

LOCAL L.A. Now

California agrees to move thousands of inmates out of solitary confinement



Pelican Bay State Prison
Los Angeles Times

In 2013, solitary confinement inmate Javier Zubiate stands in the concrete recreation area at Pelican Bay State Prison in Northern California.

(Los Angeles Times)

By **PAIGE ST. JOHN** ***contact the reporter***

Ending years of litigation, hunger strikes and contentious debate, California has agreed to move thousands of prison inmates out of solitary confinement.

A [legal settlement filed Tuesday](#) between the state and a core group of inmates held in isolation for a decade or more at Pelican Bay State Prison calls for ending the use of solitary confinement to control prison gangs.

Instead, the state agreed to create small, high-security units that keep its most dangerous inmates in a group setting where they are entitled to many of the same privileges as other prisoners: contact visits, phone calls and educational and rehabilitation programs.



CAPTION Corcoran State Prison

Barbara Davidson / Los Angeles Times

Lt. Anthony Baer (not pictured), a spokesman at Corcoran State Prison, said security housing units help officers keep tabs on gang activity and tamp down violence. "These are inmates who have proven they cannot play well with others," he said.



CAPTION Corcoran State Prison

Barbara Davidson / Los Angeles Times

Inmates found guilty of specified offenses -- including murder, attempted murder, drug trafficking, arson, and extortion -- are confined in security housing at Corcoran State Prison.

California's reliance on solitary confinement has been challenged since a panel of experts told the state corrections department that the high numbers of inmates in lengthy isolation did little to improve prison security.

Corrections Secretary Jeffrey Beard said the prison system was largely unable to make the case for change, and show solitary confinement could work, until dealing with overcrowding problems that had inmates sleeping in bunks set up in prison gyms and day rooms. "They were so overcrowded they went from one crisis to another," Beard said.

However, he also saw justification in building large isolation units such as the one at Pelican Bay in the 1980s. So many inmates and officers were being killed, Beard said, "you had to do something to stop the violence."

Beard said California has moved some 1,100 prisoners from solitary confinement into the general prison population in the last two years, with little problem. "We think we can do this in a safe way," he said.

Corrections spokesman Jeffrey Callison said the state would be able to utilize space within existing prisons to relocate the inmates removed from solitary.

But the majority of the several thousand gang-associated prisoners who have been either kept in isolation a decade or more, or have gone at least two years without a major rule violation, are to be moved back to the general prison population.

Solitary confinement as it is run now, before the settlement, remains reserved for those who commit crimes while behind bars, with set sentences that can run no longer than five years, the maximum penalty for murder in prison, apart from criminal sentences imposed by a judge.



[Judge tells California to explain empty psychiatric beds while prisoners wait for care](#)

[Paige St. John](#)

California must explain to a federal judge why state prisons again have a backlog of seriously mentally ill prisoners waiting for inpatient care while there are hundreds of empty beds at a state psychiatric hospital.

California must explain to a federal judge why state prisons again have a backlog of seriously mentally ill prisoners waiting for inpatient care while there are hundreds of empty beds at a state psychiatric hospital. (Paige St. John)

Lawyers for prisoners in the class-action case say the settlement sets the tone for similar changes elsewhere in the nation. "This is a dramatic step forward," said Jules Lobel, lead attorney in the case and head of the Center for Constitutional Rights.

The state prison guard union, which had unsuccessfully attempted to intervene in the case, was "concerned."

"In our view, California will return to the prison environment of the '70s and '80s, when inmate-on-inmate homicides were at the highest levels and staff were killed," Nichol Gomez-Pryde, spokeswoman for the California Correctional Peace Officers Assn., said Monday in anticipation of the settlement.

California once led the nation in the use of solitary confinement but that position is now held by Texas.

According to the corrections department, California currently has some 6,400 inmates in isolation units, a number that steadily shrank for two years as the state changed its criteria for behavior that is considered gang activity and began removing prisoners who no longer met those standards. Of those, about half are in the Secure Housing Units affected directly by the settlement, and the state expects some 1,800 of those inmates to be moved.

Former inmates, family members and activists for prisoner rights planned a rally Tuesday in Oakland.



[From the Archives: Hunger strike in California prisons is a gang power play](#)

Jeffrey Beard

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"People know broadly what is going on, but have not been made aware of the details," said Mohamed Shehk, communications director for Critical Resistance, one of the rally organizers.

California has segregation units at several prisons, but the largest and most notorious is at Pelican Bay, near the Oregon border. There, inmates spend nearly 23 hours a day in windowless cells that face a concrete wall.

Movement and contact with others is highly restricted, as is access to the law library, mail and goods from the prison commissary.

California corrections officials have said isolation was critical to control violence in prisons and to limit gang influence on the streets, where proceeds from drug sales are funneled back into inmate accounts.

Forensic psychiatrists testified on behalf of the inmates that such conditions cause psychological damage. In a 2013 report, a United Nations official responsible for tracking human rights abuses described it as “cruel punishment, even torture.”

The settlement agreement was filed before U.S. District Judge Claudia Wilken, who must accept it.

Beard said the state is contemplating adopting some of the changes for a group of isolated prisoners not included in the settlement: death row inmates held in solitary confinement at San Quentin State Prison's so-called Adjustment Center.