Goals for This Evening

Leave with a better understanding of the Ashker Settlement
Understand what is currently happening with the settlement
Learn where most of the problems seem to be
Develop strategies for helping people navigate through the problems

Ashker Settlement Summary

Background:
- Pre-2011 Hunger Strike
- 2012-2015 [“Pilot Program” / “new regs”]
- Settlement: no indeterminate SHU for gang membership only

CDCr must review all people for release to GP by October 2016
- Special and annual ICC hearings
- DRB referrals

Restricted Custody General Population [RCGP]
The Restrictive Custody General Population (RCGP)

Where it is.
How and why people are assigned there.
What the programs are there.
The complaints about it.

Other Provisions

- No retaliation
- Shorter Step Down Program: 2 years only, new curriculum
- Meetings and consultations with CDCR and Reps
- Guard training
- Documentation
- Court (magistrate/monitor) review
- Two year monitoring period (can be extended)

Monitoring Issues

- Delays
- Bogus safety referrals
- Actual safety issues
- Pressure to debrief
- 115 prosecutions and 1030's
- Returns to isolation -- from GP
- Returns to isolation -- from the community

Supporting People to Get Out of SHU

- Emotional support.
- ICC Delays: Contact the Ashker team, some people have been skipped over, but some are just at the end of the list.
  - Using the time to prepare for ICC placement options.
- DRB Delays: On the litigation team's front-burner.
- Challenging a DRB decision.
Questions?

- Does the 10 years in SHU apply to people who will hit 10 years in the future or only people who had already served 10 years in SHU?
- What is a “special” ICC review?
- Some people are told they will get a tele-DRB. How can we advocate for in-person DRB’s?
- Others?

Problems in G.P.

The Good: Contact Visits, Yard, & Possibility of Job and Education (Priv. Group A)

The Bad:

- Lost and Damaged Property at Transfer
- No Jobs or Education (Priv. Group A2B)
- Drug and Alcohol Testing Leading to 115’s (Priv. Group C)
- Harassment and/or Retaliation of Prisoners and Visitors
- Bogus Write-Ups
- Lockdowns

Parole Board Hearings

Recent parole denials based on failure to debrief, participation in the hunger strike, and lack of lengthy GP time without write-ups and with programming.

Help prepare release plan. (Like everyone else.)
Consider getting an outside psych evaluation.

In re Gomez is good news, but not a solution.

Some people are strategically postponing their hearings.

Provide hearing documentation if a loved one is denied parole.
Possible habeas petition.

General Strategies for Supporting People

- Send information in (PLO, LSPC, Title 15, other)
- Educate yourself and loved ones on the issue
- 602’s (focus on the facts, no need for legal citations)
- Write advocacy letters or make calls.
- Contact the Ashker litigation team
- Habeas Petitions and §1983 actions
- Work with outside groups (Inmate-Family Council, CFASC, PHSS)
- Contact your legislator
- Media
The Most Effective Thing on Any of These Issues:

Ultimately, there needs to be a political solution to nearly all of these issues.

After Release