23/00
JTK: Ely State Prison, Ely, Nevada, 8/99 (personal correspondence)
JRB: Limon Correctional Facility, Limon, Colorado, 3/30/98
KJM: Northern prison, Somers, Connecticut, 11/24/99
LE Telford Unit, New Boston, Texas, 22/98
LM: El Dorado Correctional Facility, El Dorado, Kansas, 3/15/98
LW: Northern State Prison, Newark, New Jersey, 8/3/99, 8/16/99
MC: USP Lewisburg, Pennsylvania, 1/21/98
MN: Maximum Control Facility, Indiana Department of Corrections, undated

MT: S.C.I. Greene, Waynesburg, Pennsylvania, 10/4/99
N11: Minnesota Correctional Facility, Oak Park Park Heights, Stillwater, Minnesota, 2/21/00
QF and JB: East Jersey State Prison, New Jersey, 12/30/98
RAB: Pelican Bay, Crescent City, California, 5/10/98
RAC: Northern State Prison, Newark, New Jersey, 1/7/99: Denial of Medical or Legal Services
RES: Arizona State Prison, Eymann, Arizona, 1/20/98
RLL: USP Atlanta, Atlanta, Georgia, 3/5/00 (personal correspondence)
RS: Starke, Florida, 4/27/99
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SMR: ADX-Florence, Colorado, 3/3/98
SN: Los Angeles, California, 1/8/00
SWW: Hays State Prison, Trion, Georgia, 9/8/97
TC: Northern State Prison, Newark, New Jersey, 9/6/99
T: Ohio State Penitentiary, 1/20/99
TM: Connecticut prisoner in prison in Virginia: 1/20/00
T: East Jersey, State Prison, Rahway Ad Seg, Control Unit, 3/14/00
WSK: Program for Aggressive Mentally Ill Offenders (PAMIO), Texas, 1/16/98
WV: Northern State Prison, Newark, New Jersey, 11/19/98
YM: Northern Prison, Somers, Connecticut, 1/23/98, 1/18/98, undated
YW: Camden County Correctional Facility, Camden, New Jersey, 1/16/99

SOURCES OTHER THAN LETTERS

International Covenant on Civil and Political Rights, entered into force March, 1976. (ICCPR)

Standard Minimum Rules for the Treatment of Prisoners, Adopted 30 August, 1955 (MINRULE)

Cruelty in Control? "The Stun Belt and other Electro-Shock equipment in Law Enforcement," *Amnesty International* report, June 1999 (AICRUEL)

Torture in the United States, report prepared by the *Coalition Against Torture and Racial Discrimination*, and compiled and edited by Morton Sklar. Director, World Organization Against Torture USA, October 1998. (USTORTURE)

US Department of Justice, Federal Bureau of Prisons (USDOJ BOP)

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." [ICCPR - Annex, Principles 1 and 4]

The American Friends Service Committee has had a Criminal Justice Program in Newark, New Jersey since 1975. We have received thousands of calls and letters of testimony of conditions of imprisonment from family members and prisoners throughout the country. As a result, the AFSC began a project called *Prison Watch* which monitors human rights abuses in United States prisons. For the past 24 years, I have had the privilege of being a human rights advocate on behalf of the AFSC for US prisoners. This pamphlet is our attempt to share with you some of the voices we hear during our days.

The politics of the systems – the welfare system, the public school system, the health care system and the criminal justice system – play a profound role in the lives of the poor in this country. It is hard not to note that the rules and regulations of these systems which affect almost all of us, are created, written, and voted upon by mostly upper class white males whose lives will not be touched by their decisions. Their children do not go to public schools, they do not use public hospitals, they are surely not on welfare, and should they commit a crime, even their prisons are different.

Certainly, in the criminal justice system, the politics of the police, the politics of the courts, politics of the prison system and the politics of the death penalty are a manifestation of the racism and classism which govern so much of the lives of all of us in this country. Every part of the United States criminal justice system falls most heavily on the poor and people of color, including the fact that slavery is still permitted in prisons by the 13th Amendment of the US constitution. Although prison labor is not the focus of this pamphlet, involuntary slavery in prisons is real.

As a result of our New Directions Youth Project, we hear from young people in Newark and other inner cities. They tell us that the police feel like an occupation army as if the inner cities are militarized zones. They feel that the courts are used as feeder systems to filter young blacks and Latinos into prisons where their young bodies are worth a fortune. I've heard people say that the criminal just system doesn't work. I've come to believe exactly the opposite – that it works perfectly as a matter of both economic and political policy.

Prisons are one of the largest growth industries in the US. We live in an age where young males of color have been moved out of a historical state of oppression into one of uselessness in the economic context of this country. They have been discarded as a waste product of the technological revolution, with illegal drugs turning the ghettoized poor into invalids just as alcohol was introduced to incapacitate the people of the First Nations.

I don't believe that it is an accident that people who are perceived as economic liabilities have been turned into a major economic asset – for the young male of color who cannot get a job and is, therefore,

worth nothing in the country's economy suddenly generates between 30 and 60 thousand dollars a year once trapped in the criminal justice system. Nor do I believe it's an accident that this technological revolution has been accompanied by the largest explosion of building prisons in the history of the world. The expansion of prisons, parole, probation, the court and police systems has resulted in an enormous bureaucracy. This proliferation of the 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. The criminal justice system costs multi-billions of dollars which means that there are a lot of people being paid a lot of money for containing mostly folks of color in cages in human warehouses. The criminalization of poverty is a lucrative business and it seems that we've replaced the social safety net with a dragnet.

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 guards' response to this was to put him in a bath so hot it boiled 30% of the skin off his body. 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. These practices put the US in violation of United Nations Treaties and Covenants, which it has signed. For those of us dealing with this kind of oppression on a daily basis, use of the UN Covenants and Treaties has enormous potential because it is international law. 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 US. The American Friends Service Committee has been a contributor to each of those reports. Most recently, the United Nations Committee Against Torture cited chain gangs, sexual assault of prisoners, use of electric stun guns and restraint chairs as violations of the United Nations Convention Against Torture.

These past years have been full of hundreds and hundreds of calls and complaints of an increasingly disturbing nature from prisoners and their families throughout the United States. Most describe inhumane conditions including cold, filth, callous medical care, extended isolation sometimes lasting over a decade, use of devices of torture, harassment and brutality.

We have received vivid descriptions of four point restraints, restraint hoods, restraint belts, restraint beds, stun grenades, stun guns, stun belts, tethers, waist and leg chains and air tasers.

The use of extended isolation has also been a growing concern for many prison activists, both inside and outside the walls. The reports coming in about the use of devices of torture have largely been from isolation units, which are called control units or supermax prisons, where there are few witnesses. In New Jersey, prisoner Ojore Lutalo has been held in the Management Control Unit in total isolation 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 basically been told that he is being kept in sensory deprivation because of what he "could do if he wanted to". Ruchel Magee lived under these conditions in California for more than 20 years. Russell Shoats has been living in various Pennsylvania isolation units for 17 years.

There are thousands of others as well. The monitoring that the American Friends Service Committee has done leads us to believe that an increasingly large 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 torture. Picture yourself living in a cage the size of your bathroom for 15 years. You are placed in a literal 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 bare concrete yard for exercise twice a week. Mail and reading material are censored. When you leave your cage, you are strip-searched which often includes a pointedly 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".

Right now, the latest explosion filling the isolation cages include youth of color imprisoned as a result of the racist crack-cocaine laws. And of all the people that I've seen in these units over the years, these youngsters are the most ill prepared for the torment of endless isolation. Current efforts to expand the solitary confinement population involve the alleged spread of gang problems in US prisons. While most of us working for prisoner rights know gangs exist in prisons, we also know this problem is sometimes created and enhanced by prison authorities. In New Jersey, the Department of Corrections recently built a 720 bed gang unit —supermax style. I have been monitoring New Jersey prisons for 24 years. Although New Jersey has prison gangs, it has never had 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 — which for some of us is reminiscent of the witch-hunts which went on during the McCarthy investigations in this country in the 1950's. For instance, 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.

Corrections personnel have told me that the national-wide move to expand the use of isolation is fostered by the guard unions. These unions are contributing heavily to the political campaigns of law and order candidates. Guards reportedly feel that these types of sensory deprivation units provide a safe working environment. I believe that isolation units also provide them with a place in which to engage in unwitnessed torture.

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, people dying under privatized medical care, violation of children's rights and shocking treatment of people being held in INS detention centers and your picture of US violations human rights continues. All of these practices go on daily and they all fly in the face of at least a dozen and a half of the International and regional human rights Treaties and Covenants to which the US is a signatory.

In recent years, the US government has been justifiably critical of the practice of some foreign governments, such as China, of using the prison population as a source of forced, under-paid laborers. What is not so widely understood is that similar practices occur in the US under conditions that amount to prohibited forced labor. At a prison facility in Texas, for instance, employers of prisoners include a circuit board assembler, an eyeglass manufacturer and a maker of valves and fittings. At least two of these companies have closed their factories and now rent factory space in the prisons for \$1.00 per year. Once again, these practices violate the Universal Declaration of Human Rights, the Convention Against Torture, The International Covenant on Civil and Political rights and the Standards Minimum Rules for the

Treatment of Prisoners.

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 formations, Puerto Rican independentistas, member of the American Indian Movement (AIM), and white radicals. In later years we found jailhouse lawyers, Islamic militants and prisoner activists placed in extended isolation. It is no surprise that Ojore, Ruchell and Russell Maroon Shoats are all connected in some way to either the Panther or BLA formations. In 1978, Andrew Young who was the US Ambassador to the United Nations, noted the existence of US political prisoners. With the exception of the recently released Puerto Rican political prisoners, those folks are still in prisons throughout the country over 25 years later.

There is no way to look into any aspect of the prison or the wider criminal justice system in the US without being slapped in the face with the racism and white supremacy that prisoners of color endure. There is often little hesitation on the part of Departments of Corrections to acknowledge that guards who are Klan members are active in prisons. Prison systems in the United States now hold almost 2 million people, a proportionately larger amount than any other country in the world. The United States contains 5% of the world's population, and holds 25% of the world's prison population. Between 65 and 85 percent of those the US imprisons are people of color. On any given day one out of four Black males is under some form of social control.

The folks in prison are mostly poor and working class who need jobs and education. United States prisons also serve as housing for vast numbers of the mentally ill, just as they serve to hold a huge drug dependent population which desperately needs treatment. Prison issues are race and class issues. The crippling of our poor, of our young people of color in US prisons is expanding, and none of this is about the rate of crime – which has dropped dramatically. It is about capitalism and it is about racism. It is about a culture of greed and a culture which fears the joy of diversity.

I believe oppression is a condition common to all of us who are without the power to make the decisions that govern the political, economic and social life of this country. We are victims of an ideology of inhumanity on which this country was built. I have come to believe that the politics of the police, the politics of the courts, the politics of the prison system and the politics of the death penalty are the politics of social control. I believe that this affects every one of us in ways that are a call to activism. None of us in this room owns the means of production in this country anymore than does the homeless person on the streets.

Twenty-four years ago if you had interviewed me I would have fought any implication of torture in the United States. I would have fought the notion of US political prisoners. I would have fought any notion of a prison system that looks suspiciously like the system of slavery.

If we dig deeper into the US practices, the political function that they serve is inescapable. Police, the courts, the prison system and the death penalty all serve as social control mechanisms. The economic function they serve is equally as chilling. Many people with whom we work believe that prisons are a form of neo-slavery.

The wall of silence that has been built around prisons and prisoners has got to be broken down. What I have described is a conscious attempt to physically, mentally and spiritually break down millions of people, and for the most part it is going on unchallenged. The American Friends Service Committee has become so concerned that we are currently archiving prisoner testimonies of torture state-by-state. We've produced a "Survivor's Manual" written by prisoners living in extended isolation for prisoners living in extended isolation. The development of this pamphlet on testimonies of torture is an effort to put human faces on what is happening. We're also asking prisoners to draw what they are seeing and experiencing, some of which you will see reflected in these pages. Some of these drawings have already been used by newspapers who find that they can't get into the isolation prisons to photograph.

As an activist it is my job 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 that I may touch. I have been part of the struggle against oppression in this country for the past 35 years. I have seen the horror and havoc that US policies can create with people's lives. I have never seen anything like what I am seeing now in United States prisons. I have spent time with US political prisoners. I have spent time with people who have endured torture in US prisons. I have treated hundreds of ex-prisoners who have returned to our communities with symptoms of Post Traumatic Stress. My soul is shaken by what I read in my daily mail. What is going on in the name of all of us needs to be looked at very carefully. I think that whites have to consciously rid ourselves the racism that infects us daily in a society where we are privileged in relation to peoples of color. I think people of color have to become specifically involved in fighting the bottom line expression of racism and oppression that the prison system represents.

Prejudice rarely survives experience. We hope that one of the things born of this pamphlet such is a far more critical look at yourselves, your families and your society. In a genuinely multi-cultural society, the current criminal justice system would 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, June 2000

"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."
[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

¹JH, Northern State Prison, Newark, New Jersey

INTRODUCTION
THE EFFECTS OF ISOLATION

“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, inmates so confined have developed florid delirium - a confusional psychosis with intense agitation, fearfulness and disorganization. But even those inmates 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 inmate’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.

“[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 inmates to suicide. The correctional officers ... harass the prisoners, intimidate the inmates from coming out of their cells for shower and recreation. ...and there is no meaningful redress to these problems...”

“It’s going to be more death here at this penitentiary if they don’t start giving inmates 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.

AH, Security Management Unit (SMU), Gunnison, Utah

“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."

RAb, Pelican Bay, Crescent City, California

"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."

JH, Northern State Prison, Newark, New Jersey

"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 inmates and staff."

MN, Maximum Control Facility, Indiana Department of Corrections, undated

- "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."

1. 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 International Covenant of Civil and Political Rights (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.'" [AICRUEL, p. 4]

"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." [ICCPR, Annex, Principle 33]

JRB, Limon, Colorado

"[In] January 1992, ... a security captain at Portage, Wisconsin, (at CCI) beat an inmate 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."

JK, Southwoods prison, New Jersey

"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.

YM, Northern Prison, Somers, Connecticut

"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."

RS, Starke, Florida, writing for Florida prisoners

"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."

SWW, Hays State Prison, Trion, Georgia

"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 any my penis was also scarred. I was then beat[en] by two officers."

SM, Clallam Bay Correction Center, Clallam Bay, Washington

"I am a control unit inmate 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), stunned with electronic shields and stun guns to the point [that] blood from broken and burnt skin flowed from the wounds..."

Y, Rahway Ad Seg, Control Unit

"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!"

AO, State Correctional Institution at Smithfield, Huntington, Pennsylvania

"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 inmates from filing civil suit or criminal complaints..."

N11: Minnesota Correctional Facility, Oak Park Park Heights, Stillwater, Minnesota

"For the last year I have been warning the ombudsman ... that the guards here in the segregation unit were sadistically abusing and harassing inmates and assaulting them and that sooner or later an inmate's death would be caused by these abuses. Well, [in February], after witnesses [saw] several officers beat and spray with chemicals an inmate, ... 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."

JTK: Ely State Prison, Ely, Nevada

"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 about for 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.

"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."

2. 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]

RAB, Pelican Bay Prison, California

"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."

YM, Northern Prison, Somers, Connecticut

"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."

KJM, Northern prison, Somers, Connecticut, 11/24/99

"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."

MT, S.C.I. Greene, Waynesburg, Pennsylvania

"I ...and two other inmates ... 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."

JGM, James V. Allred Unit, Texas

"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."

JDE, McNeil Island Correction Center, Steilacoom, Washington (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 ... as 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)."

ES, Ohio State Penitentiary

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

"[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."

T, Ohio State Penitentiary

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."

J, Ohio State Penitentiary

"...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 inmate 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 inmate'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."

JA, fiancée of prisoner at Wallens Ridge State Prison, Big Stone Gap, Virginia

"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.

MC, 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."

AQ, 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."

YM, Northern Prison, Somers, Connecticut

"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."

FA, 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:

"Inmate'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."

EF, Utah State Prison, Draper, Utah

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

AH, Security Management Unit (SMU), Gunnison, Utah

"...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."

JHE, Wallens Ridge State Prison, Big Stone Gap, Virginia

"[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."

RESTRAINT CHAIR

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

"In Utah there are no release provisions, Inmates 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 inmates 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. ... 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.]

SLY, Utah State Prison, Draper, Utah

"[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 inmate 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 inmate from moving. The design of the chair forces the inmate back against the chair. Mobility is almost non-existent.

"The inmate 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."

LM, El Dorado Correctional Facility, El Dorado, Kansas

"...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 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."

EF, Utah State Prison, Draper, Utah

"When I was put on the four point an inmate 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 inmate lost his life from blood clots that were caused [by] the restraint chair he had been in."

3. STUN TECHNOLOGY

"Harry Landis, a 58 year old Texas prison guard collapsed after being shocked by an electrified riot shield during a training session. Guards were being trained in the use of the 'electronic capture shield' designed to subdue prisoners. The device delivers a shock of 40,000 to 50,000 volts... Use of the shields ... was suspended until an investigation into the guard's death is complete." [*Prison Legal News*, April 1996.]

GRENADES

MC, USP, Lewisburg, Pennsylvania describes conditions 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'."

SMR, ADX-Florence, Colorado

"[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 inmates threatened the officers ... after the officers turned off the television. The officers abandoned the unit and the inmates barricaded the ...doors.

Staff surrounded the unit and demanded ...it come out peacefully ... The doors were blocked and the bulk of the inmates 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." [USDOJ-BOP]

"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 he 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 the *Amnesty International* report AICRUEL, pages 23-26.

4. PEPPER SPRAY, TEAR GAS, MACE AND OTHER 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]

RES, Arizona State Prison

“[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 inmates 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.”

YM, Northern Prison, Somers, Connecticut

"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."

DLM., Gander Hill Prison, Delaware

"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 inmates 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."

LE, Telford Unit, New Boston, Texas

"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] inmates 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 ... inmates in adjacent cells. These chemicals are painful and can cause permanent damage and even death. ... [They] are never to be used against inmates already secured in their own cells. 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."

BC, Amarillo, Texas

[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].

JDE, McNeil Island Correction Center, Steilacoom, Washington (describes conditions in Clallam Bay Corrections Center Intensive Management Unit [IMU])

“...In response [to the particularly brutal treatment of a prisoner by guards (see Housing Conditions)] 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.”

5. DENIAL OF MEDICAL or LEGAL SERVICES

DENIAL OF MEDICAL SERVICES

“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]

JRB, Limon Correctional Facility, Limon, Colorado

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

RLL, USP Atlanta, Atlanta, Georgia

“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.”

Y, Rahway Ad Seg, Control Unit

“...[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.”

LW, Northern State Prison, Newark, New Jersey

“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 a 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."

AT, Northern State Prison, Newark, New Jersey

"[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."

RAC, Northern State Prison, Newark, New Jersey

"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.'"

CF, Northern State Prison, Newark, New Jersey

"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."

TC, Northern State Prison, Newark, New Jersey

"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 court. [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 spite of medication) in his hip 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 inmates 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 ..."

WV, Northern State Prison, Newark, New Jersey

"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 1988] 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."

DENIAL OF LEGAL SERVICES

JRB, Limon Correctional Facility, Limon, Colorado

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."

TM, Connecticut prisoner in prison in Virginia

"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 ."

6. 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."
[MINRULE, Part I: Rules of General Application, Accommodations: 9 (1)]

SN, Los Angeles, California

"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.

JGM, James V. Allred Unit, Texas

"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."

WSK, Program for Aggressive Mentally Ill Offenders (PAMIO), Texas

"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'

BA, Stiles Unit, Beaumont, Texas

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 inmate 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!"

EF, Utah State Prison, Draper, Utah

"[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 an inmate cuts himself in trying to get away from this torture and punishment we are forced into every day."

JHE, Wallens Ridge State Prison, Big Stone Gap, Virginia

"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 inmate 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."

YARD INCIDENTS

BC, Amarillo, Texas

"[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.”

JRB, Limon, Colorado

“At Limon (LCF) 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.”

JA, fiancée of prisoner at Wallens Ridge State Prison, Big Stone Gap, Virginia

“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 Inmates, Minnesota Correctional Facility, Oak Park Heights, Stillwater, Minnesota
From: Jim Rarick, Industry Director
Re: Removal of Toilets

Date: 4/15/97

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

"As a result ... the decision [has been made] to eliminate the toilets, and ... procedures must be developed to accommodate inmates 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: ...

"- Inmates will be allowed to go to level 2 to use a toilet at their request ...

"- An inmate 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.

"- Inmates 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 inmate restrooms on level 3 are restricted to only one inmate 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."

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]

JRB, Limon, Colorado

"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."

RS, Starke, Florida, writing for Florida prisoners

"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."

WSK, Program for Aggressive Mentally Ill Offenders (PAMIO), Texas

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."

RANDOM SEARCHES

QF and JB, East Jersey State Prison, New Jersey - written as representatives of 4Dn Wing of the prison

"Complaint on Random Urine Analysis Procedure: "...Inmates 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."

SM, Clallam Bay Correction Center, Clallam Bay, Washington

"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...."

7. 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.

YW, Camden County Correctional Facility, Camden, New Jersey

"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 inmates 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 inmates 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 inmates 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.”

([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 in these pages. - B.K.)

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.

8. 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]

AQ, USP Lexington, Kentucky

"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."

SN, Los Angeles, California

"I know this isn't right. I'm not, nor ever have been on discipline ... HELP!

JRB, Limon Correctional Facility, Limon, Colorado

"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."

KJM, Northern prison, Somers, Connecticut

"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."

SWW, Hays State Prison, Trion, Georgia

"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

MT, S.C.I. Greene, Waynesburg, Pennsylvania

"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.

EF, Utah State Prison, Draper, Utah

"I have seen inmates 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.]

JHE, Wallens Ridge State Prison, Big Stone Gap, Virginia

"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...?"

JDE, McNeil Island Correction Center, Steilacoom, Washington

"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]."

AT, Northern State Prison, Newark, New Jersey

“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.”

Again, deep thanks to each of you for your contribution. My personal thanks to Julia Lutsky for her patience and hard work, and to Jack Lutsky who had to live with the myriad of calls, e-mails and readings of this pamphlet.

Bonnie Kerness

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