NATIONAL CATHOLIC REPORTER
Published on *National Catholic Reporter* (http://ncronline.org)

California prisoners suspend hunger strike against solitary confinement

Monica Clark | Sep. 13, 2013
San Francisco

On the 60th day of their hunger strike to protest policies and conditions of solitary confinement in California's prisons, striking inmates announced Sept. 5 they were suspending their protest. Their decision came after a Sept. 2 phone call between their representatives and prison officials with a promise by a key prison administrator to travel to maximum-security Pelican Bay Prison, where the strike was launched, to discuss their demands during the week of Sept. 23.

The offer of two state legislators -- Sen. Loni Hancock (D-Berkeley) and Assemblyman Tom Ammiano, (D-San Francisco) -- to conduct hearings on prisoner isolation in October as well as the support of national and international groups also influenced their decision, according to members of a hunger strike mediation team.

Last week, the California Catholic Conference of Bishops issued a statement offering to assist Gov. Jerry Brown and the head of the Department of Corrections and Rehabilitation in developing "necessary corrective measures" to the prison system's use of solitary confinement. Neither the governor nor Dr. Jeffrey Beard, secretary of the California Department of Corrections and Rehabilitation, replied by the time the strike was suspended.

Debbie McDermott, associate director for Restorative Justice at the California Catholic Conference in Sacramento, told *NCR* the bishops would continue to be available to assist if called upon to do so.

"We stand opposed to any form of unjust, inhumane treatment," the bishops said in their Aug. 29 statement. "While it may be that isolation mitigates gang activity, placing humans in isolation in a Secure Housing Unit (SHU) has no restorative or rehabilitative purpose. It is not a sustainable solution to legitimate security concerns."

More than 4,500 inmates currently live in these units, some for committing crimes while incarcerated and others for possible gang affiliation.

The strike, which began July 8 and included 30,000 inmates in 11 facilities, was the third one to take place in the last two years. At its end, 100 inmates refused to take solid food and 40 had not eaten since the protest began. Other inmates participated for various lengths of time, and some drank Gatorade to prevent starvation.

Beard said he was pleased "this dangerous strike has been called off before any inmates become seriously ill." He said the prisons would "continue to implement the substantive reforms in California's Security Housing Units that we initiated two years ago."

The strikers and their supporters contend the reforms have been too few and too slow, forcing them to resort to their collective nonviolent protest. They said they will consider resuming their hunger strike if progress in policy change does not occur.

When Fresno Bishop Armando Ochoa, who serves as co-chair of the California bishops' Restorative Justice Committee, went to Corcoran State Prison on Aug. 21, he hoped to meet with the nine hunger strikers living there.

"I wanted to offer my presence, to see how they were doing, to pray for and with them," he said. He was told it was "not an opportune time" to do so. The warden, however, assured him the Catholic chaplain would soon be able to see the men.

During his daylong visit, Ochoa talked with prison staff and donned a bulletproof vest before hearing prisoners' confessions, saying Mass for about 40 inmates, and visiting a SHU where he sat with convicted murder Charles Manson.

"We prayed the Lord's Prayer together," he said.

SHUs have varying ways of ensuring isolation, Ochoa said, recalling a visit several months ago to the California Correctional Institution in Tehachapi, where he said Mass for 17 inmates who were each in a stainless steel cage about the size of a telephone booth. When it came time for Communion, he had to vertically insert the host through a section of steel.

"It was the most powerful Mass I've ever celebrated in the prison system," he said in a voice filled with emotion. When he said Mass for the women on death row in another of the state's facilities within his diocese, they were held behind wire mesh.

"These are members of the faithful. If Jesus was alive today, he'd be visiting CCI, Corcoran, San Quentin and other prisons instead of meeting with mayors or city councils," he said.

Bishop Richard Garcia of Monterey, who co-chairs the Restorative Justice Committee with Ochoa, has also seen men held in steel cages within the SHUs when he visited prisons as auxiliary bishop in Sacramento.

"Even when they had one hour a day outside, they were each still in a cage," he told *NCR*.

Among the strikers' demands are an end to long-term solitary confinement (some inmates have been in solitary for more than two decades); an end to a "debriefing" policy whereby SHU prisoners are offered release from confinement if they provide information on the gang status of other prisoners; and constructive programs for inmates held in SHU indefinitely.

Garcia said gang violence within prisons is real: "Much of the gang violence experienced in our diocese is orchestrated from within the prisons," he said. "Everyone is affected by a violent act -- the victim, the victim's family, the perpetrator and his/her family, the community at large." He said that is why he is actively engaged in promoting restorative justice among gang members.

The California bishops are one of a growing number of leaders speaking out against the indiscriminate use of solitary confinement in the state's penal institutions. Franciscan Fr. Louis Vitale, who has served several prison terms for civil disobedience, said he met an imprisoned physician who was sent to a SHU for administering CPR to a fellow inmate having a heart attack. He recalled the encounter while attending the Sept. 5 press conference on the suspension of the hunger strike.

"Even if solitary confinement is applied for short periods of time, it often causes mental and physical suffering or humiliation, amounting to cruel, inhuman or degrading treatment or punishment," said Juan E. Mendez, the United Nations Special Rapporteur on torture. "If the resulting pain or sufferings are severe, solitary confinement even amounts to torture."

The Commission on Safety and Abuse in American's Prisons, a bipartisan national task force, reported in 2006 that between 1995 and 2000, the use of solitary confinement in the United States had increased by 40 percent, outpacing the 28 percent growth rate of the overall prison population. The commission concluded that solitary confinement is counterproductive to public safety and recommended ending long-term isolation of inmates.

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Source URL (retrieved on *12/10/2013 - 04:34*): http://ncronline.org/news/faith-parish/california-prisoners-suspend-hunger-strike-against-solitary-confinement