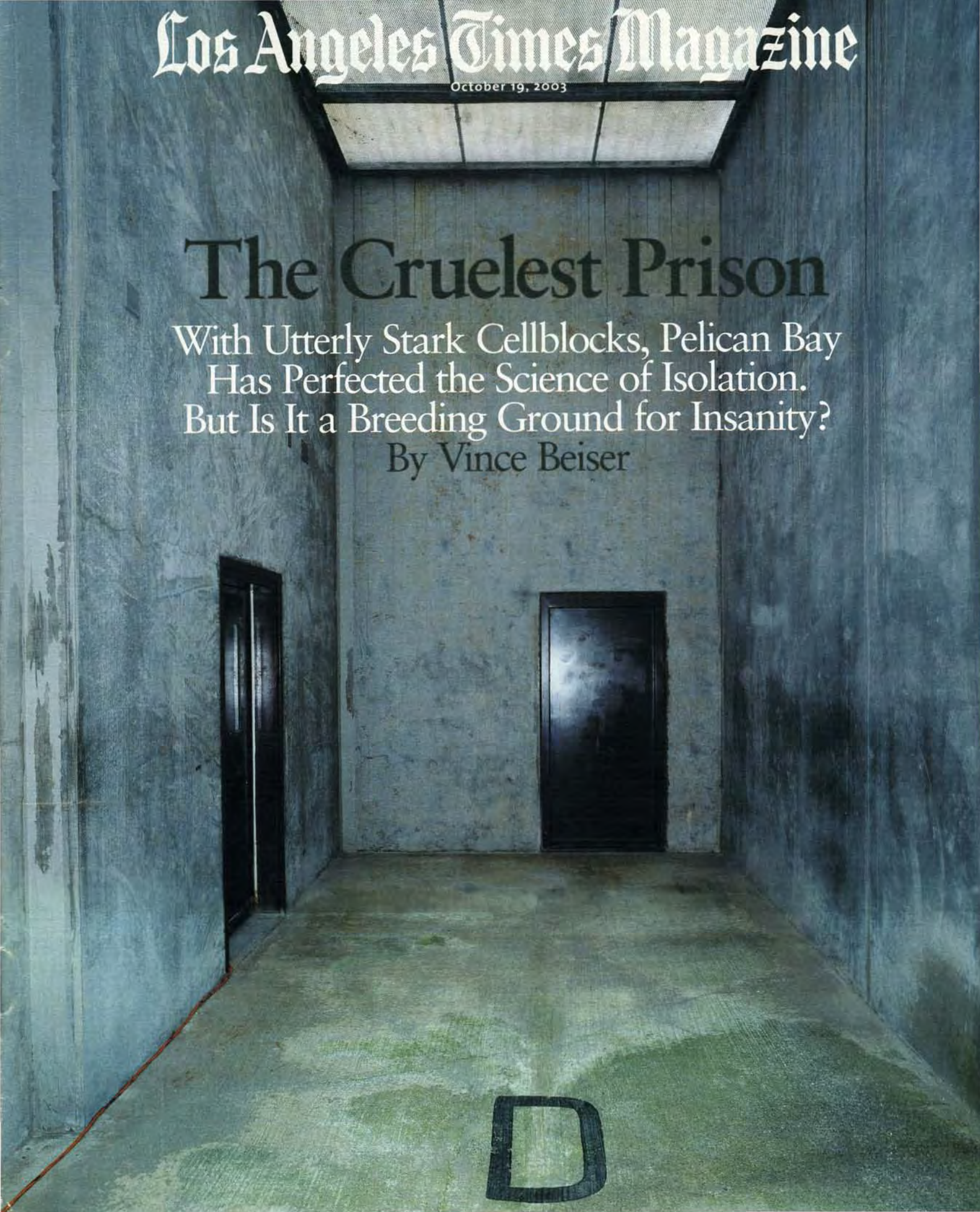
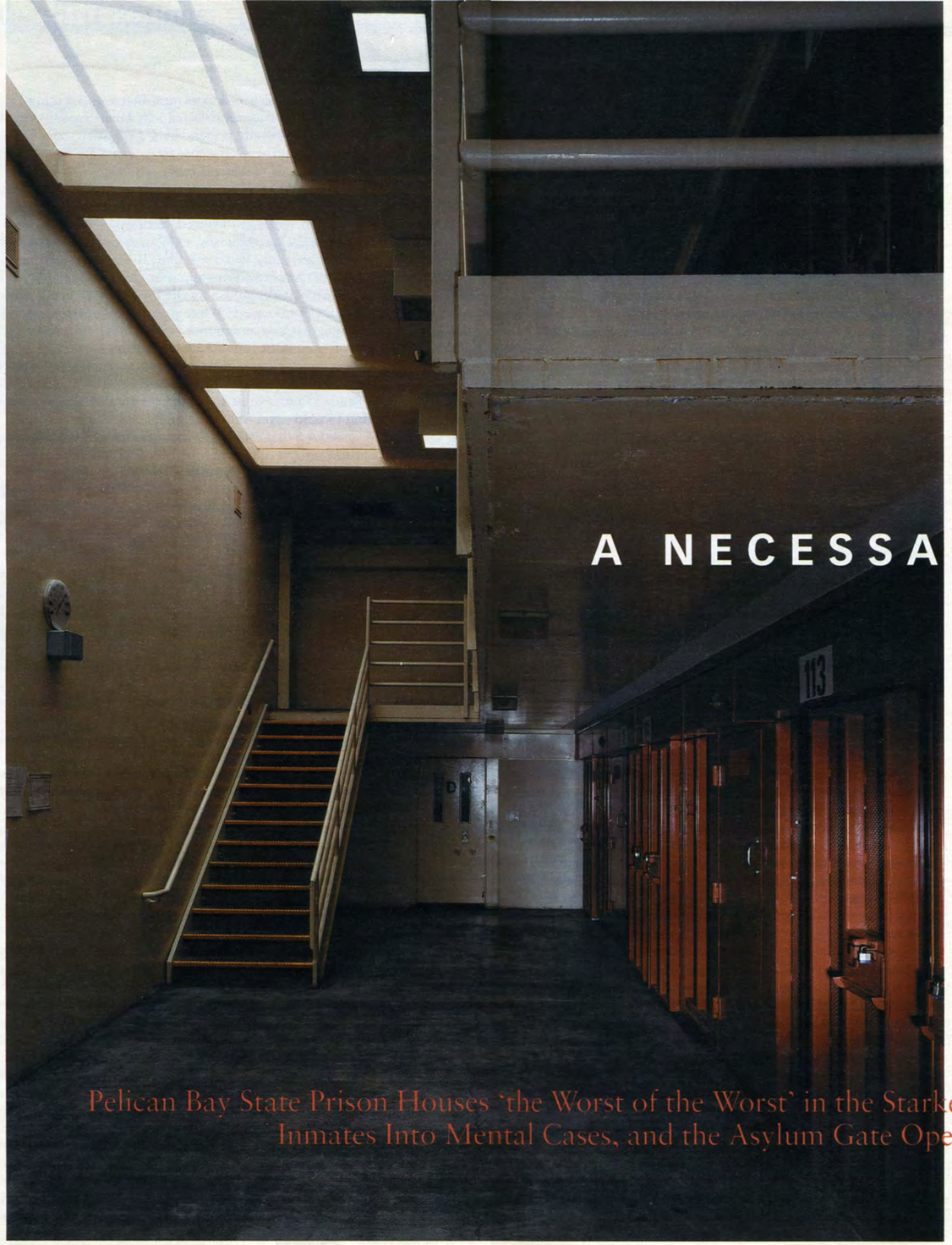
Los Angeles Times Magazine
October 19, 2003

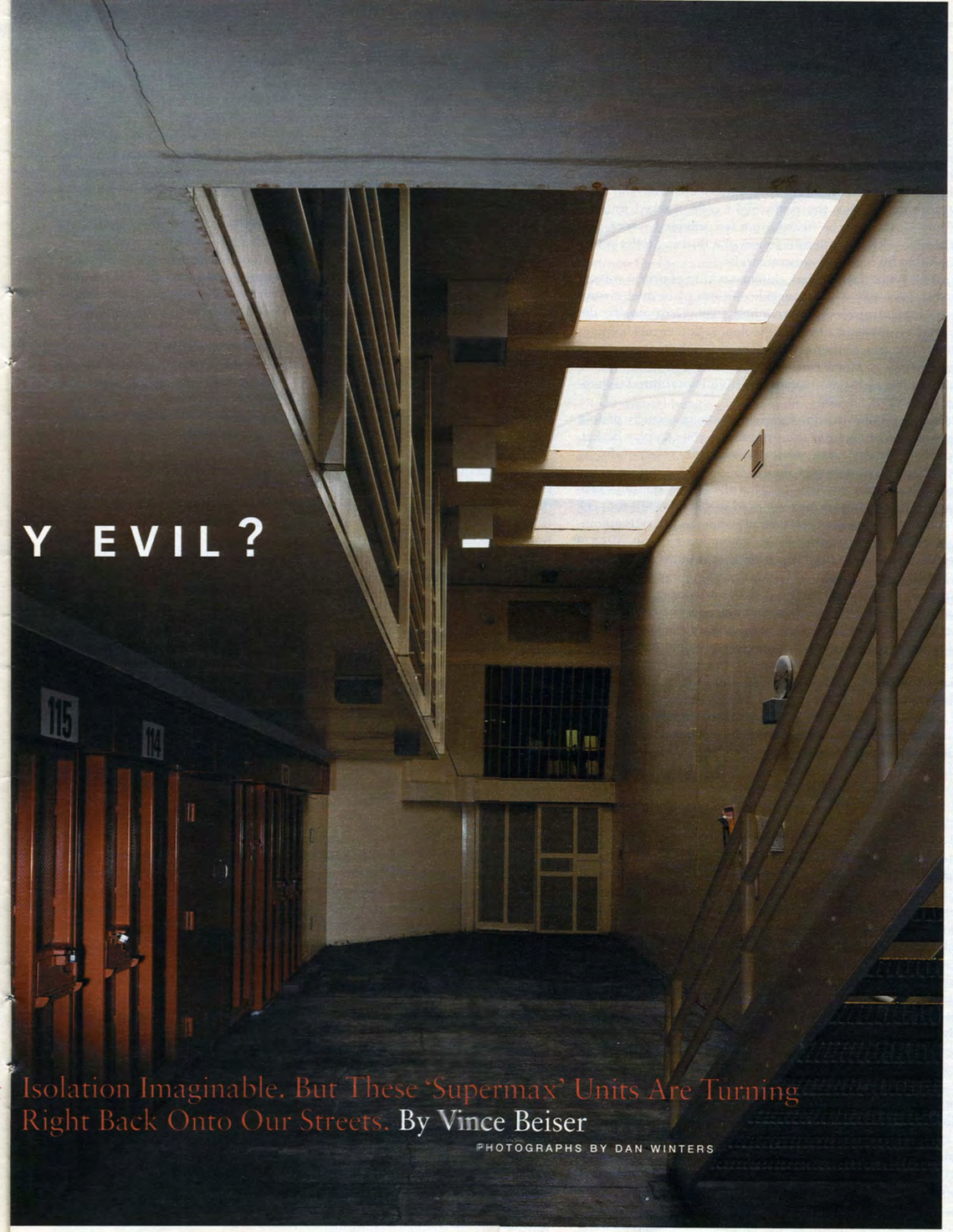
The Cruelest Prison

With Utterly Stark Cellblocks, Pelican Bay Has Perfected the Science of Isolation. But Is It a Breeding Ground for Insanity?

By Vince Beiser







A NECESSARY EVIL?

Pelican Bay State Prison Houses 'the Worst of the Worst' in the Starkest Isolation Imaginable. But These 'Supermax' Units Are Turning Inmates Into Mental Cases, and the Asylum Gate Opens Right Back Onto Our Streets. By Vince Beiser

PHOTOGRAPHS BY DAN WINTERS

It's quiet in pod C5, deep inside Pelican Bay State Prison's Security Housing Unit, home to about 1,200 of California's most violent offenders. There are no sounds from outside, because there are no windows—only a skylight high overhead, through which gray daylight seeps into the bare quadrangle facing the pod's eight cells, stacked four on four. All that can be heard are a few subdued voices, and the occasional thunderous sound of a flushing toilet reverberating off the blank concrete walls.

This is not the crowded, clamorous kind of prison you see in the movies. The SHU, as it's known, is a starkly efficient place of electronically controlled doors and featureless concrete and steel. Occasionally, the monotony is punctured by bursts of noise and violence. Sometimes inmates scream at guards, other inmates, or themselves. Sometimes there is the clangorous racket of a recalcitrant prisoner being forcibly extracted from his cell. But most of the time, nothing happens. Almost nothing is permitted to happen. That's the idea of the SHU.

If you're an inmate in a regular prison—even a maximum-security prison, which the other two wings of Pelican Bay are—most days you can play basketball in the yard or cards in the day room, work in the laundry room or dining hall and take meals with the other men on your tier.

In the SHU, there are no jobs, no activities, hardly any educational programs and barely any human contact. You are locked in your 8-by-10-foot cell almost around the clock. You can't see the other prisoners in the cells adjoining yours, nor the guards watching from a central observation booth. Most of the time, all you can see through the fingertip-sized perforations in your cell's solid steel door is the wall of the eight-cell pod, the larger cage containing your cage. Guards deliver your meals. Once a day, the remote-controlled cell door grinds open, and you get 90 minutes to spend alone in a walled-in courtyard—a place more like the bottom of a mine shaft than an exercise yard. It's an environment about as restrictive and monotonous as human minds can design—and, perhaps, as human minds can tolerate.

Pelican Bay, which sprawls over 275 acres just south of the Oregon border, in a Tolkienesque region of misty mountains and ancient redwood forests, was among the first of a wave of new prisons equipped with ultra-restrictive "supermax" lockups that have proliferated nationwide in recent years. There are as many as 20,000 inmates housed in such facilities in at least 30 states.

California has three SHUs for men in its Pelican Bay, Corcoran and Tehachapi lockups, plus one for women in Valley State Prison in Chowchilla. They house about 3,000 convicts in all. But Pelican Bay is the one with the hardest cons and the harshest conditions, the end of the line for the inmates whom correctional officials call "the worst of the worst."

Like their counterparts in other states, California corrections officials say they need SHUs to control incorrigibly violent cons in the state's vast archipelago of prisons, teeming with nearly 160,000 inmates. While no one could argue with that goal, there are significant concerns about the tactic. For starters, it's not clear to what extent SHUs are indeed reducing prison violence.

More disturbingly, there's a growing worry that supermaxes—long decried by prisoner advocates as dangerous to the mental health of inmates—may be breeding danger for the general public.

Psychiatrists, activists and some correctional officials say the intense isolation of supermaxes is producing prisoners who are uncontrollably furious and sometimes violently deranged. Most of those prisoners will one day be set free. In the past three years, in fact, nearly 1,000 California SHU inmates at the end of their sentences were moved to less-restrictive prisons for just a few weeks, and then released.

And at least 403 inmates were paroled without even that intermediate step: They were taken straight from the solitary cells where they spent years marinating in their rage, handed $200 in gate money and put on a bus to rejoin the rest of us.

"T.C.," a Pelican Bay SHU inmate who, like most of the nearly two dozen current and former SHU prisoners interviewed for this article did not want his name published, wrote: "How does society expect a person to act once he has been released from the SHU, in most cases after spending years back here? There are things that happen here which people out there are never aware of; these things tend to build anger and hate in some persons, and if these persons don't have anyone to talk to, or complain to, that anger and hate continues to grow. If that person paroles, he's now a human time bomb waiting to release all that anger and hate, waiting to explode."

YOU CAN HARDLY BLAME PRISON AUTHORITIES FOR LIKING THE IDEA OF SUPERmaxes. Prison guards are spit on, screamed at and assaulted daily. Reducing the chances of being stabbed in the neck with a sharpened toothbrush is understandably a higher priority for them than fretting over how solitary confinement might change an inmate's mood.

But America's supermaxes have been denounced as inhumane by organizations from the ACLU to the United Nations. Fistfuls of lawsuits have been filed in recent years challenging conditions in supermaxes from California to Massachusetts. Some have succeeded in forcing changes. The latest, a suit on behalf of a Pelican Bay inmate charging that long-term SHU confinement constitutes cruel and unusual punishment, is slated to go to trial in December. So far, the courts have upheld the constitutionality of supermax-style imprisonment. But just because they're legal doesn't necessarily mean they're good policy. In fact, Democratic state Sen. Gloria Romero of Los Angeles, head of the Senate's Select Committee on the California Correctional System, has launched a campaign to investigate how supermaxes are affecting prisoners—and the public.

No question the Pelican Bay SHU holds a great many extraordinarily malicious men. Most of California's top prison gang leaders are there, including such luminaries as Aryan Brotherhood shot-callers Paul "Cornfed" Schneider and Dale Bretches, the original owners of the dogs that mauled a San Francisco woman to death in 2001. The day before my visit there this year, a SHU inmate who was appearing in court stabbed his own lawyer with an ice pick-like shank he apparently had hidden in what a Pelican Bay spokesman referred to as his "keister."

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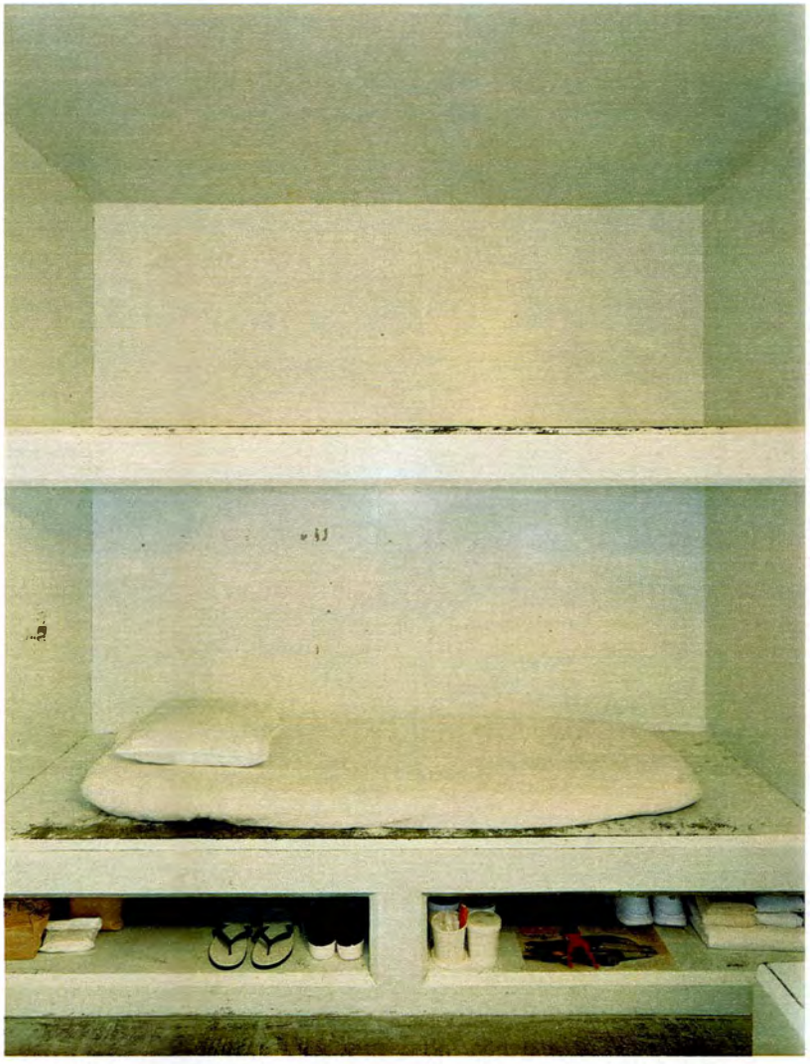


forging increasingly close links with street gangs on the outside.

Activists and inmates, however, charge that the department's criteria for determining gang membership are overly broad, sending many undeserving inmates to supermax solitary. SHU inmates in Corcoran and Pelican Bay have staged two hunger strikes in the past two years over the issue, and Romero convened a hearing in September to investigate the corrections department's policy of identifying gang members. "I have very serious concerns about the validation process," Romero said at the hearing, held in Los Angeles. "In this time of constrained budgets, it's a good time to look at who is going into SHUs and whether they should really be there."

In response to these criticisms, Moore ordered a review of all gang validations. As of September, his office had looked at several hundred cases and found 17 that didn't pass muster.

Regardless of why prisoners are put in the SHU, perhaps the most pressing concern for the public is the inmates' mental states upon release. Dr. Stuart Grassian, a Boston psychiatrist who lectured at Harvard Medical School, has been studying the effects of solitary confinement for more than two decades, during which time he has examined more than 100 supermax prisoners, including 50 at Pelican Bay. His conclusion: Supermax prisons can literally drive inmates crazy.

"There are many scores of cases of people who never suffered psychiatric illnesses and developed them while incarcerated in supermaxes," he says. Other mental health professionals agree. "I've seen many prisoners with no history of mental illness who after some time in the SHU started cutting themselves," says Dr. Terry Kupers, an Oakland-based psychiatrist with decades of experience in prison work. "I've almost never seen self-mutilation among adult males anywhere else, but it's very common in SHUs." At the landmark Madrid v. Gomez federal trial in 1995 over conditions at Pelican Bay, even the prison's senior staff psychologist acknowledged seeing psychiatric deterioration among some SHU prisoners.

Supermax prisoners often develop similar symptoms, Grassian says. These include hallucinations; hypersensitivity to external stimuli; paranoia; panic attacks; hostile fantasies involving revenge, torture and mutilation; and violent or self-destructive outbursts, to the extent of gouging out one's eyes, smearing oneself with feces or biting chunks of flesh from one's own body.

Take Matthew Lowe, convicted of armed robbery, assault on a peace officer and grand theft auto. During his three years in the Pelican Bay SHU, Lowe never

Supermax prisoners can suffer hallucinations; hypersensitivity to external stimuli; paranoia; panic attacks; hostile fantasies involving revenge, torture and mutilation; and violent or self-destructive outbursts, to the extent of gouging out their eyes, says Dr. Stuart Grassian, who lectured at Harvard Medical School.

There is considerable debate, however, about whether everyone in the SHU deserves to be there. No one is in the SHU for crimes they committed on the streets; you get sent there for doing something while you're in prison.

This works in two ways. The first is straightforward: If you violate prison rules—say, being caught with drugs or for attacking another inmate—you can be sent to the SHU for a set period of time as punishment.

The second is more ambiguous: Simply being declared a member or associate of a prison gang lands you in the SHU—indefinitely. About half the state's SHU inmates are in for this reason. Aside from getting paroled or going certifiably insane, the only way a "gang-validated" inmate can be released from the SHU is by "debriefing"—confessing everything he knows about other gang members, which entails obvious risks—or by convincing prison officials that he has been free from gang activity for six years.

"Prison gang members and associates are responsible for the largest percentage of violence in our institutions," says Steve Moore, the head of gang-related issues for the California Department of Corrections. "The idea is to extract those people from the general population."

Corrections officials and prisoners agree that California's half-dozen major prison gangs—Nazi Low Riders, Aryan Brotherhood, Black Guerrilla Family and several Latino factions—are behind a hefty chunk, though certainly not all, of the trouble in prisons statewide, from stabbings to drug dealing. And as the number of people cycling through the prison system has swelled in recent years, some of those gangs are believed to have begun

got to the point of biting off pieces of his sizable biceps, but in other ways he fits Grassian's diagnosis of a mentally ill inmate. Lowe is a big guy in baggy jeans and a motorcycle-shop sweatshirt, with a tiny soul patch on his chin and tattoos on his neck and fingers. At 38, he has spent most of his life behind bars, but he says his time in the SHU changed him in a way prison never had before.

"Them years of sitting in that little cell—it did something to me, I don't even know what," says Lowe, sitting on a couch in his girlfriend's tidy bungalow in a blue-collar suburb of San Francisco. "I only had conversations with about five or six people in three years. I'd sit in there and just think about doing crazy [stuff] all the time, like Tim McVeigh-type [stuff]. Your average prison doesn't do that to you." After years of obsessively ruminating about blowing up buildings and shooting cops, Lowe was finally paroled last year. He was taken from his SHU cell, shifted to San Quentin for a few days and then let out onto the streets of Marin County.

So far, he's doing all right, working as a roof-gutter installer and going to AA meetings. But he scares himself with how jumpy and paranoid he has become. "So many times I've come so close to snapping since I got out," he says. "One time in a store, someone cut in front of me in line—a 50-year-old guy, I don't think he even realized it. I had to catch myself, because my first thought was just to smash him."

PENAL SOLITARY CONFINEMENT WAS ESSENTIALLY INVENTED IN THE UNITED States. In the late 1700s, whips and stocks were the preferred tools of public pun-

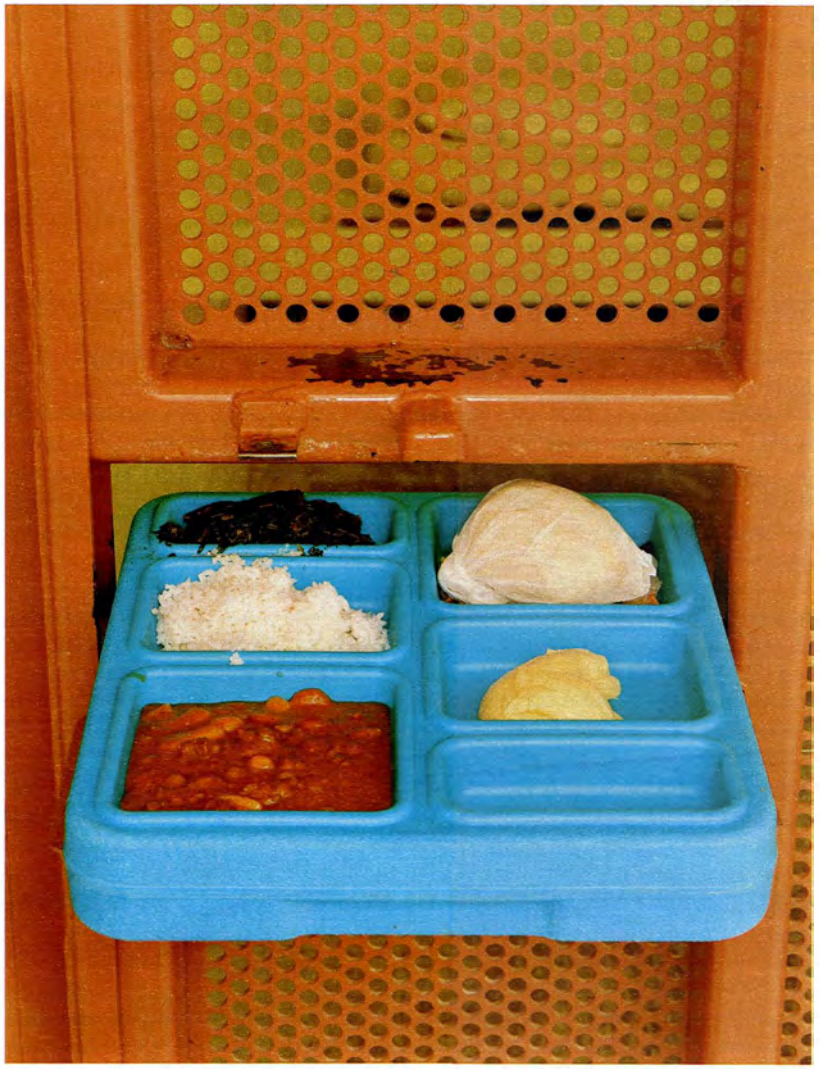
ishment. But reformers argued that by isolating criminals, their consciences would naturally lead to repenting their evil ways.

In 1790, Pennsylvania opened the first prison designed for this purpose, dubbed a "penitentiary." Several American states and European nations soon followed suit. But the penitentiaries gradually fell out of favor as evidence began to mount that they were often driving inmates mad. As the Supreme Court observed in an 1890 ruling condemning the penitentiary system: "A considerable number of prisoners fell, after even a short confinement, into a semi-fatuous condition . . . and others became violently insane; others still, committed suicide; while those who stood the ordeal better were not generally reformed."

Still, solitary confinement continued to be used as a short-term punishment for inmates. But the idea of keeping large numbers of convicts permanently in such severe conditions didn't return until the 1980s, as America's prison population began mushrooming. Driven largely by tough anti-drug and "three-strikes"-type mandatory minimum sentencing laws, the number of Americans behind bars has quadrupled since 1980 to an all-time high of about 2 million today. In the same get-tough-on-criminals spirit, many states have also cut back educational programs, exercise facilities and other "perks" for prisoners. Violence grew apace. Desperate to restore order to the federal maximum-security lockup at Marion, Ill., authorities in 1983 put the entire facility on indefinite lockdown. Under the administrations of then-Gov. George Deukmejian and then-Corrections Department head James Rowland, California was among the first states to copy the concept, opening SHUs at Corcoran in 1988, and Pelican Bay in 1989.

Pelican Bay came under fire almost right away, both over alleged abuses by guards and conditions in the SHU. In the Madrid v. Gomez decision, U.S. District Court Judge Thelton Henderson ruled that there was a "pattern of brutality" by the guards. On whether the SHU itself was damaging to inmates' mental health, he ruled that while the SHU "may press the outer bounds of what most humans can psychologically tolerate" and could seriously exacerbate previously existing mental illnesses, there was not enough proof to show that it could drive a sane man mad.

Pelican Bay instituted several reforms as a result of the case, including creating a 127-bed psychiatric unit and beefing up its mental-health staff to a total of 79. As far as the prison was concerned, that took care of the problem. "We moved all of those with mental illnesses into the [psychiatric unit] after the Madrid decision," declares Rawland Swift, who, until recently, was the



Taxpayers forked over $218 million to build Pelican Bay, and spend $115 million every year to keep it running. It costs California about $28,000 per year to hold an average prisoner, but SHU inmates, with their elaborate security measures, cost substantially more.

Pelican Bay spokesman. Certainly, the SHU's conditions aren't as extreme as those that so appalled the 1890 Supreme Court. Pelican Bay SHU inmates can talk to others in neighboring cells, receive letters and see visitors (through security glass) on weekends. Those who can afford them have TVs (though they can only watch during the day and must listen through earphones). Most occasionally leave their cells for brief excursions to court or for medical treatment.

A select number of SHU inmates even have cellmates, but most are housed alone, and the overwhelming bulk of their time is spent in a small concrete and steel box. It seems entirely possible that a good many SHU inmates are losing their grip on reality—whether their keepers acknowledge it or not.

Prisoners are given mental-health attention if their guards—hardly experts in such matters—deem their behavior strange enough to warrant an examination. Swift told me that while seemingly troubled prisoners are often taken to the psychiatric unit for evaluation, the psychiatrists almost always send them back, saying, "He's got a behavioral problem, not a mental health problem." This echoes disturbingly a finding of the judge in the Madrid decision: "It is clear . . . that an overburdened, and sometimes indifferent, mental health staff is far too quick to dismiss an inmate as a 'malingerer' and thus deny him needed treatment."

Almost all of the inmates I interviewed (and at least one correctional officer who did not want to be named) said they had seen other prisoners suffer serious mental deterioration in the SHU—screaming, banging on doors, cutting themselves. "I have seen plenty of people lose their sanity while in the SHU. I used to think that they were faking it . . . but once being around them for a while you could see that it was no act," writes Pelican Bay SHU inmate Otis Booker. "When you hear a guy holding a conversation with himself, or calling out cadences to exercises that he's not even doing or growling out animal sounds all day, you know something's not right."

Grassian estimates that as many as one-third of all supermax inmates are suffering some kind of psychiatric trouble—most of which goes undiagnosed. "A guard may see a prisoner hiding under a blanket, obviously delusional, but as long as he's not screaming or throwing feces, he's OK as far as they're concerned," Grassian says.

All of which could help explain the case of Erik Scott January, convicted of armed robbery. His mother, Long Beach resident Laura Daniher, says that before he was sent to the Corcoran SHU in 1997, January had no history of mental health problems. After
ed raving about the evil spirits he saw dancing on the walls.

In a letter to her from mid-2001, January writes relatively lucidly for most of two pages, asking about her house and other chitchat—and then mentions that he has been seeing things and experiencing other "strange occurrences." A few months later, another letter makes it apparent he has left reality far behind: "I am Tutankamen mother. . . . take a time to pray to your hi Hitler

power of white skin because I need some hand in time I need hand time handtime . . . god is the sun I am the sun I am Satan I am Lucifer."

Vanessa Filley, a member of California Prison Focus, a San Francisco-based advocacy group, visited January early last year and found him "in a delusional state," suffering "visual hallucinations." In a letter to the warden asking that January be taken out of the SHU, Filley states that she was told by a Corcoran psychiatrist that January "is not dysfunctional to the point of forced intervention, therefore barring any specific behavior we can't do anything." At the time of this writing, January was still in the SHU.

CERTAINLY, SHUS DON'T DRIVE EVERYONE OVER THE THRESHOLD OF CLINICAL insanity. But they may have dangerous effects short of that. What happens when you take a man who had antisocial and violent impulses to begin with, lock him in a cell by himself for five or 10 years, and then let him out?

"It's like keeping a dog that has bitten someone in a cage, kicking it and beating it all the time until it gets as crazy and vicious as it can be, and then one day you open the cage and run away," Grassian says. "Taking someone straight from the Pelican Bay SHU and sending them back to San Francisco or Los Angeles is about as dangerous a thing as you can do."

Even some corrections officials agree. "From my experience as a prison administrator, the prolonged confinement of inmates with little or no contact with others will only make people worse," Jerry Enomoto, a former California director of corrections, said when the Madrid lawsuit first hit the courts. (Current Department of Corrections director Ed Alameida did not respond to several requests for an interview.)

Some people, of course, are less affected by the SHU than others. But at best, it seems, coming out of the SHU often leaves prisoners dangerously ill-equipped to cope with the stress of being around other people.

"Tony" is a 30-year-old Latino and former gangbanger with a generous mustache and hair cropped so short you can see the scars on his head. He has done time in both the Corcoran and Pelican Bay SHUs. Since his parole last year, he has been living with his mom in a quiet Bay Area town and working as a diesel mechanic. On the spring afternoon I met him, an ancient little dog was asleep on a pillow in the front yard next to Tony's massive weight set.

Like Matthew Lowe, Tony was sent straight home from the SHU after a few days in San Quentin. "On my first day out, my mom took me to the grocery store," he says. "I blew up on a couple of people. There was some woman who came up about five feet behind me, and I turned and said, 'Don't stand so close to me!' " Months later, he still breaks out in hot sweats when he's out in crowds. The day before, he says he found himself moving warily away from an elderly woman standing behind him in line at the post office. "I'm not the same," he says. "Look at me, I'm paranoid of a 90-year-old lady in the post office. It's from being so isolated. No wonder people who've been in five or six years come out and kill people."

There have been at least a few hair-raisingly brutal crimes committed by convicts fresh out of supermaxes. In 1992, one day after getting out of the Pelican Bay SHU, Robert Lee Davenport, 24, kidnapped, beat and raped a woman in El Cerrito. In 1995, within a week of his release from the same facility, Robert Walter Scully, 36, killed a Sonoma County sheriff's deputy, took hostages and barricaded himself inside a house in a standoff with police before finally surrendering.

Judging from the media coverage and conversations with people who remember these cases, it doesn't seem that anyone made the connection, or pointed to the SHUs as possibly having contributed to crimes committed by former SHU inmates. Grassian says he has served as consultant on more than a dozen similar cases nationwide. There may be more crimes to add to this list, but no one keeps track of what happens to SHU inmates as a group after they are freed to their parole officers. They are just another former con.

THE JURY IS STILL OUT ON WHETHER ISOLATING TROUBLEMAKERS IN SUPERmaxes is actually cutting down prison violence.

According to Department of Corrections statistics, killings in California prisons dropped dramatically in the years immediately after the Corcoran and Pelican Bay SHUs opened. But the total rate of assaults in the state prisons has been rising since. As of 2000, the inmate-on-inmate assault rate was just as high as in the years before the SHUs opened, and the rate of armed assaults on staff was even higher. Despite its oppressive security, there were 221 assaults in the Pelican Bay SHU last year—inmates assaulting guards when they are taken to court, for example, or by ingenious methods such as firing homemade blowguns though the perforations in their cell doors. More ominously, in the past two years federal prosecutors have charged more than a dozen members of two prison gangs with directing—via letters and visitors—scores of murders and attempted murders in prisons around the country from their cells in the Pelican Bay SHU.

Moore is aware of all this. But, he says, the SHUs are better than nothing. "We have much better investigative tools with the gang leaders in the SHUs," he says. "We know where they are. We can monitor them more closely. Will we ever totally stop them? No. But are we hindering them? Yes. And the best way we've found so far to do that is the SHU."

This is a common view among supermax supporters. Still, as a 1999 National Institute of Corrections report on these facilities points out, "There exists little or no hard data comparing such perceived impacts on entire systems versus the fiscal cost to gain such results." That's no small matter, considering how prodigiously expensive supermaxes are. Taxpayers forked over $218 million to build Pelican Bay, and spend $115 million every year to keep it running. It costs California about $28,000 per year to hold an average prisoner, but SHU inmates, with their elaborate security measures, cost substantially more. The Department of Corrections won't provide an exact figure, but most experts estimate the cost is as much as two or three times greater.

"We should definitely be looking at ways to reduce the number of inmates in SHUs," says state Sen. Romero, who visited Pelican Bay in June. "We may not like the fact that someone is a gang member, but is that a reason to throw them in this prison-in-a-prison? I'm not convinced of that, especially given the high costs." She aims to keep up pressure on the corrections department to modify its gang-validation policy, and to have more research done into what happens to SHU inmates after they are released.

It makes more sense, says Charles Carbone, an attorney with California Prison Focus, to deal with chronic violent offenders on a case-by-case basis, rather than shovel everyone who might be involved in violence into SHUs. "The purpose of the SHU can be served in each prison by administrative segregation," he says, referring to a type of *Continued on Page 33*

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solitary confinement that's not as restrictive and long. "But even then, those people should not be cut off from rehabilitative programs. In fact, they should get more. Cutting them off completely from all stimulation does nobody any good."

Psychiatrist Kupers, among others, believes the main cause of the surge in violence in the '80s was overcrowding and the idleness that resulted from programs being cut. "If you take everything away, prisoners become desperate, and therefore uncontrollable," he says. "Crowding, idleness and lack of rehabilitation cause violence. And no amount of supermaxes will stop that."

Even if you believe SHUs are necessary, Grassian says, they can be modified to make them more humane. In particular, Grassian recommends creating a transitional program to slowly reintroduce inmates to interaction with other people, something that happens in several other states. At present, with the exception of prisoners who are debriefed, the only pre-release preparation Pelican Bay SHU inmates are offered is a voluntary program that primarily consists of watching videos.

Making visits easier could also ease the transition, with prisoners housed in SHU facilities closer to home. Most experts agree that prisoners who maintain family ties generally do better after release. But Pelican Bay is a solid 14-hour drive from Los Angeles, its biggest single source of inmates; getting up there is a challenge for many families. "That visiting room is never full, even though there are over 1,000 people in the SHU," says Oakland resident Helen Grimes, who makes the trek almost every month to visit her son.

No such changes seem likely to happen soon, however. While the current state budget boosts corrections spending overall, it cut funds for inmate-related programs. Gov. Gray Davis understood well that most voters are not especially concerned about what happens to prisoners in SHUs or elsewhere. For them, the moral equation seems simple: Prisoners broke the law; let them suffer the consequences.

But most of the prisoners locked away in the maddening solitude of the SHUs will one day be freed to return to our midst—some of them angrier, more impulsive and more unbalanced than ever. And we will all have to live with those consequences. ▬