

Lawsuit filed on Pelican Bay SHU Units

EDITORIAL

By Carl R ToersBijns, former deputy warden, ASPC Eyman

Mr. Sal Rodriguez writes “The lawsuit was filed May 31st on behalf of Security Housing Unit (SHU) inmates who have spent 10-28 years in solitary confinement. They are among the 500 inmates at Pelican Bay who have been segregated from general population inmates for at least ten years, and among the state of California’ s over three thousand SHU inmates.”

It is hopeful that this lawsuit will explore these circumstances unconditionally identify what political barriers, psychological effect or impact exist and identify the existence or presence of a culture deemed as being “deliberate indifference” related to SHU operational obstacles that have been produced through a metamorphic state in the past few decades.

This lawsuit should identify exactly what kind of mind and mentality, both intentionally or un-intentionally, created these alleged deviated procedures from accepted sound correctional practices and implemented “in-house” cultural customs and traditional practices that could deviate from those guidelines written by the CDCR administration and rank and file.

In the courtroom, they will argue the practice of long-term solitary confinement (at least 10 years) and determine whether or not this violates our constitutional 8th Amendment of cruel and unusual punishment. I suspect it will once the cultural attitudes and practices are revealed through testimony now under oath and in the public’ s eye, the court may view the practice of solitary confinement to be a violation of the 8th Amendment as it is written and intent.

It is also my desired expectation that the placement of the mentally ill will also be addressed. Common sense would prevail that such a placement in the SHU is detrimental to their already fragile mental health status and with such negative and toxic environmental influences around them 24 hours a day.

I pray for the expedient removal from such counterproductive surroundings and placed in a treatment environment to mend their spirits and well-being. It is likely they are not getting any treatment for their illnesses as well as making any progress in the stabilization of their own psychosis or psychological experiences while locked up there in the darkened corridors of Pelican Bay SHUs’