

AMNESTY INTERNATIONAL PUBLIC STATEMENT

4 October 2011

Index: AMR 51/085/2011

USA: Amnesty International calls for urgent reforms to California security housing units as prison hunger strike resumes

Following a resumption of a hunger strike by California state prisoners, Amnesty International is calling for urgent implementation by the California prison authorities of policies to improve conditions in, and assignment to, the state's Security Housing Units (SHUs).

Prisoners in eight prisons in California last week resumed a hunger strike in protest at conditions in the SHUs at Pelican Bay and other facilities, where thousands of prisoners are held in long-term isolation, confined to windowless cells for more than 22 hours a day, with minimal human contact.

Amnesty International is concerned by reports that the California corrections department is treating the current hunger strike as an "organized disturbance" and disciplining those who participate. Such disciplinary action reportedly includes removing prisoners in the general population who support the strike to solitary confinement. The organization is calling on the Department of Corrections and Rehabilitation to ensure that prisoners seeking an end to inhumane conditions are not subjected to punitive measures.

A three-week hunger strike by prisoners last July ended when the California correctional authorities agreed to some reforms, including a review of the procedures for assigning thousands of alleged gang members to indefinite SHU confinement.

The corrections department has said a new draft policy is under review, which includes increased privileges for SHU inmates who remain disciplinary free, a better gang "validation" process and a step-down procedure. However, many prisoners are reportedly unconvinced that significant change will be effected.

While Amnesty International welcomes the department's review of its SHU policies, the need for reform is long overdue. According to figures released in August this year, over 500 prisoners in Pelican Bay had spent at least 10 years in the SHU, of whom 78 had spent 20 years or more – enduring the same conditions which a US court held in 1995 "may press the outer bounds of what humans may psychologically tolerate".

The California department of corrections has granted Amnesty International's request, made earlier this year, to visit the SHU units in Pelican Bay State Prison, California State Prison at Corcoran and Valley State Prison for Women. Amnesty International's delegation was due to visit next week, but the visit was postponed by the department when the hunger strike resumed.

Amnesty International welcomes the department's willingness to allow it access to the prisons and hopes to visit at the earliest opportunity. The organization is currently in negotiation regarding the dates for its visits to the three units.

In the meantime Amnesty International urges that the hunger strike be brought to an end through a clear commitment by the authorities to ensure humane conditions for all prisoners

and a meaningful process by which inmates can progress out of the SHU so that no prisoner is held long-term or indefinitely in extreme isolation.

Background:

As of last week, some 4,000 prisoners in eight prisons across the state were reported to have resumed a hunger strike calling for fairer policies for assigning prisoners to SHUs, as well as improvements to conditions in the units.

More than 3,000 state prisoners in California are confined to SHU units. They include Pelican Bay State Prison where more than 1,000 prisoners are currently housed in windowless cells for 22.5 hours a day, in conditions which a court stated in January 1995 “may press the outer bounds of what most humans can psychologically tolerate”. While the ruling (in *Madrid v Gomez*), held that inmates who are already mentally ill, or at high risk of suffering serious mental illness, should not be confined in Pelican Bay SHU conditions, the court fell short of finding that the conditions were unconstitutional for all inmates. However, the court noted that prisoners had at that time been confined to the SHU for three years or less, and stated that “We cannot begin to speculate on the impact that Pelican Bay SHU conditions may have on inmates confined in the SHU for periods of 10 or 20 years or more”.

Amnesty International has raised concern for many years that conditions in US “super-maximum” security isolation units flout international standards for humane treatment. Both the United Nations (UN) Human Rights Committee and the UN Committee against Torture have also criticized the excessively harsh conditions in such facilities.