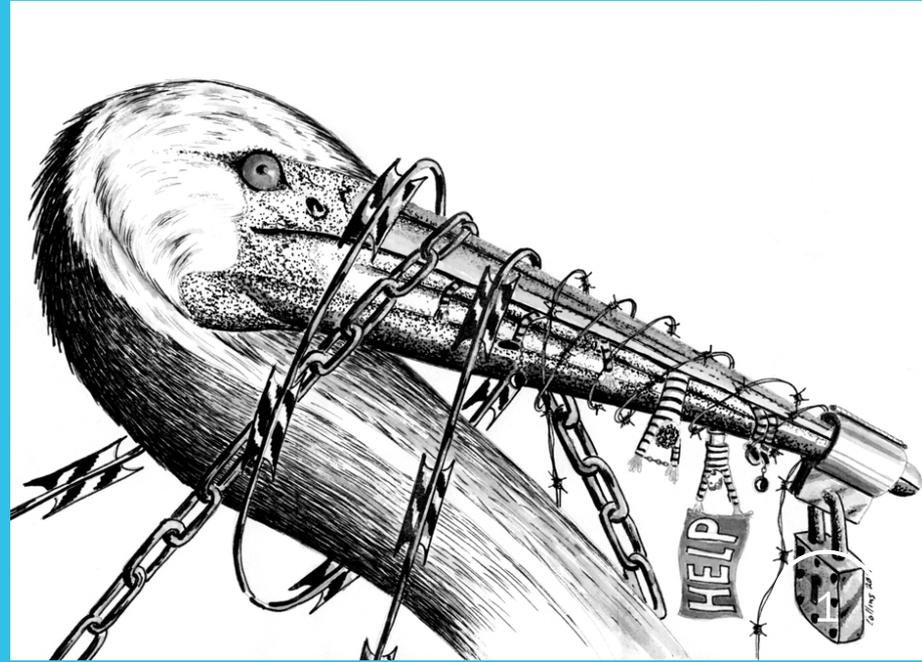


SUPPORT FOR INCARCERATED PEOPLE IN CA

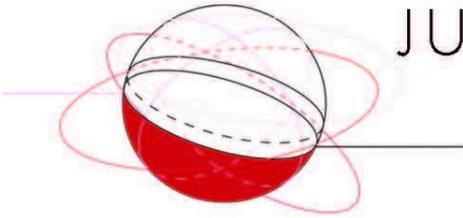
UPDATES ON EVENTS & PROJECTS
& PLACES TO PLUG IN



WAYS TO SUPPORT INCARCERATED PEOPLE

PART 1

WORKSHOP ON ABOLITIONIST FRAMEWORK FOR LEGAL SERVICE PROVISION



JUSTICE NOW
INVITES YOU TO

 @justicenoworg
 .com/justicenoworg

BUILDING OUR FUTURE:
CELEBRATING 15 YEARS TOWARDS **A WORLD WITHOUT PRISONS**
SATURDAY 10TH OCTOBER
1:00-4:30PM
OMNI COMMONS
4799 SHATTUCK AVENUE
OAKLAND

A community event to explore our work towards a safe, compassionate world without prisons. Join us to build our wider movements, our understanding of where we are going, and deepen our connections to each other. There will be music, dance, art and food provided

Reserve your space: <http://justicenow15.brownpapertickets.com>
Childcare and interpreters available on request. Venue is fully wheelchair accessible

Workshop for Women With Incarcerated Loved Ones - Postponed

Advocating for Yourself and Your Loved Ones

**Saturday
September 26th
10am-1pm**

- Build skills and confidence advocating for your loved one in jail, prison or youth detention
- Demystify CDCR bureaucracy
- Learn who to target for different issues
- Workshop an advocacy letter and drafts of release forms

**@The Women's Foundation
300 Frank Ogawa Plaza, Suite 420
Oakland, CA 94612**

**RSVP to:
endria@essiejusticegroup.org**

Facilitated by Ayoola Mitchell

An educator, advocate and Social Worker, Ayoola currently works with Californians for Safety and Justice, Essie Justice Group and is a Social Worker with the City and County of San Francisco. She has spent many years working with and advocating for the incarcerated population, primarily with people on Death Row. As a wife of someone incarcerated, her background and professional experience was very helpful in navigating CDCR and advocating for her spouse.

Caitlin Kelly Henry

An educator and attorney. Her law practice includes in prison conditions, post conviction relief, and Freedom of Information/Public Records work. She coordinates the National Lawyer's Guild Police and Prisons Committee "Support from Outside the Walls" prisoner support series. Learn more at <http://caitlinkellyhenry.com/support/>.



www.essiejusticegroup.org

SUPPORT FROM OUTSIDE THE WALLS TRAINING SERIES

NLG POLICE & PRISONS COMMITTEE

Training 10: Vicarious Trauma & Compassion Fatigue

Saturday October 3, 10am-12pm
1201 MLK Jr. Way, Oakland
Trainers: Terry Kupers, Eric Waters

- This training will be an opportunity to explore the phenomenon known as vicarious/secondary/transferred trauma & compassion fatigue. What is it? How does it affect us? How does it impact the work we are trying to do?
- As we learn about some of the psychology of compassion fatigue, participants will also have the opportunity to talk about their personal experiences, build on their own knowledge & tell their stories in ways that help them heal.

SUPPORT FROM OUTSIDE THE WALLS TRAINING SERIES

NLG POLICE & PRISONS COMMITTEE

- Resources on caitlinkellyhenry.com/support
 - Training 9: Writing Advocacy Letters for Medical Care, Mental Health Care, & Disability Accommodations
 - Training 8: Meeting People Where They're At
 - Training 7: Challenges to Getting Appropriate Medical or Mental Health Care On The Inside: Tools For More Effective Advocacy & Better Outcomes for Incarcerated People & Supporters On The Outside
 - Training 5: Legal & Family/Social Visits
 - Training 4: CDCR Records; How to request, read, & utilize prison C-File, medical, & other records.
 - Training 3: Medical & conditions advocacy for transgender people detained or incarcerated in the federal system.
 - Training 2: CDCR Appeals Process
 - Training 1: Support from the Outside (has info for BOP & CDCR)



Prisoner Advocacy Network (PAN)

**Seeks Formerly Incarcerated People
Loved Ones
Legal Workers, Law Students, and Attorneys
To Advocate
For
People Confined in Solitary/Segregation**

To volunteer send us an email at:
pan@nlgsf.org to volunteer

For More Information Visit
<http://nlgsf.org/prisoner-advocacy-network>

*Volunteer
Opportunities are
Available!*

Prisoner

Advocacy

Network

WHO WE ARE

We are a network of California activists, family members, formerly incarcerated people, legal workers, law students, and attorneys.

WHO WE SUPPORT

Our focus is narrow and specific - supporting people in California's solitary confinement and similar conditions of isolation such as security housing units (SHUs), administrative segregation, and gender-based segregation. We prioritize advocating for jailhouse lawyers and those engaged in political activity.

WHAT WE DO

Provide non-litigation advocacy for incarcerated people experiencing discrimination, retaliation, and rights violations. Gather evidence documenting conditions and trends of treatment in the exceptionally repressive prison environments of solitary and other forms of segregation.

OUR OBJECTIVE

To strengthen movements on the inside and their corollaries on the outside by providing advocacy for activists on the inside. We seek to eliminate the use of solitary as punishment for people who are discriminated against due to their political perspectives and those who advocate and organize on their own and other prisoners' behalf.

WHY THE NEED FOR PAN VOLUNTEERS

Following California hunger strikes, loved ones of people suffering from solitary confinement alerted the NLGSF to the need for individualized advocacy. Though a recent settlement agreement in the Ashker v. Brown suit will result in many transfers, we know CDCR will continue to deny appropriate care and conditions, involuntarily segregate, mistreat, and retaliate against people.

What An Advocate Does

Tasks include mail correspondence with people inside, phone calls and letters to prison and health care officials, assisting with filing administrative appeals, filing complaints, providing resources from the web or other sources, public records requests and possibly prison visits. Our scope does not include litigation.

THE VOLUNTEER COMMITMENT

Volunteers will be asked to attend a 3-hour training that will be held on November 21, 2015, and review informational documents before being assigned to advocate. A second training will be available early in 2016. Advocates will be expected to continue until an issue is resolved or one year, whichever is shorter. More is encouraged.

HOW ADVOCATES ARE SUPPORTED

The NLGSF office will administer the program. Staff will coordinate intake forms and advocate matching, mail, provision of educational and technical resources/guides, training and templates. Attorneys experienced with prisoners' rights and litigation will be available as mentors.

HOW TO VOLUNTEER

email - pan@nlgsf.org

Include The Following Information

1. Name
2. Status: family, formerly incarcerated, pen-pal, legal worker, lawyer, law student
3. Describe any relevant experience
4. Let us know if you are interested in being involved in the planning process

PRISONER ADVOCACY NETWORK

1ST TRAINING: SAT NOV 21, 1-4PM

- What do we do: Provide non-litigation advocacy for incarcerated people experiencing discrimination, retaliation, & rights violations. We gather evidence documenting conditions & trends of treatment in the exceptionally repressive prison environments of solitary & other forms of segregation.
- What does PAN mean by advocacy: Tasks include mail correspondence with people inside, phone calls & letters to prison & health care officials, assisting with filing administrative appeals, filing complaints, providing resources from the web or other sources, public records requests & possibly prison visits. Our scope does not include litigation.
- Who do we support: Our focus is narrow & specific - supporting people in CA's solitary confinement & similar conditions of isolation such as security housing units (SHUs), administrative segregation, & gender-based segregation. We prioritize advocating for jailhouse lawyers & those engaged in political activity.

PRISONER ADVOCACY NETWORK

1ST TRAINING: SAT NOV 21, 1-4PM

- What is our objective: To strengthen movements on the inside & their corollaries on the outside by providing advocacy for activists on the inside. We seek to eliminate the use of solitary as punishment for people who are discriminated against due to their political perspectives & those who advocate & organize on their own & other prisoners' behalf.
- Who are PAN volunteers: We are a network of CA activists, family members, formerly incarcerated people, legal workers, law students, & attorneys.
- What is the commitment: Volunteers will be asked to attend a 3-hour training in the fall or winter of 2015, & review informational documents before being assigned to advocate. Advocates will be expected to continue until an issue is resolved or one year, whichever is shorter. More is encouraged.
- What support will advocates receive: The NLGSF office will administer the program. Staff will coordinate intake forms & advocate matching, mail, provision of educational & technical resources/guides, training & templates. Attorneys experienced with prisoners' rights & litigation will be available as mentors.
- Contact: PAN@nlgsf.org

TGI JUSTICE MAIL NIGHT
TUESDAYS 4:30-8:30
RSVP TO JANETTA@TGIJP.ORG

- TGI Justice Project is a group of transgender people—inside & outside of prison—creating a united family in the struggle for survival & freedom.
- TGI is a resource to people inside prisons & receives a significant number of letters. Although the agency is focused on providing services to transgender, gender variant/gender-queer, & intersex people in CA prisons, prisoners with normative genders from all over the country write on a daily basis.
- TGI answers all letters. Prisoners who actively work on their own cases & also help other prisoners inside sometimes request TGIJP to conduct research for them. Volunteers are able to gain experience advocating for prisoners by providing them with information & encouraging self-advocacy. In addition to working under the supervision of an attorney, TGI has also developed several form letters that are used & can be tailored to answer prisoner letters.

CALIFORNIA PRISON FOCUS

- California Prison Focus (CPF) is a community-based human rights group working since 1991 with and for California prisoners. We investigate and expose violations of prisoners' human and civil rights and raise public awareness of prison conditions and the treatment of prisoners.
- We advocate to end these abuses and to shut down the Security Housing Units (SHUs), where hundreds of prisoners have spent decades in solitary confinement.
- CPF is seeking attorneys and volunteers for its Investigative Prison Visits Program.
 - An essential source of direct information about conditions and abuse, investigators go directly into the SHUs to talk with prisoners.
 - Many SHU prisoners get only a couple of visits per year from their family, and many more get no visits at all. Without visits, they never have face-to-face conversations.
 - Currently, CPF is visiting prisoners in Pelican Bay, Corcoran, and Tehachapi state prisons.
 - To become an investigator, you must attend a general investigator training (1/2 day); become educated about current issues and the recent history of the movement to abolish long-term solitary confinement in California; be able to travel for 2-3 days to the prison for daylong visits with 4 or 5 prisoners per day; and write up interview reports on each conversation.
- For more information or to get involved, contact Taeva Shefler at taeva@prisons.org

TIMELINE OF ORGANIZING THAT CREATED THE POLITICAL CONDITIONS FOR THE ASHKER SETTLEMENT

PART 2

TIMELINE: ORGANIZING THAT CREATED CONDITIONS FOR ASHKER SETTLEMENT.

2009

- December: Ashker filed pro se by 2 “validated” inmates – challenging indeterminate confinement in PBSP SHU.

2011

- *Madrid v. Gomez* oversight ended.
- July: 6,600+ participated in hunger/work strike. Stopped when CDCR agreed to meet some demands.
- August: CA Legislative Hearings
- Sept: second hunger/work strike occurred when CDCR didn't act on its promises.

2012

- May: Attorneys sued re constitutionality of solitary for 500+ ppl in 10+ yrs, 200+ 15+ yrs; 78 20+ yrs.
- August: Short Corridor Collective publishes agreement to end hostilities
- October: CDCR launches pilot “step-down” & starts moving plaintiffs to try to moot suit.

2013

- March: 50% of 144 people DRB reviewed recommended release to GP. 2,400+ people in SHU b/c validation.
- July – September: 30,000+ participate in 3rd strike. Legislators agreed to take action.
- August, Prison Law Office signs order in *Plata* case to authorize involuntary force feeding of clients.
- October: CA Legislative hearings on solitary. 2014
- February: CA Legislative hearings on solitary.
- June: Judge certifies classes 1: 500+ in PBSP for 10+ yrs, 1,100 indeterminate gang.
- October: CDCR permanently implement the Security Threat Group (STG) policy.

2015

- CA Families Against Solitary Confinement statewide gathering.
- March: Ashker Judge re-certifies classes, 200 in the 8th amendment class & 800 in due process class. Includes 10+ yrs who CDCR moved out of PBSP after suit filed.
- September: Ashker Settlement agreement reached.

STRIKE DEMANDS (2011)

1. Eliminate group punishments

- Instead, practice individual accountability. When an individual prisoner breaks a rule, the prison often punishes a whole group of prisoners of the same race. This policy has been applied to keep prisoners in the SHU indefinitely & to make conditions increasingly harsh.

2. Abolish the debriefing policy & modify active/inactive gang status criteria.

- Prisoners are accused of being active or inactive participants of prison gangs using false or highly dubious evidence, & are then sent to longterm isolation (SHU). They can escape these tortuous conditions only if they "debrief," that is, provide information on gang activity. Debriefing produces false information (wrongly landing other prisoners in SHU, in an endless cycle) & can endanger the lives of debriefing prisoners & their families.

3. Comply with the recommendations of the US Commission on Safety & Abuse in Prisons re: end to longterm solitary.

- This bipartisan commission specifically recommended to "make segregation a last resort" & "end conditions of isolation." Yet as of May 18, 2011, CA kept 3,259 prisoners in SHUs & hundreds more in Administrative Segregation waiting for a SHU cell to open up. Some prisoners have been kept in isolation for more than thirty years.

4. Provide adequate food.

- Prisoners report unsanitary conditions & small quantities of food that do not conform to prison regulations. There is no accountability or independent quality control of meals.

5. Expand & provide constructive programs & privileges for indefinite SHU inmates.

- The hunger strikers are pressing for opportunities "to engage in self-help treatment, education, religious & other productive activities..." Currently these opportunities are routinely denied, even if the prisoners want to pay for correspondence courses themselves. Examples of privileges the prisoners want are: one phone call per week, & permission to have sweatsuits & watch caps. (Often warm clothing is denied, though the cells & exercise cage can be bitterly cold.) All of the privileges mentioned in the demands are already allowed at other SuperMax prisons (in the federal prison system & other states).

AGREEMENT TO END HOSTILITIES (2012)

1. If we really want to bring about substantive meaningful changes to the CDCR system in a manner beneficial to all solid individuals, who have never been broken by CDCR's torture tactics intended to coerce one to become a state informant via debriefing, that now is the time to for us to collectively seize this moment in time, & put an end to more than 20-30 years of hostilities between our racial groups.
2. Therefore, beginning on October 10, 2012, all hostilities between our racial groups... in SHU, Ad-Seg, General Population, & County Jails, will officially cease. This means that from this date on, all racial group hostilities need to be at an end... & if personal issues arise between individuals, people need to do all they can to exhaust all diplomatic means to settle such disputes; do not allow personal, individual issues to escalate into racial group issues!!
3. We also want to warn those in the General Population that IGI will continue to plant undercover Sensitive Needs Yard (SNY) debriefer "inmates" amongst the solid GP prisoners with orders from IGI to be informers, snitches, rats, & obstructionists, in order to attempt to disrupt & undermine our collective groups' mutual understanding on issues intended for our mutual causes [i.e., forcing CDCR to open up all GP main lines, & return to a rehabilitative-type system of meaningful programs/privileges, including lifer conjugal visits, etc. via peaceful protest activity/noncooperation e.g., hunger strike, no labor, etc. etc.]. People need to be aware & vigilant to such tactics, & refuse to allow such IGI inmate snitches to create chaos & reignite hostilities amongst our racial groups. We can no longer play into IGI, ISU, OCS, & SSU's old manipulative divide & conquer tactics!!!

Organizing Efforts: Series of Legislative Hearings



Laura Magnani, AFSC

ORGANIZING INNUMERABLE WORLD WIDE RALLIES

- Hundreds or thousands of rallies since 2011. Many organized by families. Many family trainings & gatherings, including by CFASC (CA Families Against Solitary Confinement)
- Now, every 23rd of month there is a rally in honor of the 23 hours a day people spend in isolation.



ORGANIZING EFFORTS: VISITS

People conducted legal visits & family/social visits



Bato Talamentez

ORGANIZING EFFORTS: CORRESPONDENCE

PHHS organized a Human Rights Pen Pal Program to correspond with folks in solitary & and Emergency Response Network to advocate when incidents arose.



SUMMARY OF SETTLEMENT – COMPARING PROMISED POLICIES TO PAST POLICIES

PART 3

CDCR STILL DENIES IT USES “SOLITARY CONFINEMENT” HOWEVER CO UNION DENOUNCES END TO UNLIMITED SOLITARY

CALIFORNIA CORRECTIONAL PEACE OFFICERS ASSOCIATION | CCPOA.ORG



CCPOA

Contact: Nichol Gomez-Pryde
916-372-6060

FOR IMMEDIATE RELEASE
September 3, 2015

CCPOA DENOUNCES CDCR'S AGREEMENT TO END UNLIMITED USE OF SOLITARY CONFINEMENT

Tuesday, the California Department of Corrections and Rehabilitation (CDCR) announced a decision to radically revise policies regarding prison violence. Initially California Correctional Peace Officers Association (CCPOA) filed a Motion to Intervene in *Ashker vs. Brown*, the court, however, denied this motion based on the assumption the State would represent California's correctional peace officers concerns, yet the agreement is in glaring opposition. CCPOA issues the following statement from union president, Chuck Alexander:

“CDCR's decision to abandon policies proven to reduce prison violence is deeply concerning. In reviewing the agreement, it appears little attention was given to the conditions underlying the violence and gang problems in our prisons that precipitated the need for security housing units (SHU).

SUMMARY OF INCARCERATED PEOPLE'S/ PLAINTIFFS' INVOLVEMENT IN SETTLEMENT

- Negotiated w/active participation of the incarcerated representatives, who met as a group several times with counsel via conference phone calls, & who ultimately decided as a group to ratify the agreement.
- **Incarcerated plaintiffs/representatives will work with attorneys & judge to monitor implementation.**
- Reps will regularly confer on calls w/counsel & meet with prison officials to review the progress of settlement, discuss programming & step-down program improvements, & monitor prison conditions.
- Plaintiffs' counsel will receive regular documentation of all administrative-SHU & step-down placements, progress, & SHU-eligible rule violations. Counsel will report to reps.
- CDCR will post settlement in SHU pods & law libraries.

SCOPE OF CLASS

Organizing and work is not just about Pelican Bay. Lawsuit was limited to PBSP.

However, 1,600 validated people across the 4 mens' facilities will get ICC reviews in the next year.

June 2014

- 500+ in PBSP for 10+ yrs
- 1,100 indeterminate SHU

March 2015 order

- 200 housed at PBSP SHU for 10+ yrs
- 800 in indeterminate SHU
- ? housed at PBSP SHU for 10+ and then transferred to another SHU.

August Report

- 58 housed at PBSP SHU for 10+ yrs
- ? Indeterminate (there were 850 as of June)

September 2015 order

- ? housed at PBSP SHU for 10+
- ? in indeterminate SHU
- 50 housed at PBSP SHU for 10+ and then transferred to another SHU

Ashker Class Action Class Membership Criteria

	8 th Amendment (as of 6/14)	“Supplemental Class” Transferred 8 th Amendment members *September 1, 2015 settlement certified	14 th Amendment Due process (as of 6/14)
Length of time	Only 10+ years	Only 10+ years	Time doesn't matter
Can you age into class	Yes	Yes	No
How many people	- 200 as of last hearing - overlap. 40 ppl are in 8 th but not due process, so in steps one or two, or who were in step 3 but CDCR waited to transfer.		As of Feb 2015 almost 900 PPL. It seemed that CDCR was moving people who've not yet received DRB reviews into Pelican Bay's SHU, from other SHUs or from Administrative Segregation. Mostly who is in SHU longest.
Who does in include?	Validated & Non Validated	10+ yrs & either 1. transferred another SHU pursuant to SDP Step 3 or 4 2. in SDP Steps 1-4 of the Step Down Program 3. in Step 5 but in SHU.	-People who were validated under old CCR, Title 15 regs, & have yet to receive a DRB Case By Case review. -Not sure if includes some people newly validated?

Changes to Solitary Practices Since 2011

	Pre-strike	Post-strike Reforms	Settlement
Property/Privileges	Severely limited	Expands	Expands more
If not validated	Go to SHU for determinate term. But no limit on number of terms if new behavior.	Go to SHU for determinate term. But no limit on number of terms if new behavior	Go to SHU for determinate term. <u>Some</u> limit on number of terms if new behavior (June 2015 regs)
Validation process	Small number of gangs Behavior and non-behavior based validation	Expands number of STGs, creates matrix of STG behavior/ consequences, moves toward behavior based.	Revises STG matrix. Requires preservation/ documentation of confidential info.
If validated	Debrief, Parole, Die	Required to participate in SDP b/c forced to remain in solitary if won't participate	Required to participate in SDP b/c forced to remain in solitary if won't participate. Start SDP *after* determinate term.
Gang reviews	Every 6 years	Every 4 years	Every 2 years & every 180 days.
Case by case reviews	No	For people validated under old rules (through October 2012) Started in 2012, still not completed.	For 1,600 validated people at 4 facilities. Will finish within year.
Good time credits	Not available	Not available for STG 1 Are available for STG 2s (toward SHU time, not sentence)	Some available, but unclear (for SHU time, not sentence)
Types of Solitary			3 categories of solitary: Admin SHU, SDP in SHU, RCGP
STG status expunged	No	Yes	Yes
Locations		Step 1 & 2 @ PBSP SHU. Step 3&4 Tehachapi & COR.	Step 1 & 2 @ PBSP SHU. Step 3&4 Tehachapi & COR.

SETTLEMENT CREATES CATEGORIES OF SEGREGATION

	Non Validated SHU	Validated Step Down Program (steps 1-4)	Administrative SHU	Restricted Custody General Population Unit (RCGP) (CDCR says it is not solitary)
For non validated people?	Yes	No	Yes? Not clear	Yes (if substantial threat), not clear
For validated people?	no		Yes	Yes
Criteria for placement		By ICC. Maybe DRB?	-After completion of determinate sentence -DRB decides "overwhelming evidence" "immediate threat to the security of institution/others," "substantial justification" -Or if they have a "substantial disciplinary history" of 3+ SHU terms w/int 5 years	By DRB -After step 1 & 2 -If repeatedly violate rules in SDP (3 serious STG or 5 admin STG) -If refuse to participate in SDP -If in SHU 10+ years & recently committed SHU-eligible offense -Substantial threat to person's personal safety that limits ability to be released into GP.
Length of time	New matrix	2 years	Indeterminate. Unlimited. Yearly review by DRB. 180 day review by ICC. No PBSP SHU for 5+ years unless "preponderance of the evidence" that unreasonable security risk.	Appears indeterminate and unlimited. Continues the steps, but not in SHU, in the restricted area. Stays in each step longer, so 12 months instead of 6.
				<ul style="list-style-type: none"> •Range of privileges contingent on reason for your placement. If for your own protection, more privileges. •Allowed to move around unit w/o restraints •Same out-of-cell time as other GP •Receive contact visits & make phone calls. •Activities in small groups instead of large yards: access to educational courses, a small-group recreation yard, small-group leisure activities. •Some job opportunities.
Programming	Increased	Increased	Increased	
Questions		If new offense, have to complete new determinate SHU term before starting step down again. How does this interact with determinate behavior terms that exceed 24 months?		This is a year long pilot program. CDCR and Plaintiffs will reevaluate its use after a year. Not clear how to manage the different types of people that CDCR will assign there. Impact of being in old Psych unit?

SETTLEMENT PROMISES

- **First promise, a new system for those in SHU**
 - Immediately release almost all 10+ to GP, whether validated or not, even if misconduct.
 - ICC (not DRB) reviews all validated (under old validation, or SDP) w/in year to determine whether to release (if no SHU offense w/in 2 yrs).
- **Second promise, a new system going forward**
 - Determinate SHU terms.
 - Behavior based (serious “SHU-eligible” rules violation needed)
 - 4 step “Step down” program for release to GP is quicker (2 years) for validated/affiliates who finish determinate term.
 - Retains “Administrative SHU” if “overwhelming evidence” of immediate threat. More out of cell time. Review every 180 days. No PBSP SHU for 5+ years unless “preponderance of the evidence” that unreasonable security risk.
 - Establishes RCGP. B/C can’t keep in SHU for non-participation in SDP.
- **Third promise, oversight**
 - Judge & plaintiffs’ counsel & plaintiffs will monitor. Reports have begun.
 - Judge reviews & remedies any individual or systemic violations of the agreement for 24 months (12-month extensions available).
 - Re-training of correctional staff (esp. on confidential evidence)
 - Prohibits CDCR retaliation for involvement in suit/monitoring. There is already movement on one incident so far.

ICC REVIEWS OR CURRENTLY VALIDATED PEOPLE

- Institutional Classification Committees at 4 men's facilities will review the 1,600 validated people.
- Will review people validated under pre-October 2012 regs. Will review people validated under new regs.
- Will only be allowed to retain in SHU b/c of validation for behavior that was
 - Within 2 years
 - SHU-able behavior – Serious 115 RVR on Attachment B “SHU Term Assessment Chart”
 - On the STG matrix – Attachment C “STG Disciplinary Matrix” – determines what step assigned.
- If released
 - Go to GP to Level 4 w/ 180 (higher security) or 270 (lower security).
 - If CDCR decides you have enemies you may go to RCGP.
 - You go for a year and you are monitored.
 - It is not called Step 5.
 - The result is more like being found inactive than an expungement.

REDUCES PROLONGED SOLITARY BY

- **Setting up clearer criteria for its use**
 - If DRB finds “overwhelming evidence” that person presents an immediate threat can keep in SHU.
 - ICC reviews every 180 days
 - Highly unlikely to be in PBSP SHU for 5+ years.
- **Requiring increased out-of-cell time**
 - 10-20 hrs per week of out-of-cell recreation & programming
- **Providing for judicial review of its use.**

SHU ELIGIBLE BEHAVIOR

SEEMINGLY CLEAR CUT “BEHAVIOR BASED”

-SEEMING IMPROVEMENT

- **Murder**
- **Violence against persons**
- **Threats to kill or assault**
- **Weapons possession**
- **Distribution of controlled substances**
- **Escape**
- **Serious theft or destruction of property**
- **Extortion or bribery**
- **Certain sexual misconduct**

POTENTIALLY PROBLEMATIC OFFENSES

SEEMINGLY DISCRETIONARY/ SUBJECTIVE

POTENTIALLY STATUS BASED OR POLITICAL BASED OR RETALIATORY

- Disturbance, riot or strike
- Harassment
- Gang activity that leads to a serious rule violation
- Related attempts or conspiracy

ATTACHMENT C

STG DISCIPLINARY MATRIX

STG DISCIPLINARY MATRIX		
Behavior/Activity With Nexus to STG	Administrative or Serious	SDP Placement Options (Section 3378.4(b))
<p><u>Section 1:</u></p> <p>a) <u>Murder, attempted murder, solicitation of murder, or voluntary manslaughter of a non-offender or offender;</u></p> <p>b) <u>Assault or Battery capable of causing serious injury; Assault or battery with a deadly weapon or caustic substance capable of causing serious injury, solicitation for offense;</u></p> <p>c) <u>Taking a hostage;</u></p> <p>d) <u>Possession of a firearm, explosive device, or weapon which has been manufactured or modified so as to have the obvious intent or capability of inflicting traumatic injury, and which is under the immediate or identifiable control of the offender;</u></p> <p>e) <u>Escape or attempted escape with force or violence</u></p> <p>f) <u>Rape, sodomy, or oral copulation against the victim's will.</u></p>	<u>Serious</u>	<p><u>3378.4(b)(2)</u></p> <p><u>3378.4(b)(3)</u></p> <p><u>3378.4(b)(6)</u></p> <p><u>3378.4(b)(7)</u></p>
<p><u>Section 2:</u></p> <p>a) <u>Introduction, Trafficking, or Distribution of any Controlled Substance (as defined in Section 3000);</u></p> <p>b) <u>Arson involving damage to a structure or causing serious bodily injury.</u></p> <p>c) <u>Possession of flammable, explosive, or combustible material with intent to burn any structure or property;</u></p> <p>d) <u>Extortion or Threat by Means of Force or Violence, including requiring payment for protection/insurance or intimidating any person on behalf of the STG;</u></p> <p>e) <u>Threatening to kill or cause serious bodily injury to a public official, their immediate family, their staff, or their staffs' immediate family;</u></p> <p>f) <u>Any other felony involving violence or injury to a victim and not specifically identified on this chart.</u></p>	<u>Serious</u>	<p><u>3378.4(b)(2)</u></p> <p><u>3378.4(b)(3)</u></p> <p><u>3378.4(b)(5)</u></p> <p><u>3378.4(b)(6)</u></p> <p><u>3378.4(b)(7)</u></p>
<p><u>Section 3:</u></p> <p>a) <u>Battery on a Peace Officer or non-offender not involving use of a weapon;</u></p> <p>b) <u>Assault on a Peace Officer or non-offender by any means likely or not likely to cause great bodily injury;</u></p> <p>c) <u>Assault or battery on a prisoner with no serious injury;</u></p> <p>d) <u>Destruction of state property valued in excess of \$400 dollars during a riot or disturbance;</u></p>	<u>Serious</u>	<p><u>3378.4(b)(2)</u></p> <p><u>3378.4(b)(3)</u></p> <p><u>3378.4(b)(5)</u></p> <p><u>3378.4(b)(6)</u></p> <p><u>3378.4(b)(7)</u></p>

This is not the list of SHU eligible behavior.

This list is the list will determine steps for people now entering the step down program.

<p>e) <u>Theft, embezzlement, arson, destruction, or damage to another's personal property, state funds, or state property valued in excess of \$400;</u></p> <p>f) <u>Any felony not involving violence or the use of a weapon not listed in this schedule with a direct nexus to STG Behavior.</u></p>		
<p><u>Section 4:</u></p> <p>a) <u>Bribery of a non-offender;</u></p> <p>b) <u>Leading/Inciting a disturbance, riot, or strike;</u></p> <p>c) <u>Active participation in, or attempting to cause conditions likely to threaten institution security;</u></p> <p>d) <u>Willfully resisting, delaying, or obstructing any peace officer in the performance of duties;</u></p> <p>e) <u>Possession of Cell Phone or Components;</u></p> <p>f) <u>Acting in a Leadership Role displaying behavior to organize and control other offenders within the STG;</u></p>	<p><u>Serious</u></p>	<p><u>3378.4(b)(2)</u> <u>3378.4(b)(3)</u> <u>3378.4(b)(4)</u> <u>3378.4(b)(5)</u> <u>3378.4(b)(7)</u></p>
<p><u>Section 5:</u></p> <p>a) <u>Gambling;</u></p> <p>b) <u>Tagging, or otherwise defacing state property valued at less than \$950, with symbols or slogans intended to promote affiliation with a STG.</u></p>	<p><u>Serious</u></p>	<p><u>3378.4(b)(2)</u> <u>3378.4(b)(4)</u> <u>3378.4(b)(7)</u></p>
<p><u>Section 6:</u></p> <p>a) <u>STG Related Tattoos and/or Body Markings (new since most recent arrival in CDCR and not previously documented);</u></p> <p>b) <u>Recording/documentation of conversations, the content of which evidences active STG behavior;</u></p> <p>c) <u>Harassment of another person, group or entity either directly or indirectly through the use of the mail, telephone, or other means;</u></p> <p>d) <u>Communications between offenders/others, the content of which evidences active STG behavior;</u></p> <p>e) <u>Leading STG Roll Call;</u></p> <p>f) <u>Directing Cadence for STG Group Exercise;</u></p> <p>g) <u>In Personal Possession of STG related Written Material including Membership or Enemy List, Roll Call Lists, Constitution, Organizational Structures, Codes, Training Material, etc.;</u></p> <p>h) <u>In Personal Possession of mail, notes, greeting cards or other communication (electronic or non-electronic) which include coded or explicit messages evidencing active STG behavior;</u></p>	<p><u>Serious</u></p>	<p><u>3378.4(b)(2)</u> <u>3378.4(b)(4)</u> <u>3378.4(b)(7)</u></p>
<p><u>Section 7:</u> <u>Except as otherwise specified in this section, proven attempts to commit or an offender who conspires to commit any of the above listed offenses shall receive the term range specified for that offense.</u></p>	<p><u>Serious</u></p>	<p><u>Identified in Section 3378.4(b)</u></p>
<p><u>Section 8:</u></p> <p>a) <u>Active Participation in STG Roll Call;</u></p> <p>b) <u>Participating in STG Group Exercise;</u></p>	<p><u>Administrative</u></p>	<p><u>3378.4(b)(1)</u> <u>3378.4(b)(4)</u> <u>3378.4(b)(7)</u></p>

- | | | |
|---|--|--|
| <ul style="list-style-type: none">c) <u>Using hand signs, gestures, handshakes, slogans, distinctive clothing, graffiti which specifically relate to an STG;</u>d) <u>Wearing, possessing, using, distributing, displaying, or selling any clothing, jewelry, emblems, badges, certified symbols, signs, or other STG items which promote affiliation in a STG;</u>e) <u>In Possession of artwork, mail, notes, greeting cards, letters or other STG items clearly depicting certified STG symbols;</u>f) <u>In Possession of photographs that depict STG association. Must include STG connotations such as insignia, certified symbols, or other validated STG affiliates.</u>g) <u>In possession of contact information (i.e., addresses, telephone numbers, etc.) for validated STG affiliates or individuals who have been confirmed to have assisted the STG in illicit behavior.</u> | | |
|---|--|--|

SHU Term Assessment Chart

OFFENSE	TYPICAL TERM (Mos)		
	Low	Expected	High
(1) Homicide:			
(A) Murder, attempted murder, solicitation of murder, or voluntary manslaughter of a non-inmate.	36	48	60
B) Murder, attempted murder, solicitation of murder, or voluntary manslaughter of an inmate.	24	36	48
(2) Violence Against Persons:			
A) Battery on a non-inmate with a weapon capable of causing serious or mortal injury; caustic substance or other fluids capable of causing serious or mortal injury; or physical force causing serious injury.	18	30	42
(B) Assault on a non-inmate with a weapon, capable of causing serious or mortal injury; caustic substance or other fluids capable of causing serious or mortal injury.	09	15	21
(C) Rape, sodomy, or oral copulation on a non-inmate, or any attempt.	18	30	42
(D) Battery on an inmate with a weapon capable of causing serious or mortal injury; caustic substance or other fluids capable of causing serious or mortal injury or physical force causing serious injury.	12	18	24
(E) Assault on an inmate with a weapon capable of causing serious or mortal injury; caustic substance or other fluids capable of causing serious or mortal injury.	6	9	12
(F) Rape, sodomy, or oral copulation on an inmate accomplished against the inmate's will, or any Attempt.	12	18	24
(G) Battery on a non-inmate without serious injury.	6	12	18
(H) Assault on a non-inmate	3	6	9
(I) Battery on an inmate without serious injury. (2 or more offenses within a 12 month period or 1 with direct STG nexus).	2	4	6
(3) Threat to Kill or Assault Persons:			
(A) To take or use a non-inmate as a hostage.	18	30	42
(B) Threat of violence to non-inmate.	2	5	8
(4) Possession of a Weapon:			
(A) Possession of a firearm or possession or manufacturing of an explosive device.	18	30	42

*Settlement amends
Title 15
California
2 Code of Regulations:

Assessment Chart = Section 3341.5,
Subsection (c)(9)

*Settlement doesn't amend definition of
STG-I or STG-II = section 3000

(B) Possession or manufacture/manufacturing of a Weapon including materials altered from their original manufactured state or purpose and which can be made into a weapon—other than a firearm or explosive device and which has been manufactured or modified so as to have the obvious intent or capability of inflicting serious injury, and which is under the immediate or identifiable control of the inmate.	4	8	12
(5) Distribution of Controlled Substances as defined in section 3000.	6	12	18
(6) Escape:			
(A) With force or Attempted Escape with force against a person.	12	24	36
(B) Or attempted Escape from any departmental prison or institution other than a camp, MSF or reentry facility.	6	12	18
(7) Disturbance, Riot, or Strike:			
(A) Leading a disturbance, riot or strike.	6	12	18
(B) Active participation in a disturbance, riot or Strike (2 or more offenses within a 12 month period or 1 with direct STG nexus).	3	6	9
(C) Inciting conditions likely to threaten institution security	3	6	9
(8) Harassment: a willful course of conduct that terrorizes a specific person, group, or entity either directly or indirectly .			
	6	12	18
(9) STG Disruptive Behavior:			
(A) Acting in a leadership role by directing or controlling STG behavior that is a behavior listed in this SHU Assessment Chart.	6	12	18
(B) Recruiting inmates to become an STG affiliate, or to take part in STG activities that is a behavior listed in this SHU Assessment Chart.	3	6	9
(C) Acting in a leadership role to generate, move, or facilitate assets or proceeds as a result of, or in support of, prohibited STG business dealings.	3	6	9
(10) Theft or destruction of State property by any means where the loss or potential loss exceeds \$10,000 or threatens the safety of others.			
	2	8	12
(11) Extortion or Bribery:			
(A) Extortion or bribery of a non-inmate.	4	8	12

(B) Extortion or bribery of an inmate.	2	3	4
(12) Sexual Misconduct:			
(A) Indecent Exposure.	3	6	9
(B) Sexual Disorderly Conduct (two or more offenses within a twelve month period).	3	6	9
(13) Except as otherwise specified in this section or identified as an assault, proven attempts to commit any of the above listed offenses shall receive one-half (1/2) of the term specified for that offense.			
(14) Any inmate who conspires to commit or solicits another person to commit any of the offenses above shall receive the term specified for that offense.			

SETTLEMENT CREATES PILOT RESTRICTED CUSTODY GENERAL POPULATION UNIT (RCGP)

WHO GOES THERE: FOUR CATEGORIES

- If repeatedly violate rules in SDP
- If refuse to participate in SDP
- If in SHU 10+ years & recently committed SHU-eligible offense
- Substantial threat to incarcerated person's personal safety that limits ability to be released into other GP units.

WHAT ARE CONDITIONS

- Former PSU Psych unit. Cells are smaller than SHU cells. Had a single slat from wall, but they are installing two slats.
- Will complete the step-down program in a high-security but non-solitary unit.
- Designed to facilitate social interactions for people CDCR deems serious security concerns.
- Allowed to move around unit w/o restraints
- Same out-of-cell time as other GP
- Receive contact visits & make phone calls.
- Activities in small groups instead of large yards: access to educational courses, a small-group recreation yard, small-group leisure activities.
- Some job opportunities.

Restricted Custody General Population (RCGP)

The RCGP is a Level IV 180-design facility commensurate with similarly designed high security general population facilities. Inmates may be transferred to the RCGP if:

- they have refused to participate in or refused to complete SDP Program components
- they have been found guilty of repeated STG violations while in the SDP
- identified safety concerns prevent their release to General Population and the RCGP is deemed to be appropriate
- they have been housed in a SHU for 10 or more continuous years and must complete the SDP because they have committed a SHU-eligible, STG-related violation within the preceding two years

SETTLEMENT CREATES ADMINISTRATIVE SHU

CRITERIA FOR PLACEMENT

- **After serving a determinate SHU sentence. DRB states that, either**
 - the case factors are such that “overwhelming evidence” exists supporting an “immediate threat to the security of the institution” or the “safety of others,” and “substantial justification” has been articulated of the need for SHU placement.
 - Or if they have a “substantial disciplinary history” consisting of 3+ SHU terms within the 5 years and there is a “substantial justification” for the need for continued SHU placement due to the inmate’s ongoing “threat to safety and security of the institution and/or others,” and that the inmate cannot be housed in a less restrictive environment.

CRITERIA FOR EXIT

- **Institution Classification Committee shall conduct classification reviews every 180 days**

SETTLEMENT TERMS – SDP STEPS

- CDCR will review all validations (even if less than 10 years, whether under old regs or new, whether had DRB before) & assign step or release to GP w/in year.
- CDCR shall provide an opportunity to complete programming for each step w/in 6 months.
- Time spent awaiting transfer to another step shall be credited to the completion of the next step.
- If committed SHU-eligible rule w/STG nexus
 - w/in 6 months: Step 1
 - w/in 6-12 months: Step 2
 - w/in 12-18 months: Step 3
 - w/in 18-24 months: Step 4
 - Current Step 5 in GP shall remain & no longer be considered current SDP participants.

New “Privilege” Groups

	Step 1	Step 2	Step 3	Step 4	Step 5 Administrative SHU	RCGP Equivalent of step 3
Location	PBSP SHU	PBSP SHU	Tehachapi or COR SHU	Tehachapi or COR SHU	SHU – Maybe Ad-Seg SHU that already exists	Appears to be in psychiatric unit
Duration	6 mos	6 mos	6 mos	6 mos	?	?
Yard	10 hrs/wk	10 hrs/wk	10 hrs/wk	10 hrs/wk	Time not specified	10 hrs/wk Commensurate with level 4 GP
Programs	no	no	2 hrs/wk, GED, high school college, & academic support	4 hrs/wk, GED, high school college, & academic support	Doesn't specify	Religion, Jobs, Education, “Leisure time activity groups,” anger mgmt, parenting, recovery
Contact visits	no	no	no	no	Yes (presumably for attorney?)	Yes, immediate family, (no spd = 1/120 days, 10+ yrs of safety = 1/60 days)
Calls	1/90 days	1/60 days	1/45 days	1/30 days	1/30 days	
Canteen draw	25% max	35% max	45% max	50% max	75% max	
Package	1, 30 lbs	1, 30 lbs	1, 30 lbs	1, 30 lbs, 2 nd 15 lbs of food	4 per year, 30lbs IDTT may allow more personal property	
SPO	no	no	no	no	Yes	
Appliance	Yes	Yes	Yes	Yes	Yes	
Photo	1	2 upon completion	3	4 /90 days	1 /180 days	
Notes						If refused SDP in priv group S-3, if 102 years or safety then group level 4 GP,

ATTACHMENT A

Inmate Privilege Groups

Step 1

- S-1 Privileges:
 - No family visit
 - Non-contact visiting
 - 25% maximum monthly canteen draw
 - Emergency telephone calls
 - One (1) phone call every 90 days if programming and no serious RVRs in that time period
 - Yard access in accordance with Title 15, section 3343(h), which shall be a minimum of 10 hours per week
 - One (1) personal package not to exceed 30 pounds, exclusive of special purchases
 - One (1) photograph
 - Electrical appliances in accordance with Authorized Personal Property Schedule for SHU/PSU

Step 2

- S-2 Privileges:
 - No family visit
 - Non-contact visiting
 - 35% maximum monthly canteen draw
 - Emergency telephone calls
 - One (1) phone call every 60 days if programming and no serious RVRs in that time period
 - Yard access in accordance with Title 15, section 3343(h), which shall be a minimum of 10 hours per week
 - Receipt of (1) personal package not to exceed 30 pounds, exclusive of special purchases
 - Two (2) photographs if programming and no RVRs upon completion of Step 2
 - Electrical appliances in accordance with Authorized Personal Property Schedule for SHU/PSU

Step 3

- S-3 Privileges:
 - No family visit
 - Non-contact visiting
 - 45% maximum monthly canteen draw
 - Emergency telephone calls
 - One (1) phone call every 45 days if programming and no serious RVRs in that time period
 - Yard access in accordance with Title 15, section 3343(h), which shall be a minimum of 10 hours per week
 - Receipt of (1) personal package not to exceed 30 pounds, exclusive of special purchases
 - Three (3) photographs if programming and no RVRs upon completion of Step 3
 - Electrical appliances in accordance with Authorized Personal Property Schedule for SHU/PSU
 - Small Group Programs at least two hours per week
 - All inmates shall have access to GED, high school, and college level educational programs, with adequate academic support.

Step 4

- S-4 Privileges:
 - No family visit
 - Non-contact visiting
 - 50% maximum monthly canteen draw
 - Emergency telephone calls
 - One (1) phone call every 30 days if programming and no serious RVRs in that time period
 - Small group yard in groups as determined by ICC, which shall be a minimum of 10 hours per week
 - Receipt of (1) personal package not to exceed 30 pounds and one additional 15 pound food package, exclusive of special purchases
 - Four (4) photographs every 90 days if programming and no RVRs
 - Electrical appliances in accordance with Authorized Personal Property Schedule for SHU/PSU
 - Small Group Programs at least four hours per week
 - All inmates shall have access to GED, high school, and college level educational programs, with adequate academic support.

- S-5 Privileges: (Inmates assigned Administrative SHU status)
 - No family visit
 - Visiting during non-working/training hours, limited by available space within facility non-contact visiting rooms
 - 75% maximum monthly canteen draw
 - Emergency telephone calls
 - One (1) phone call per month
 - Yard access in accordance with Title 15, section 3343(h)
 - Four (4) personal packages per year not to exceed 30 pounds each. May also receive special purchases, as provided in subsections 3190(j) and (k).
 - One (1) photograph upon completion of each 180 day ICC review
 - Electrical appliances in accordance with Authorized Personal Property Schedule for SHU/PSU
 - The local Inter---Disciplinary Treatment Team may further restrict or allow additional authorized personal property, in accordance with the institution's Psychiatric Services Unit operation procedure, on a case by case basis above that allowed by the inmate's assigned privilege group.

Available to all RCGP inmates:

- Education – Alternative Education Program and/or small group education
- Yard – commensurate with Level 4 GP, but with a minimum of 10 hours per week.
- Access to religious services
- Support services job assignments
- Access to GED, high school, and college level educational programs, with adequate academic support.
- Leisure Time Activity Groups
- Small group yards as determined by ICC
- Electrical appliances commensurate with the Authorized Personal Property Schedule for Level IV GP
- Privileges:
 - Inmates transferred to RCGP due to refusal to participate in SDP and/or repeated STG RVRs: S-3 privilege group, unless modified by ICC based on program participation or continued STG RVRs
 - Inmates transferred into to the RCGP pilot program after 10+ continuous years in a SHU: commensurate with Level IV GP
 - Inmates transferred into to the RCGP for safety needs: commensurate with Level IV GP

- RCGP Visiting:
 - No Family Visits
 - Non-contact visits that are no less than those afforded to inmates in the Pelican Bay SHU
 - Contact visiting for all inmates in the RCGP shall be limited to immediate family and visitors pre-approved in accordance with existing Title 15 visiting regulations. Contact visits shall be of the same duration as allowed for General Population Level IV inmates, and occur on the following schedule:
 - Inmates transferred to RCGP due to refusal to participate in SDP and/or repeated STG RVRs
 - 1 contact visit every 120 days if programming and no repeated RVRs. ICC shall have the discretion to increase this schedule to 1 contact visit every 90 days, on a case by case basis.
 - Inmates transferred into to the RCGP pilot program after 10+ continuous years in a SHU:
 - 1 contact visit every 60 days unless the inmate incurs a disciplinary violation for which the loss of privileges imposed restricts visiting.
 - All other RCGP Inmates:
 - 1 contact visit every 60 days unless the inmate incurs a disciplinary violation for which the loss of privileges imposed restricts visiting

Small Group programming available in Steps 3, 4, and in the RCGP may include: anger management, parenting skills, understanding criminal thinking, drug & alcohol abuse counseling. These programs shall be provided based on the needs of the inmate.

REFORMS POST-STRIKE

PART 4



TIMELINE OF ORGANIZING THAT CREATED THE POLITICAL CONDITIONS FOR THE SETTLEMENT.

Departmental Review Board (DRB)

- Hearings aim to review evidence for gang validations that occurred prior to the October 2012 pilot program. Determine whether they people be placed in the step down (& what step) or released to GP.
- Validated people who were already serving indeterminate SHU terms prior to the new STG program will not be re-validated under the new criteria. Just determines if person will remain in or be released from the SHU. Based on the behavior over the most recent four-year period. Prisoner can attend the review.
- People who are released from SHU as a result of the DRB reviews are designated as Inactive-Monitored (IMO).
- Oct 2012: approx 3,100 validated gang members/associates
- Sept 2014, approx. 600/940 reviewed by the DRB released to gp. Others in SDP.
- Feb 2015 1,070 DRB reviews completed, 1,600 remained. 72.5% (776 total) placed in Step 5. 294 Steps 1-4. Evidence inappropriate use.
- Dec 2015- Final DRBs scheduled for completion.

SECURITY THREAT GROUP (STG) NEXUS

October 2012 “Pilot Program,” formally adopted in 2014

If validated

- prior to Oct 2012, Departmental Review Board (DRB) reviewed case by case to place in step or GP.
- After October 2012, uses new criteria.

New Criteria For Validation

- Expanded "security threat group" (STG) definition to include prison gangs, “disruptive groups” & street gangs.
- New point system, information/"source items" carry different weights.
 - To validate as affiliate need 3 source items to = 10+ points (previously needed just three source items). Behavior must have occurred w/in 4 years.
 - Categories of STG affiliation & a matrix with the consequences of STG-related rule violations.
 - Administrative rule violation= STG-related behavior or possession of STG contraband.
 - Serious rule violation = STG-related behavior that is directing, controlling, disruptive or violent.

New Criteria to Leave SHU/De-validate

- Outlines four-year Step Down Program (SDP)- replaces the six-year inactive review process.
 - Series of increased privileges and forced programming required to re-enter GP.

OCT 2012 STEP DOWN PROGRAM

Can be validated as a “member” or “associate” of STG-I or STG-II.

Affiliation Type

- Member = accepted into membership.
- Associate = periodic or regular involvement.

Affiliation Groups

- STG-I pose the greater threat, traditional prison gangs/groups the department determined to have a history and propensity for violence and/or influence over subservient gangs.
 - Aryan Brotherhood (AB)
 - Black Guerilla Family (BGF)
 - Mexican Mafia (EME)
 - Nazi Low Riders (NLR)
 - Northern Structure (NS)
 - Nuestra Familia (NF)
 - Texas Syndicate
- STG-II: will include gangs such as traditional disruptive groups/street gangs.
 - Crips
 - Nortenos
 - Bloods
 - 2-5's
 - Northern Riders
 - Surenos
 - White Supremacist

OCT 2012 STEP DOWN PROGRAM

Evidence

- To validate as affiliate need 3 source items to = 10+ points (previously needed just three source items). Behavior must have occurred w/in 4 years.
- Must list all source items on a CDCR Form 128-B4 (Evidence Disclosure and Interview Notification), & provide a copy of all non-confidential documents
- Confidential information must be identified on a CDCR Form 1030 (Confidential Information Disclosure Form).
- Two points: symbols (e.g., hand signs, graffiti, distinctive clothing), written materials identifying the prisoner that are not in the personal possession of the prisoner (e.g., membership or enemy lists)
- Three points: association with validated STG affiliates, informant information (however, validation cannot be based solely on hearsay informant information), debriefing reports
- Four points: written materials that are in the personal possession of the prisoner, photos (no more than four years old), CDCR staff observations, information from other agencies, visits from people known to promote or assist STG activities, communications (e.g., phone conversations, mail, notes)
- Five points: self admission
- Six points: crimes committed for benefit, at direction or in association with an STG, tattoos or body markings
- Seven points: legal documents

OCT 2012 STEP DOWN PROGRAM

Sending to SDP

- An STG-I associate can be sent to Step 1 if found guilty of one serious STG-related rule violation or two administrative STG-related rule violations within a 12 month period.
- An STG-II member or associate can be sent if found guilty of two STG-related rule violations which are SHU-able offenses

OCT 2012 STEP DOWN PROGRAM

STG DISCIPLINARY MATRIX		
Behavior/Activity With Nexus to STG	Administrative or Serious	SDP Placement Options* (Section 3378.4(b))
Section 1: a) Murder, attempted murder, solicitation of murder, or voluntary manslaughter of a non-offender or offender; b) Assault or battery capable of causing serious injury; assault or battery with a deadly weapon or caustic substance capable of causing serious injury, solicitation for offense; c) Taking a hostage; d) Possession of a firearm, explosive device, or weapon which has been manufactured or modified so as to have the obvious intent or capability of inflicting traumatic injury, and which is under the immediate or identifiable control of the offender; e) Escape or attempted escape with force or violence f) Rape, sodomy, or oral copulation against the victim's will.	Serious	3378.4(b)(2) 3378.4(b)(3) 3378.4(b)(6) 3378.4(b)(7)
Section 2: a) Introduction, trafficking, or distribution of any Controlled Substance (as defined in Section 3000); b) Arson involving damage to a structure or causing serious bodily injury. c) Possession of flammable, explosive, or combustible material with intent to burn any structure or property; d) Extortion or threat by means of force or violence, including requiring payment for protection/insurance or intimidating any person on behalf of the STG; e) Threatening to kill or cause serious bodily injury to a public official, their immediate family, their staff, or their staff's immediate family; f) Any other felony involving violence or injury to a victim and not specifically identified on this chart.	Serious	3378.4(b)(2) 3378.4(b)(3) 3378.4(b)(5) 3378.4(b)(6) 3378.4(b)(7)
Section 3: a) Battery on a Peace Officer or non-offender not involving use of a weapon; b) Assault on a Peace Officer or non-offender by any means likely or not likely to cause great bodily injury; c) Assault or battery on a prisoner with no serious injury; d) Destruction of state property valued in excess of \$400 dollars during a riot or disturbance; e) Theft, embezzlement, arson, destruction, or damage to another's personal property, state funds, or state property valued in excess of \$400; f) Any felony not involving violence or the use of a weapon not listed in this schedule with a direct nexus to STG Behavior.	Serious	3378.4(b)(2) 3378.4(b)(3) 3378.4(b)(5) 3378.4(b)(6) 3378.4(b)(7)
Section 4: a) Bribery of a non-offender; b) Leading/Inciting a disturbance, riot, or strike; c) Participation in, or attempting to cause conditions likely to threaten institution security; d) Willfully resisting, delaying, or obstructing any peace officer in the performance of duties; e) Possession of cell phone or components; f) Acting in a leadership role displaying behavior to organize and control other offenders within the STG;	Serious	3378.4(b)(2) 3378.4(b)(3) 3378.4(b)(4) 3378.4(b)(5) 3378.4(b)(7)

STG DISCIPLINARY MATRIX		
Behavior/Activity With Nexus to STG	Administrative or Serious	SDP Placement Options* (Section 3378.4(b))
<p>Section 5:</p> <ul style="list-style-type: none"> a) Gambling; b) Tagging, or otherwise defacing state property valued at less than \$950, with symbols or slogans intended to promote affiliation with a STG. 	<p>Serious</p>	<p>3378.4(b)(2) 3378.4(b)(4) 3378.4(b)(7)</p>
<p>Section 6:</p> <ul style="list-style-type: none"> a) STG-related tattoos and/or body markings (new since most recent arrival in CDCR and not previously documented); b) Recording/documentation of conversations evidencing STG behavior; c) Harassment of another person, group or entity either directly or indirectly through the use of the mail, telephone, or other means; d) Communications between offenders/others evidencing STG behavior; e) Leading STG roll call; f) Directing cadence for STG group exercise; g) In personal possession of STG-related written material, including membership or enemy list, roll call lists, constitution, organizational structures, codes, training material, etc.; h) In personal possession of mail, notes, greeting cards or other communication (electronic or non-electronic) which include coded or explicit messages evidencing STG behavior; 	<p>Serious</p>	<p>3378.4(b)(2) 3378.4(b)(4) 3378.4(b)(7)</p>
<p>Section 7:</p> <p>Except as otherwise specified in this section, proven attempts to commit or an offender who conspires to commit any of the above listed offenses shall receive the term range specified for that offense.</p>	<p>Serious</p>	<p>Identified in Section 3378.4(b)</p>
<p>Section 8:</p> <ul style="list-style-type: none"> a) Participation in STG roll call; b) Participating in STG group exercise; c) Using hand signs, gestures, handshakes, slogans, distinctive clothing, graffiti which specifically relate to an STG; d) Wearing, possessing, using, distributing, displaying, or selling any clothing, jewelry, emblems, badges, certified symbols, signs, or other STG items which promote affiliation in a STG; e) In possession of artwork, mail, notes, greeting cards, letters or other STG items clearly depicting certified STG symbols; f) In possession of photographs that depict STG association. Must include STG connotations such as insignia, certified symbols, or other validated STG affiliates. g) In possession of contact information (i.e., addresses, telephone numbers, etc.) for validated STG affiliates or individuals who have been confirmed to have assisted the STG in illicit behavior. 	<p>Administrative</p>	<p>3378.4(b)(1) 3378.4(b)(4) 3378.4(b)(7)</p>

OCT 2012 STEP DOWN PROGRAM

*SDP placement is not applicable to the condemned population.

OCT 2012 STEP DOWN PROGRAM

Getting out of SDP

- **Steps 1 and 2 (PBSP SHU)**
 - only in- cell programming
 - all movement is in restraints
 - 12 months each.
- **Steps 3 and 4 (Other SHU)**
 - 12 months each
 - includes educational programs and programs like anger management, parenting, substance abuse, and violence prevention as well as work assignments.
 - Must complete journals regarding values and strategies and thinking and behavior.
- **Step 5 General Population Housing**
 - Upon successful completion of all four steps (as determined by ICC/CSR) for endorsement to a Level IV, regardless of the offender's placement score unless otherwise directed by a Department Review Board (DRB) action.
 - 12 month observation period
 - If complete observation period w/no gang involvement, placed in a facility consistent with placement score and case factors.

OCT 2012 STEP DOWN PROGRAM

Privilege levels will be based on the following:

	SDP STEP 1 (S1)	SDP STEP 2 (S2)	SDP STEP 3 (S3)	SDP STEP 4 (S4)	SDP STEP 5
CANTEEN	Per CCR, Title 15, Section 3044 – PG S1 will be 25% of the maximum monthly canteen draw.	Per CCR, Title 15, Section 3044 – PG S2 will be 30% of the maximum monthly canteen draw.	Per CCR, Title 15, Section 3044 – PG S3 will be 40% of the maximum monthly canteen draw.	Per CCR, Title 15, Section 3044 – PG S4 will be 50% of the maximum monthly canteen draw.	Per CCR, Title 15, Section 3044.
PERSONAL PHOTO	One (1) photo upon completion of 1 year disciplinary free while in	One (1) photo upon transition to Step 2.	Two (2) photos upon transition to Step 3.	Two (2) photos upon transition to Step 4.	In accordance with general population

OCT 2012 STEP DOWN PROGRAM

TELEPHONE	segregation. Phone call on an emergency basis only as determined by staff.	Phone call on an emergency basis only as determined by staff. One (1) call upon transition to Step 2. This call may be facilitated at any approved time during the 12 months; however, if the inmate is found guilty of STG Behavior and regressed in the program, he/she may lose any call that is pending.	Phone call on an emergency basis only as determined by staff. Two (2) calls upon transition to Step 2. These calls may be facilitated at any approved time during the 12 months; however, if the inmate is found guilty of STG Behavior and regressed in the program, he/she may lose any calls that are pending.	Phone call on an emergency basis only as determined by staff. Four (4) calls upon transition to Step 3. These calls may be facilitated at any approved time during the 12 months; however, if the inmate is found guilty of STG Behavior and regressed in the program, he/she may lose any calls that are pending.	In accordance with general population
TELEVISION & RADIO	May possess or purchase one (1) television or one (1) radio or one (1) television/ radio combination unit. Clear technology only.	May possess or purchase one (1) television or one (1) radio or one (1) television/ radio combination unit. Clear technology only.	May possess or purchase one (1) television or one (1) radio or one (1) television/ radio combination unit. Clear technology only.	May possess or purchase a TV and a radio or one (1) television/ radio combination unit. Clear technology only.	In accordance with assigned institution's policy.
PERSONAL PROPERTY	Items listed in DOM, Section 54030.17, Authorized Personal Property Schedule.	Items listed in DOM, Section 54030.17, Authorized Personal Property Schedule. Allow possession of	Items listed in DOM, Section 54030.17, Authorized Personal Property Schedule. In addition to items allowed	Items listed in DOM, Section 54030.17, Authorized Personal Property Schedule. In addition to items allowed	Items listed in DOM, Section 54030, Authorized Personal Property Schedule for the assigned general population

OCT 2012 STEP DOWN PROGRAM

Current gang validation categories	NEW STG validation categories
<p style="text-align: center;"><u>MEMBER</u></p> <p>A member is an offender/parolee or any person who has been accepted into membership by a gang. This identification requires at least three (3) independent source items of documentation indicative of actual membership. Validation of an offender/parolee or any person as a member of a prison gang shall require that at least one (1) source item be a direct link to a current or former validated member or associate of the gang.</p> <p>No weighted point system currently applied.</p>	<p style="text-align: center;"><u>MEMBER</u></p> <p>Any offender or any person who, based on documented evidence, has been accepted into membership by a gang. STG Members will be identified by the IGI through the validation process and reviewed by OCS. This identification requires at least three (3) independent source items with a value of 10 points or greater, coupled with intelligence indicative of a Member. Validation of an offender or any person as a Member of a STG shall require that at least one (1) source item be a direct link to a current or former validated member or associate of the gang.</p>
<p style="text-align: center;"><u>ASSOCIATE</u></p> <p>An associate is an offender/parolee or any person who is involved periodically or regularly with members or associates of a gang. This identification requires at least three (3) independent source items of documentation indicative of association with validated gang members or associates. Validation of an offender/parolee or any person as an associate of a prison gang shall require that at least one (1) source item be a direct link to a current or former validated member or associate of the gang.</p> <p>No weighted point system currently applied.</p>	<p style="text-align: center;"><u>ASSOCIATE</u></p> <p>Any offender or any person who, based on documented evidence, is involved periodically or regularly with the members of a criminal gang. STG Associates will be identified by the IGI through the validation process and reviewed by OCS. This identification requires at least three (3) independent source items with a value of 10 points or greater, coupled with intelligence indicative of an Associate. Validation of an offender or any person as an Associate of a STG shall require at least one (1) source item be a direct link to a current or former validated member or associate of a gang.</p>

OCT 2012 STEP DOWN PROGRAM

Current gang validation categories	NEW STG validation categories
<p style="text-align: center;">N/A</p>	<p style="text-align: center;"><u>SUSPECT</u></p> <p>Any offender who, based on documented evidence, is suspected of being involved in or assisting a STG in the commission of criminal gang behaviors or gang behaviors in violation of CDCR policy and/or state law and is tracked by the OCS pending validation. Suspects will require 2 or more points and would not be officially validated, but tracked for intelligence purposes and decisions that impact the institution's daily program needs. Suspects shall be identified by the IGI and will not require OCS validation review.</p>
<p style="text-align: center;"><u>INACTIVE</u></p> <p>The offender has not been involved in gang activity for a minimum of 6 years.</p>	<p style="text-align: center;"><u>MONITORED</u></p> <p>Any offender who has successfully completed Steps 1-4 in the SDP and has been returned to a general population or SNY setting. This period of monitoring will include continuous and on-going cell searches, mail and telephone call monitoring and periodic interviews with the Investigative Unit Staff.</p>

The level of gang recognition, from Suspect to Member, will be based on source criteria and an objective point system. The point value chart below is comprised of current source items identified in CCR, Title 15, Division 3, Section 3378. The incorporated change is the point value of each source item listed.

	SHU	SDP STEP 1	SDP STEP 2	SDP STEP 3	SDP STEP 4
	CURRENT				
SHU HOUSING LOCATION	<p>For Males - SHU is currently operated at Pelican Bay State Prison (PBSP), California Correctional Institution (CCI), California State Prison Corcoran (COR) or California State Prison Sacramento (SAC)</p> <p>For Females – SHU is currently operated at Valley State Prison for Women (VSPW) or California Institution for Women (CIW)</p>	<p>For Males - To be operated at PBSP SHU</p> <p>For Females – To be operated in a designated SHU unit</p> <p>If the offender’s case factors preclude housing at PBSP, appropriate placement will be determined</p>	<p>For Males - To be operated at PBSP SHU</p> <p>For Females – To be operated in a designated SHU unit</p> <p>If the offender’s case factors preclude housing at PBSP, appropriate placement will be determined</p>	<p>For Males - To be operated at CCI SHU or COR SHU</p> <p>For Females – To be operated in a designated SHU unit</p> <p>If the offender’s case factors preclude housing at CCI or COR, appropriate placement will be determined</p>	<p>For Males - To be completed at CCI SHU or COR SHU</p> <p>For Females – To be operated in a designated SHU unit</p> <p>If the offender’s case factors preclude housing at CCI or COR, appropriate placement will be determined</p>

OCT 2012 STEP DOWN PROGRAM

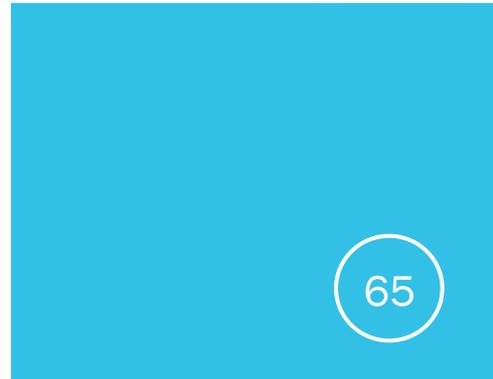
	SHU	SDP STEP 1	SDP STEP 2	SDP STEP 3	SDP STEP 4
	CURRENT				
REVIEW PERIODS	180 day ICC review in accordance with CCR, Title 15, Division 3, Section 3341.5 (c)(2)(A)1.	180 day ICC review in accordance with CCR, Title 15, Division 3, Section 3341.5 (c)(2)(A)1.	180 day ICC review in accordance with CCR, Title 15, Division 3, Section 3341.5 (c)(2)(A)1.	180 day ICC review in accordance with CCR, Title 15, Division 3, Section 3341.5 (c)(2)(A)1.	90 day ICC review
MINIMUM LENGTH OF TERM REQUIRED FOR REVIEW OF SHU RELEASE	6 Years in accordance with CCR, Title 15, Section 3378(e)	Minimum of 12 months prior to movement to Step 2.	Minimum of 12 months prior to movement to Step 3.	Minimum of 12 months prior to movement to Step 4.	Minimum of 12 months prior to review for release to Step 5 in a general population or SNY setting

	SHU	SDP STEP 1	SDP STEP 2	SDP STEP 3	SDP STEP 4
	CURRENT				
SDP PROGRAM	College programs and proctoring of college examinations.	College programs and proctoring of college examinations. Observation Phase to include in-cell studies designed to enhance life skills e.g., anger management, and other cognitive skill based programming such as "Thinking for a Change".	College programs and proctoring of college examinations. Observation/ Enhanced Privilege Phase and to include in-cell studies designed to enhance life skills e.g., anger management, and other cognitive skill based programming such as "Thinking for a Change".	College programs and proctoring of college examinations. Enhanced Program, Privileges and Peer Interaction Phase Program components to include individual and group meetings that provide anger management, parenting, academic and substance abuse programs, and other self help groups. Group meetings would be limited in size and will be facilitated with the offenders in individual therapeutic treatment modules. Group meetings would be made up of mixed gang affiliations to begin peer interaction.	College programs and proctoring of college examinations. Transitional Program, Privileges, and Peer Interaction Phase Program components to include Alternatives to Violence Program, Gang Anonymous, Cage Your Rage, The Change Companies Journaling system, and identified work and education programs within the housing unit. Group meetings would be limited in size and will be facilitated with the offenders in individual therapeutic treatment modules or unrestrained as determined by ICC. Group meetings

OCT 2012 STEP DOWN PROGRAM

	SHU	SDP STEP 1	SDP STEP 2	SDP STEP 3	SDP STEP 4
	CURRENT				
YARD EXERCISE	10 hours of individual yard or with compatible cell partner pursuant to CCR, Title 15, Section 3343(h)	10 hours of individual yard or with compatible cell partner pursuant to CCR, Title 15, Section 3343(h) Recreation will include the use of isometric and exercise equipment as determined and deemed appropriate.	10 hours of individual yard or with compatible cell partner pursuant to CCR, Title 15, Section 3343(h) Recreation will include the use of isometric and exercise equipment as determined and deemed appropriate.	At least 10 hours of individual yard or with compatible cell partner pursuant to CCR, Title 15, Section 3343(h) Recreation will include the use of isometric and exercise equipment as determined and deemed appropriate.	At least 10 hours of individual yard or with compatible cell partner pursuant to CCR, Title 15, Section 3343(h) Yard interaction with inmates of diverse affiliations after 6 months of programming within Step 4.
MEALS	Meals consumed in cell.	Meals consumed in cell.	Meals consumed in cell.	Meals consumed in cell.	Meals consumed unrestrained in section with other SDP offenders.

OCT 2012 STEP DOWN PROGRAM



HISTORY: CONDITIONS POST STRIKE PRE SETTLEMENT

- Increased access to GED education and proctors. The strike won the ability for prisoners who were once enrolled (& had paid for) in correspondence GED or College courses to resume these courses from their cells – this gain does not seem to have materialized consistently.



CONDITIONS: PASSING THE TIME

- TVs & Radios are the main form of entertainment, but only available to inmates who have funds on their “books”
 - If an inmate owes restitution, a large portion of their funds are garnished
- Access to reading materials is extremely limited.
 - There is a library for books, but the books requested are often not the ones that arrive
 - Before strike, Only 5 books permitted, 10 books after strike
 - Magazines are typically only available if one has funds to purchase
- Inmates without funds will not be able to access many of the things won by the hunger strike. For example
 - Wall Calendars, Sweats/Beanies (it can be very cold), Pastels

SHU HISTORY PRE - STRIKE

PART 5



**HISTORY (PRE-STRIKE) - CA HAD A NUMBER OF SHUS
PELICAN BAY (MEN'S), TEHACHIPI (MEN'S -LOWER LEFT) CORCORAN (MEN'S UPPER
LEFT), SACRAMENTO (MEN'S), & VALLEY STATE (WOMEN'S - LOWER RIGHT)**

- At time of first strike house approximately 3,238 ppl.
- 1,056 inmates in Pelican Bay SHU alone.
- Approx. 400 ppl. in Calipatria's (Mens- Upper Right) Administrative-Segregation unit are awaited transfer (after being "validated" as gang members) to a SHU.



HISTORY OF PBSP SHU



- Correctional administrators purchased land in rural Del Norte County, in Crescent City, CA on CA's northernmost border with Oregon.

- Its lengthy distance away from most prisoners' families was considered a plus.

- Most inmates are moved from southern CA - this breaks ties with families & support structures crucial for re-entry.

The SHU is the White "X" or "cross" shaped building

LAST MAJOR PBSP SPECIFIC CLASS ACTION:

MADRID V. GOMEZ 1995

Class action of over 3,500 Pelican Bay Prisoners

Violations includes

- CDCR forced Black mentally ill prisoner, who had smeared himself with feces was put into a tub of water so hot it caused third-degree burns. The skin peeled off parts of his body, & a prison nurse overheard a guard say, “looks like we’re going to have a white boy before this is through.”
- An inmate who refused to return his food tray was shot with a gas gun, pistol whipped, beaten, twice knocked unconscious, & “dragged out of the cell face down; his head was bleeding, & a piece of his scalp had been detached or peeled back.”

Judge Thelton Henderson found:

- A “pattern of excessive force” & “systemic deficiencies in the medical & mental health” systems.
- On SHU conditions stated that 23- hour isolation in windowless cells “may press the outer borders of what most humans can psychologically tolerate,”
- Placing mentally ill or psychologically vulnerable people in such conditions “is the equivalent of putting an asthmatic in a place with little air to breathe.”
- Ordered
 - On overhaul of policing practices & medical care at Pelican Bay,
 - Removal of inmates suffering from or at risk of mental illness.
 - Appointed a Special Master to oversee the changes to policy & practice & ensure that progress was being made. Oversight Ended in 2011.

PHYSICAL CONDITIONS PBSP SHU



“In some ways it feels to me ludicrous that we have these debates about capital punishment when what happens in Pelican Bay’s Special Management Unit is a form of punishment that’s far more egregious.”

-Harvard psychiatrist Stuart Grassian, an expert on the effects of solitary confinement

PHYSICAL CONDITIONS: PBSP UNIT/POD

- A guard in a central control booth controls doors
- The guard can press a button & allow prisoners to go out to a shower, or exercise.
- The guard in the control booth is always armed; from the central vantage point in the control booth, guards can shoot onto any one of six pods, each containing eight cells.



CONDITIONS: CELLS



- Locked in cells 22.5 hours a day.
- Cells have 2 bunks
 - It is rare to be granted a cell mate

PHYSICAL CONDITIONS

- Cells are 8 x 10 or 9x6 feet & made of poured concrete.
- Some light stays on 24 hours per day. There is a light that people can turn on an off in cell.
- The only window available is opaque, allowing for only a few hours of exposure to direct sunlight
- Look out through a perforated steel door at a solid concrete wall.

D SHU 5 - 10

HISTORY – HOW CDCR SENT PEOPLE TO SHU (PRE STRIKE)

Courts of law do not sentence prisoners to the SHU.

Correctional administrators assign prisoners to the SHU

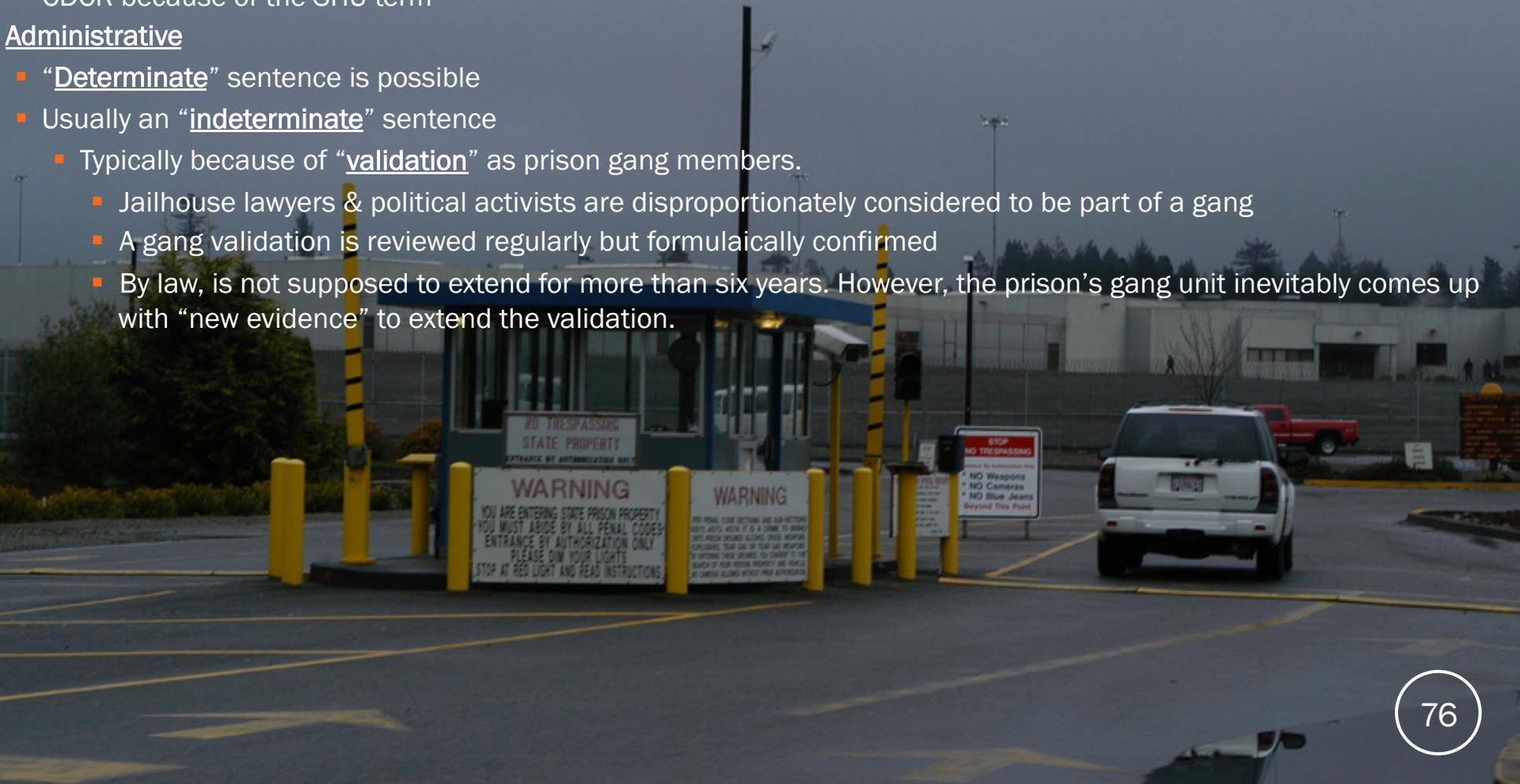
Assignments: There are two types of SHU assignments:

Disciplinary: inmates who have broken rules

- A “determinate” sentence” - (fixed) time - will be released from SHU upon completion of the program, but later from CDCR because of the SHU term

Administrative

- “Determinate” sentence is possible
- Usually an “indeterminate” sentence
 - Typically because of “validation” as prison gang members.
 - Jailhouse lawyers & political activists are disproportionately considered to be part of a gang
 - A gang validation is reviewed regularly but formulaically confirmed
 - By law, is not supposed to extend for more than six years. However, the prison’s gang unit inevitably comes up with “new evidence” to extend the validation.



HISTORY – LEAVING SHU (PRE-STRIKE)



- Cannot earn “good time credit” while in the SHU.
 - This impacts getting out of SHU & eventually getting out of CDCR.
- There were 4 ways out of an indeterminate SHU sentence
 1. Die
 2. Parole
 - If life -an unwritten rule prevents any lifer in the SHU from being granted a parole date - the life sentence imposed by a judge is administratively converted into an LWOP (life without parole) sentence, regardless of the allegations of present dangerousness.
 3. Debrief
 - “Validated” as gang members can only escape if they “debrief.”
 - to provide prison officials with information incriminating other prisoners
 - prisoners are often falsely identified as gang members by prisoners who debrief in order to escape the inhumane conditions of the SHU
 - Also, debriefing can be dangerous to the prisoner who debriefs, or to his family
 4. Pass CDCR’s six year in/active gang test (this test changed after strikes)
 - An alleged member waits 6 years before going in front of a board to determine if he is still active.
 - This is an internal CDCR review with no oversight
 - The procedure to determine active gang affiliation is arbitrary.
 - Having someone’s name in another’s cell in which the latter is thought to be associated with a gang incriminates the former.
 - Having a Prison Focus newsletter
 - Having a George Jackson Book (purchased after CDCR Authorization)

HISTORY - WHO WAS IN THE SHU (PRE STRIKE)

RACE

Latino – Disproportionately Represented

- In 2007, Latino prisoners made up 42% of CA's parolees
- However, of the paroled population who had served a supermax term, 56% were Latino.
- *Madrid v. Gomez* case

Black

White

LENGTH OF CONFINEMENT

CDCR Statistics 9/5/11

- Of the 1,111 SHU prisoners
- 10 years or more: 513
- 20 years or more: 78
- Over 5 less than 10: 544

Prisoners Self-Reports

- More people have done more time

WHO IS IN THE SHU: SUMMER 2011 SELF-REPORT TO LEGAL SERVICES FOR PRISONERS WITH CHILDREN OUT OF 63 RESPONSES FROM CORCORAN & PELICAN BAY

Age (years old)

30-40 (22.2%). 14
41-50 (31.7%). 20
51-60 (38.1%). 24
over 60 (6.3%). 4

Length of sentence:

5-20 years (27%). 17
21-30 years to life with possibility of parole (27%). 17
31-40 years to life with possibility of parole (11.1%). 7
41-50 years to life with possibility of parole (1.6%). 1
50+ years to life with possibility of parole (3.2%). 2
life sentence (17.5%) 11
life with no parole (10%). 6

Length of time spent incarcerated so far:

6-10 years in prison (3.2%). 2
11-15 years in prison (6.3%). 4
16-25 years in prison (46%). 29
26-35 years in prison (27%). 17
over 35 years in prison (9.5%). 16

Length of time spent in solitary confinement inside the SHU :

- 1-5 years (7.9%). 5
- 6-10 years (17.5%). 11
- 11-15 years (17.5%). 11
- 16-25 years (33.3%). 11
- 26-40 years (11.1%). 7

•Type of Sentence to SHU

- 87.3% indeterminate
- determinate SHU sentence of between 0-7 years (31.7%). 20
 - However, they have exceeded that amount between 5-33 years.
- given an indeterminate SHU sentence (43.3%). 26

Reasons not released based on 6 year inactive gang policy:

- has been released by the policy (1.6%). 1
- politicized individuals who may have influential power (7.9%). 5
- policy is a “sham process” & they are in there because of non-gang related reasons (12.7%). 8
- did not know why they have not been released (6.3%). 4
- six year review is not up & they still have alleged active gang affiliation (47.6%). 30
- not eligible (4.8%). 3

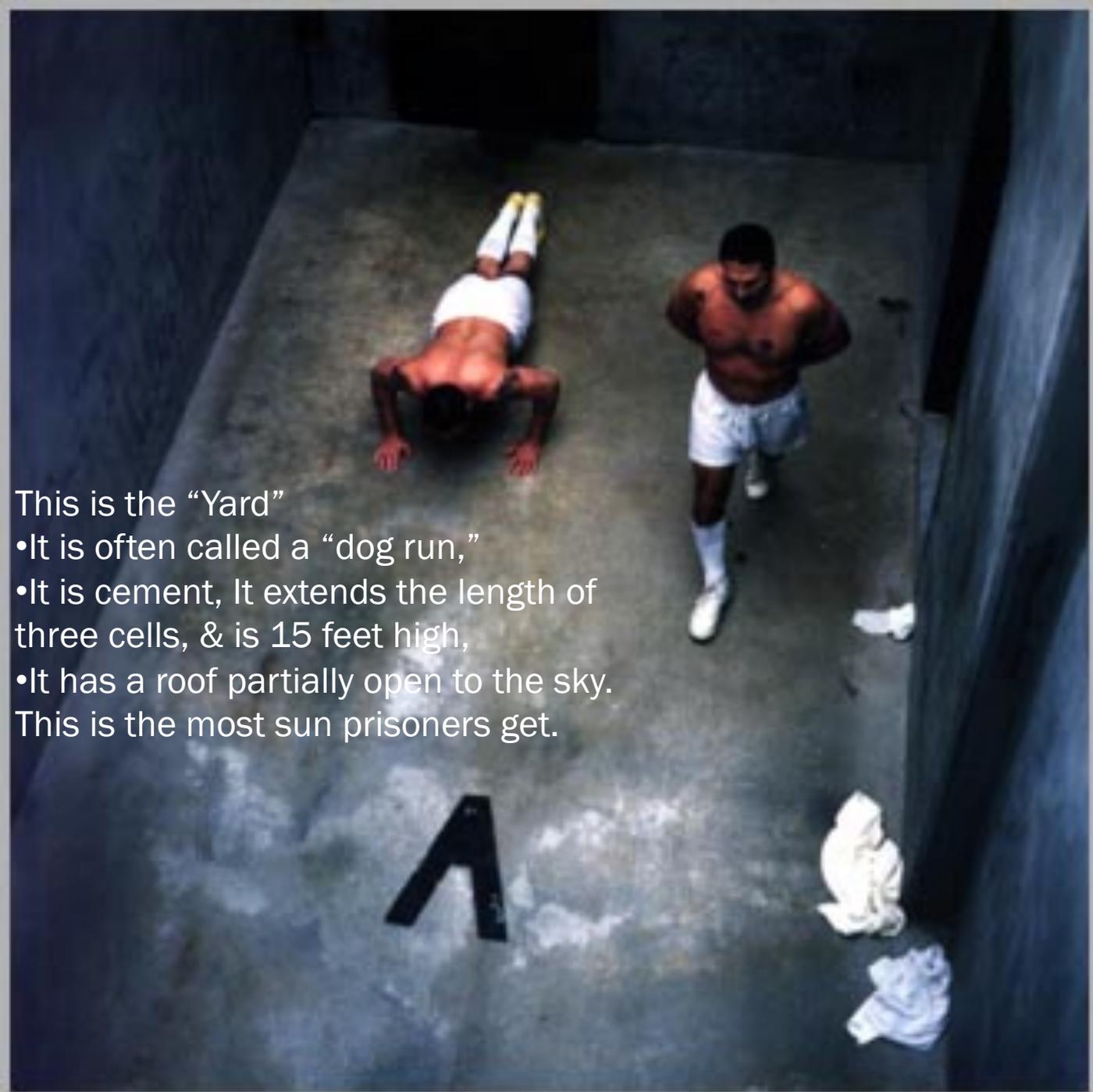
CONDITIONS: ISOLATING RULES

- No phone calls
- No photos
 - Before the strike- (& for most inmates going forward because of arbitrary accusations leading to a disciplinary ban on “privileges”) no sending a photograph of yourself to your loved ones.
- No touch
 - Only non-contact visits behind thick plexiglass on a phone.
 - No embracing family or attorneys – only guards touching you.
- No congregated religious services.
- Mail
 - Family mail is searched & reviewed
 - Legal mail is routinely searched & even examined despite prohibitions
 - Often withheld without notice
 - If mail is not read upon receipt at the prison, it is read by officers during “pod raids” when cells are searched (often when the residents is out at yard)



CONDITIONS: REHABILITATION

- Prisoners are entitled to court-mandated five hours per week of outdoor exercise.
- This is only given when there is no “lockdown”
 - a procedure for shutting down all “movement” in a facility
 - it happens arbitrarily & frequently



This is the “Yard”

- It is often called a “dog run,”
 - It is cement, It extends the length of three cells, & is 15 feet high,
 - It has a roof partially open to the sky.
- This is the most sun prisoners get.

CONDITIONS: REHABILITATION

A photograph showing a man in profile, wearing glasses and a yellow shirt, looking at a document. In the background, another person's hands are visible, holding a pen over a document. The scene is dimly lit, with a focus on the documents and the man's face.

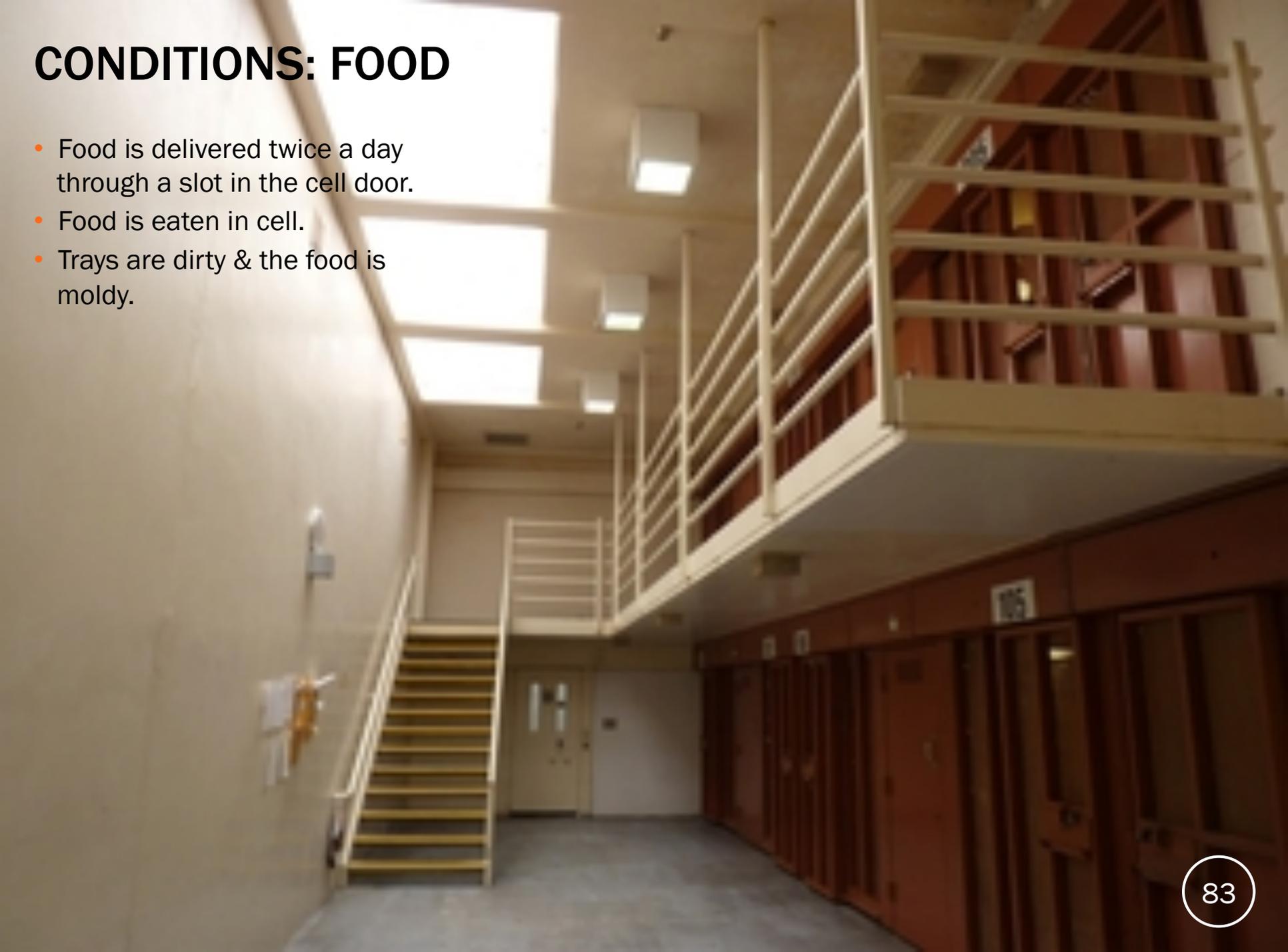
No work, vocational or educational programs.

Access to the law library is extremely limited

- No talking is allowed
- Only a limited amount of legal materials or pages of a case are allowed at one time –including copies necessary to file a case

CONDITIONS: FOOD

- Food is delivered twice a day through a slot in the cell door.
- Food is eaten in cell.
- Trays are dirty & the food is moldy.



CONDITIONS

- Leaving the cell is rare, & is typically limited to
 - shower (a few times a week- court-mandated every 72 hours)
 - yard (small concrete cages),
 - medical visits
 - family visits (weekends for 1-2 hours)
 - legal visits (only 2 weekdays)
- When inmates leave their cells, they are
 - strip-searched
 - shackled at the waist & ankles
 - escorted by two corrections officers “Cos”

MENTAL HEALTH EFFECTS

“SHU SYNDROME”

SHU placement induces psychological torture due to the

- social isolation
- sensory/environmental deprivation
- Cultural deprivation

Mental health experts find that extreme isolation is

- “strikingly toxic”
- & that it actually causes a specific psychiatric syndrome, “SHU Syndrome” that results in:
 - Hallucinations
 - paranoia
 - Insomnia
 - Panic attacks
 - & delusions
 - among other serious psychosis-like symptoms

“Being in solitary confinement for well over 20 something odd years has caused me to feel closed off from the rest of the world. I seem to be losing my ability to socialize with people even on the most basic of levels (ie: I constantly feel guarded & suspicious). This is especially true here in PBSP where they’ve buried us back here in the short corridor & strictly enforce rules of little or no contact/communication with any other prisoner outside our immediate pods - almost like we’re being “conditioned” to become anti-social human beings.”

-Pelican Bay Prisoner

COST OF INCARCERATION

per inmate a year

Pelican Bay Mainline : \$58,324

Pelican Bay SHU: \$70,641.

COST OF STRIKE

July 2011 strike cost CDCR \$160 million.

- *Corrections spokesperson Terry Thornton*



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