

The Hidden History of Solitary Confinement in New Jersey's Control Units

March 13, 2013 By [Solitary Watch Guest Author](#)
Guest Post by Bonnie Kerness

Editor's Note: As coordinator of the [American Friends Service Committee's Prison Watch Project](#), Bonnie Kerness is a leading voice for humanitarian reform of U.S. prisons, jails, and detention centers. Kerness is also a pioneer in raising awareness about the use of prolonged solitary confinement, and in uncompromisingly identifying the practice as a form of torture. Since the 1990s, she has coordinated [AFSC's STOPMAX Campaign](#), which "works to eliminate the use of isolation and segregation in U.S. prisons" through "research, grassroots organizing, public education and policy advocacy."

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Between the 1913 closing of Eastern State Penitentiary's isolation cages and the 1983 lockdown of the federal facility in Marion, Illinois (recently recounted in Nancy Kurshan's book *Out of Control*) is a history of struggle against the use of extended solitary confinement in New Jersey, which is little known. In 1975, after the tumultuous years of the Civil Rights Movement, the Viet Nam War and the prisoners' rights movement, Trenton State Prison (now New Jersey State Prison) established an administrative isolation unit for politically dissident prisoners. The warden and his staff decided to use this technique, which was modeled after a unit in Soledad Prison in California. The Management Control Unit housed those prisoners who had not broken institutional rules, but who were, as a result of their political convictions and expressions, seen to be a threat by prison administrators. Thus, the New Jersey MCU pre-dated the advent of the control unit in federal system.

Sundiata Acoli was one of the first people interred in this new unit. Sundiata writes, the warden "began rounding up prisoners, 250 all told, of which I was the first. They took me to a cell block, another guard brought my property, stopped in front of a prisoner's cell, took him out, put me in his cell, and escorted him and his property to my old cell. They switched prisoners all night like this so the next morning they had rounded up, switched 250 prisoners to create an instant Management Control Unit. In less than a month, they had released 200 of the MCU prisoners back into population and kept the 50 prisoners in the MCU for which the roundup was actually intended."

In his book *Inside Out – Fifty Years Behind the Walls of New Jersey's Trenton State Prison*, former guard, Harry Camisa says, "The guys singled out for the MCU were viewed as potential troublemakers or political leaders who needed to be segregated to keep them from influencing the rest of the population. This was a new and controversial concept in New Jersey." The unit isolated activists

and leaders from the prisons general population, as it attempted to psychologically reshape their convictions by subjecting them to an extraordinary level of physical control and sensory deprivation.

New Jersey was a key state in terms of people being involved in political activities such as the Black Panther Party and the Black Liberation Army. It is also corridor state and often members of other political formations travelled through the state – many finding themselves imprisoned at Trenton State Prison. On January 19, 1976, the State of New Jersey alleged that Sundiata Acoli and John L. Clark played key roles in the attempted escape from the Management Control Unit which resulted in two guards being shot, John Clark killed, another prisoner being wounded. Subsequently, Sundiata was transferred out of the MCU to an isolation unit at the federal prison in Marion, Illinois.

Relevant to the continuing use of the MCU was Executive Order 88, signed in 1984 by former Governor Thomas Kean, which mandated that “any persons believed to be a member of a terrorist organization or other similar groups committed to violence, murder or mayhem as a means to achieve their purpose could be placed in the Management Control Unit pre-trial.” This is exactly what happened to political prisoners Tom Manning and Richard Williams, who were alleged to be members of the United Freedom Front, and Sekou Tyehimba, who the state alleged to be a member of the Black Liberation Army. On February 4, 1986, Ojore Lutalo, a member of the Black Liberation Army, and nine other prisoners were placed in the Management Control Unit. Within 18 months, seven of the prisoners who were placed in the MCU with Ojore were released back into the general population. Ojore reached out to the American Friends Service Committee, asking us what a control unit was, why he was there and how long he would have to remain there. We began to monitor Ojore and 48 others, ultimately establishing the New Jersey-based Control Unit Monitoring Project, which conducted ongoing observation of the unit through visits, letters and telephone calls. Students from many colleges and universities assisted in this effort. Part of the collective efforts of MCU prisoner’s and outside advocates resulted in the struggle to contest the cages built in the MCU for “recreation.” This effort resulted in newspaper coverage from the *New York Times*, in an August 1991 article by Peter Page entitled “Modules or Cages? TSP Enclosures Stir Protest.”

In May of 1992, the AFSC Control Unit Monitoring Project held a Town Meeting and Silent Vigil outside the prison protesting the political use of isolation and conditions of confinement in the control unit. Prisoners in the MCU were/are denied all the collective activities of normal prison life, facing surveillance by guards and cameras which record daily activities, regularly search cells and their persons, and suffer the physical abuse of strip searches by guards in riot-gear which accompany all recreation and visits. Although confinement in the MCU is not defined as punitive, the severe limitations placed on visits and telephone contact with family members, recreation, the denial of work, education, law library access, collective religious practice and the fellowship of other prisoners can hardly be seen any other way.

Correspondence and reading material are carefully scrutinized and many political publications, specifically those with Afro-centric content, are excluded. These conditions are indefinite, although they are reviewed every 90 days, and are imposed without judicial supervision or benefit of counsel. The AFSC contacted multiple media outlets to draw attention to the political use and condition in the MCU. Initially, the reporters were hesitant to believe that people were being detained in the MCU for political purposes or entertaining political thoughts that the administration didn't approve of. They responded to AFSC's initial outreach by saying such things did not happen in the United States. The reporters contacted the Department of Corrections which confirmed that Ojore and others in the MCU broke no prison rules and that their placement wasn't punitive. This resulted in two newspaper articles. On June 11, 1992, *The Record* published an article "NJ Political Prisoners Do Hard in Solitary", and on June 18th the *New Jersey Tribune* published "Beliefs Made Them Prisoners in Prison – Political Radicals Locked in Solitary." In 1994, Channel 9 news filmed Ojore Lutalo, Daud Tulam and Clifford Roberts (three MCU prisoners) for a special piece on the 6 o'clock news. Their research led them to contacting the NJ Department of Corrections who informed them that these particular prisoners were not in the control unit for violating any prison rules. The news program, called "Prison Politics," played widely at the time and is still being used to illustrate the political use of isolation.

The Department of Corrections itself confirms this political use as evidenced in two Notices of Management Control Unit Classification Decisions: the first dated in 1989, informs that, "The Committee notes that inmate Lutalo needs to improve his social profile, and insight into his oppositional stance prior to release consideration from the Control Unit." In the late 1990s litigation concerning the Control Unit was filed resulting in a Special Master being appointed to review each person in the Control Unit. With the exception of four people, by 2002, Ojore and others were released back into general population based on the decision of this Special Master.

In 2005, the AFSC stopped hearing from Ojore for an unusual amount of time. Bonnie called the Department of Corrections and was told that Ojore had been placed back in the control unit at "the request of Homeland Security." Ojore later reported that he had been "disappeared" from general population and placed in the prison's mental health unit incommunicado for six days. Ojore's second Classification notice dated 2008 notes that, "The MCURC notes your concern regarding your feelings of persecution and discrimination based on your political affiliation. The Committee continues to show concern with your admitted affiliation with the Black Liberation Army, and the Anarchist Black Cross foundation. Your radical views and ability to influence others pose a threat to the orderly operation of this institution."

In 2008, New Jersey attorney Bruce Afran filed a brief challenging Ojore's MCU detention not on the basis of any charged offenses but because of his political beliefs and affiliations. After 22 years of political isolation in the MCU, Ojore was released from prison by way of court order on August 26,

2009.

The definition of “no touch” torture is a set of practices used to inflict pain or suffering without resorting to direct physical violence: sleep deprivation, sensory disorientation, solitary confinement, humiliation, extreme cold or heat, extreme light or dark. Intentional placement situations. A systematic attack on all human stimuli. A November 2010 New Jersey Network program called “Due Process – Solitary: Who and Why” featured myself and Ojore, and other advocates and lawyers talking about the history of activism to close the MCU. The history of the opposition to the New Jersey Management Control Unit includes advocates from the 1994-1998 National Campaign to Stop Control Unit Prisons, of which the Committee to End the Marion Lockdown was a founding member. It also includes the publication of a *Survivor’s Manual – written by and for people living in isolation* inspired by Ojore.

The political use of isolation in ensuing years has morphed into entire isolation prisons being built for the mentally ill. The political use of this form of torture continues with the development of Security Threat Group Management Units (for purported gang members), and Communications Management Units (for Muslims in the federal system). Imam Jamil Al-Amin has been held in such conditions for years. For those of us monitoring US prisons over decades, the targeting of radicalization feels eerily familiar. The Department of Corrections is more than an institution, it is a state of mind. That state of mind has led to the use of “no touch” and other devices of torture both here and overseas.

We owe thanks to all of those inside and out who have spoken out: Eddie Griffin, Jr, who had the courage to write “Breaking Men’s Minds” while he was held in the Marion Control Unit; the Marion Brothers who were part of the ongoing resistance to the control unit repression; and to the hundreds of prisoners who had the mettle to contribute their testimony and art to AFSC’s 2012 *Torture in US Prisons*, and to Jean Ross and the many lawyers who have been there for all of us, inside and out.