

“Infamous Punishment”: The Psychological Consequences of Isolation

The NPP JOURNAL continues its in-depth coverage of supermaximum security prisons. In the Fall 1992 issue, we ran an overview article, “The Marionization of American Prisons,” and a piece on Barlinnie, the Scottish equivalent of our supermax. It operates in a very different manner from its U.S. counterparts with very different results. A third article on California’s Pelican Bay State Prison, the most restrictive prison in the country, focused on its severe and restrictive confinement. In the following article, University of California psychologist Craig Haney examines the psychological effects of confinement in prisons like Pelican Bay.

—J.E.

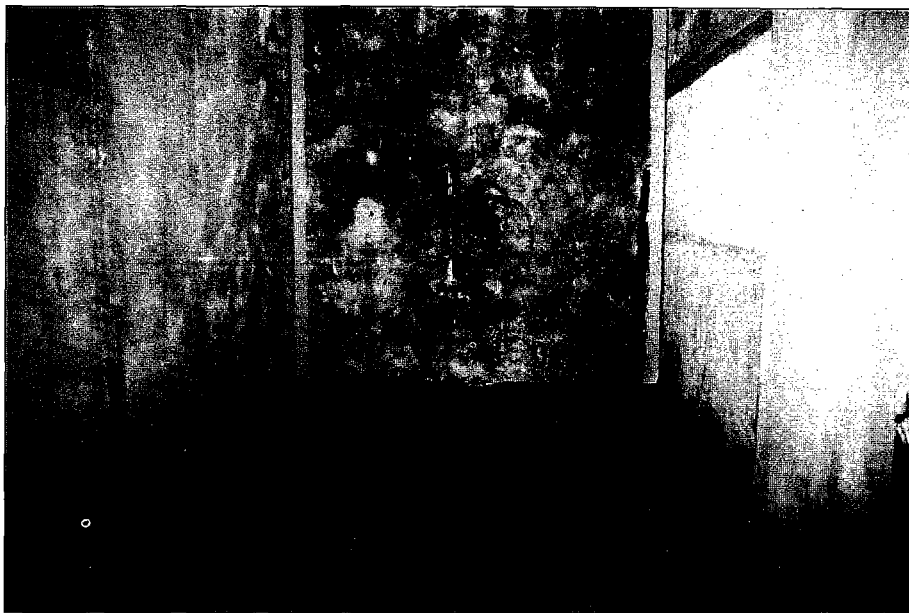
BY CRAIG HANEY

Since the discovery of the asylum, prisons have been used to isolate inmates from the outside world, and often from each other. As most students of the American penitentiary know, the first real prisons in the United States were characterized by the regimen of extreme isolation that they imposed upon their prisoners. Although both the Auburn and Pennsylvania models (which varied only in the degree of isolation they imposed) eventually were abandoned, in part because of their harmful effects upon prisoners,¹ most prison systems have retained and employed—however sparingly—some form of punitive solitary confinement. Yet, because of the technological spin that they put on institutional design and procedure, the new super-maximum security prisons are unique in the modern history of American corrections. These prisons represent the application of sophisticated, modern technology dedicated entirely to the task of social control, and they isolate, regulate, and surveil more effectively than anything that has preceded them.

The Pelican Bay SHU

The Security Housing Unit at California’s Pelican Bay State Prison is the prototype for this marriage of technology and total control.² The design of the Security Housing Unit—where well over a thousand prisoners are confined for periods of six months to several years—is starkly

austere. Indeed, Pelican Bay’s low, windowless, slate-gray exterior gives no hint to outsiders that this is a place where human beings live. But the barrenness of the prison’s interior is what is most startling. On each visit to this prison I have been struck by the harsh, visual sameness and monotony of the physical design and the layout of these units. Architects and corrections officials have created living



Bare concrete walls form an exercise “yard” at Pelican Bay where prisoners engage in solitary recreation. An opaque roof covers half the yard; the wire screen which covers the other half provides prisoners with their only view of open sky.

environments that are devoid of social stimulation. The atmosphere is antiseptic and sterile; you search in vain for humanizing touches or physical traces that human activity takes place here. The “pods” where prisoners live are virtually identical; there is little inside to mark location or give prisoners a sense of place.

Prisoners who are housed inside these units are completely isolated from the natural environment and from most of the natural rhythms of life. SHU prisoners, whose housing units have no windows, get only a glimpse of natural light. One prisoner captured the feeling created here when he told me, “When I first got here I felt like I was underground.” Prisoners at Pelican Bay are not even permitted to see grass, trees or shrubbery. Indeed, little or none exists within the perimeters of the

prison grounds, which are covered instead by gray gravel stones. This is no small accomplishment since the prison sits adjacent to the Redwood National Forest and the surrounding landscape is lush enough to support some of the oldest living things on earth. Yet here is where the California Department of Corrections has chosen to create the most lifeless environment in its—or any—correctional system.

When prisoners do get out of their cells for “yard,” they are released into a barren concrete encasement that contains no exercise equipment, not even a ball. They cannot see any of the surrounding landscape because of the solid concrete walls that extend up some 20 feet around them.

Overhead, an opaque roof covers half the yard; the other half, although covered with a wire screen, provides prisoners with their only view of the open sky. When outside conditions are not intolerably inclement (the weather at Pelican Bay often brings harsh cold and driving rain), prisoners may exercise in this concrete cage for approximately an hour-and-a-half a day. Their movements are monitored by video camera, watched by control officers on overhead television screens. In the control booth, the televised images of several inmates, each in separate exercise cages, show them walking around and around the perimeter of their concrete yards, like laboratory animals engaged in mindless and repetitive activity.

Prisoners in these units endure an unprecedented degree of involuntary,

enforced idleness. Put simply: prisoners here have virtually nothing to *do*. Although prisoners who can afford them are permitted to have radios and small, regulation-size televisions in their cells, there is no *activity* in which they may engage. Except for the limited exercise I have described and showers (three times a week), there are no prison routines that regularly take them out of their cells. All prisoners are "cell fed"—twice a day meals are placed on tray slots in the cell doors to be eaten by the prisoners inside. (Indeed, on my first tour of the institution one guard told me that this was the only flaw in the design of the prison—that they had not figured out a way to feed the prisoners "automatically," thus eliminating the need for any contact with them.) Prisoners are not permitted to do work of any kind, and they have no opportunities for educational or vocational training. They are never permitted out on their tiers unless they are moving to and from showers or yard, or being escorted—in chains and accompanied by two baton-wielding correctional officers per inmate—to the law library or infirmary outside the unit. Thus, with minor and insignificant exceptions, a prisoner's entire life is lived within the parameters of his 80 square-foot cell, a space that is typically shared with another prisoner whose life is similarly circumscribed.

All movement within these units is tightly regulated and controlled, and takes place under constant surveillance. Prisoners are permitted to initiate little or no meaningful behavior of their own. When they go to shower or "yard," they do so at prescribed times and in a prescribed manner and the procedure is elaborate. Guards must first unlock the padlocks on the steel doors to their cells. Once the guards have left the tier (they are never permitted on the tier when an unchained prisoner is out of his cell), the control officer opens the cell door by remote control. The prisoner must appear naked at the front of the control booth and submit to a routinized visual strip search before going to yard and, afterwards, before returning to his cell. Some prisoners are embarrassed by this public display of nudity (which takes place not only in front of control officers and other prisoners, but whomever else happens to be in the open area around the outside of the control booth.) As might be expected, many inmates forego the privilege of taking "yard" because of the humiliating procedures to which they must submit and the draconian conditions under which they are required to exercise. Whenever prisoners are in the presence of another human being (except for those

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who have cellmates), they are placed in chains, at both their waist and ankles. Indeed, they are chained even *before* they are permitted to exit their cells. There are also special holding cages in which prisoners are often left when they are being moved from one place to another. Prisoners are kept chained even during their classification hearings. I witnessed one prisoner, who was apparently new to the process, stumble as he attempted to sit down at the start of his hearing. Because he was chained with his hands behind his back, the correctional counselor had to instruct him to "sit on the chair like it was a horse"—unstable, with the back of the chair flush against his chest.

The cells themselves are designed so that a perforated metal screen, instead of a door, covers the entrance to the cells. This permits open, around-the-clock surveillance whenever guards enter the tiers. In addition, television cameras have been placed at strategic locations inside the cell-blocks and elsewhere within the prison.

Because the individual "pods" are small (four cells on each of two floors), both visual and auditory surveillance are facilitated. Speakers and microphones have been placed in each cell to permit contact with control booth officers. Many prisoners believe that the microphones are used to monitor their conversations. There is little or no personal privacy that prisoners may maintain in these units.

Psychological Consequences

The overall level of longterm social deprivation within these units is nearly total and, in many ways, represents the destructive essence of this kind of confinement. Men in these units are deprived of human contact, touch and affection for years on end. They are denied the opportunity for contact visits of any kind; even attorneys and experts must interview them in visiting cells that prohibit contact. They cannot embrace or shake hands, even with visitors who have traveled long distances to see them. Many of these prisoners have not had visits from the outside world in years. They are not permitted to make phone calls except for emergencies or other extraordinary circumstances. As one prisoner told me: "Family and friends, after the years, they just start dropping off. Plus, the mail here is real irregular. We

can't even take pictures of ourselves" to send to loved ones.³ Their isolation from the social world, a world to which most of them will return, could hardly be more complete.

The operational procedures employed within the units themselves insure that even interactions with correctional staff occur infrequently and on highly distorted, unnatural terms. The institutional routines are structured so that prisoners are within close proximity of staff only when they are being fed, visually searched through the window of the control booth before going to "yard," being placed in chains and escorted elsewhere within the institution. There is always a physical barrier or mechanical restraint between them and other human beings.

The only exceptions occur for prisoners who are double-celled. Yet double-celling under these conditions hardly constitutes normal social contact. In fact, it is difficult to conceptualize a more strained and perverse form of intense and intrusive social interaction. For many prisoners, this kind of forced, invasive contact becomes a source of conflict and pain. They are thrust into intimate, constant co-living with another person—typically a total stranger—whose entire existence is similarly and unavoidably co-mingled with their own. Such pressurized contact can become the occasion for explosive violence. It also fails to provide any semblance of social "reality testing" that is intrinsic to human social existence.⁴

The psychological significance of this level of longterm social deprivation cannot be overstated. The destructive consequences can only be understood in terms of the profound importance of social contact and social context in providing an interpretive framework for all human experience, no matter how personal and seemingly private. Human identity formation occurs by virtue of social contact with others. As one SHU prisoner explained: "I liked to be around people. I'm happy and I enjoy people. They take that away from you [here]. It's like we're dead. As the Catholics say, in purgatory. They've taken away everything that might give a little purpose to your life." Moreover, when our reality is not grounded in social context, the internal stimuli and beliefs that we generate are impossible to test against the reactions of others. For this reason, the first step in any program of extreme social influence—ranging from police interrogation to indoctrination and "brainwashing"—is to isolate the intended targets from others, and to create a context in which social reality testing is controlled by

those who would shape their thoughts, beliefs, emotions, and behavior. Most people are so disoriented by the loss of social context that they become highly malleable, unnaturally sensitive, and vulnerable to the influence of those who control the environment around them. Indeed, this may be its very purpose. As one SHU prisoner told me: "You're going to be what the place wants you to be or you're going to be nothing."

Longterm confinement under these conditions has several predictable psychological consequences. Although not everyone will manifest negative psychological effects to the same degree, and it is difficult to specify the point in time at which the destructive consequences will manifest themselves, few escape unscathed. The norms of prison life require prisoners to struggle to conceal weakness, to minimize admissions of psychic damage or pain. It is part of a prisoner ethic in which preserving dignity and autonomy, and minimizing vulnerability, is highly valued. Thus, the early stages of these destructive processes are often effectively concealed. They will not be apparent to untrained or casual observers, nor will they be revealed to persons whom the prisoners do not trust. But over time, the more damaging parts of adaptation to this kind of environment begin to emerge and become more obvious.⁵

The first adaptation derives from the totality of control that is created inside a place like Pelican Bay. Incarceration itself makes prisoners dependent to some degree upon institutional routines to guide and organize their behavior. However, the totality of control imposed in a place like Pelican Bay is extreme enough to produce a qualitatively different adaptation. Eventually, many prisoners become entirely dependent upon the structure and routines of the institution for the control of their behavior. There are two related components to this adaptation. Some prisoners become dependent upon the institution to *limit* their behavior. That is, because their behavior is so carefully and completely circumscribed during their confinement in lockup, they begin to lose the ability to set limits for themselves. Some report becoming uncomfortable with even small amounts of freedom because they have lost the sense of how to behave without the constantly enforced restrictions, tight external structure, and totality of behavioral restraints.

Other prisoners suffer an opposite but related reaction, caused by the same set of circumstances. These prisoners lose the ability to *initiate* behavior of any kind—

to organize their own lives around activity and purpose—because they have been stripped of any opportunity to do so for such prolonged periods of time. Apathy and lethargy set in. They report being tired all the time, despite the fact that they have been allowed to do nothing. They find it difficult to focus their attention, their minds wander, they cannot concentrate or organize thoughts or actions in a coherent way. In extreme cases, a sense of profound despair and hopelessness is created.

The experience of total social isolation can lead, paradoxically, to social withdrawal. That is, some prisoners in isolation draw further into themselves as a way of adjusting to the deprivation of meaningful social contact imposed upon them. They become uncomfortable in the course of the little social contact they are permitted. They take steps to avoid even that—by refusing to go to "yard," refraining from conversation with staff, discouraging any visits from family members or friends, and ceasing correspondence with the outside world. They move from being starved for social contact to being frightened by it. Of course, as they become increasingly unfamiliar and uncomfortable with social interaction, they are further alienated from others and disoriented in their presence.

The absence of social contact and social context creates an air of unreality to one's existence in these units. Some prisoners act out as a way of getting a reaction from their environment, proving to themselves that they still exist, that they are still alive and capable of eliciting a human response—however hostile—from other human beings. This is the context in which seemingly irrational refusals of prisoners to "cuff up" take place—which occur in the Pelican Bay SHU with some regularity, in spite of the knowledge that such refusals invariably result in brutal "cell extractions" in which they are physically subdued, struck with a large shield and special cell extraction baton, and likely to be shot with a taser gun or wooden or rubber bullets before being placed in leg irons and handcuffs.⁶

In some cases, another pattern emerges. The line between their own thought processes and the bizarre reality around them becomes increasingly tenuous. Social contact grounds and anchors us; when it is gone, there is nothing to take its place. Moreover, for some, the environment around them is so painful and so painfully impossible to make sense of, that they create their own reality, one seemingly "crazy" but easier for them to tolerate and make sense of. Thus, they live in world of fantasy instead of the world of control,

surveillance, and inhumanity that has been imposed upon them by the explicit and conscious policies of the correctional authorities.

For others, the deprivations, the restrictions, and the totality of control fills them with intolerable levels of frustration. Combined with the complete absence of activity or meaningful outlets through which they can vent this frustration, it can lead to outright anger and then to rage. This rage is a reaction against, not a justification for, their oppressive confinement. Such anger cannot be abated by intensifying the very deprivations that have produced it. They will fight against the system that they perceive only as having surrounded and oppressed them. Some will lash out

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violently against the people whom they hold responsible for the frustration and deprivation that fills their lives. Ultimately, the outward expression of this violent frustration is marked by its irrationality, primarily because of the way in which it leads prisoners into courses of action that further insure their continued mistreatment. But the levels of deprivation are so profound, and the resulting frustration so immediate and overwhelming, that for some this lesson is unlikely ever to be learned. The pattern can only be broken through drastic changes in the nature of the environment, changes that produce more habitable and less painful conditions of confinement.

The magnitude and extremity of oppressive control that exists in these units helps to explain another feature of confinement in the Pelican Bay SHU that, in my experience, is unique in modern American corrections. Prisoners there have repeatedly voiced fears of physical mistreatment and brutality on a widespread and frequent basis. They speak of physical intimidation and the fear of violence at the hands of correctional officers. These concerns extend beyond the physical intimidation that is structured into the design of the units themselves—the totality of restraint, the presence of guards who are all clad in heavy flak jackets inside the units, the use of chains to move prisoners out of their cells, and the constant presence of control officers armed with assault rifles slung across their chests as they monitor prisoners within their housing units. Beyond this,

prisoners speak of the frequency of "cell extractions" which they describe in frightening terms. Most have witnessed extractions in which groups of correctional officers (the previously described "cell extraction team") have entered prisoners' cells, fired wooden or rubber bullets and electrical tasers at prisoners, forcibly chained and removed them from their cells, sometimes for the slightest provocation (such as the failure to return food trays on command). And many note that this mistreatment may be precipitated by prisoners whose obvious psychiatric problems preclude them from conforming to SHU rules or responding to commands issued by correctional officers.⁷ One prisoner reported being constantly frightened that guards were going to hurt him. The day I interviewed him, he told me that he had been sure the correctional staff was "going to come get him." He stuck his toothbrush in the door of his cell so they couldn't come inside. He vowed "to hang myself or stop eating [and] starve to death" in order to get out of the SHU.

I believe that the existence of such brutality can be attributed in part to the psychology of oppression that has been created in and around this prison. Correctional staff, themselves isolated from more diverse and conflicting points of view that they might encounter in more urban or cosmopolitan environments, have been encouraged to create their own unique worldview at Pelican Bay. Nothing counters the prefabricated ideology into which they step at Pelican Bay, a prison that was designated as a place for the "worst of the worst" even before the first prisoners ever arrived. They work daily in an environment whose very structure powerfully conveys the message that these prisoners are not human beings. There is no reciprocity to their perverse and limited interactions with prisoners—who are always in cages or chains, seen through screens or windows or television cameras or protective helmets—and who are given no opportunities to act like human beings. Pelican Bay has become a massive self-fulfilling prophecy. Violence is one mechanism with which to accommodate to the fear inevitably generated on both sides of the bars.

Psychiatric Disorders

The psychological consequences of living in these units for long periods of time are predictably destructive, and the potential for these psychic stressors to precipitate various forms of psychopathology is clear-cut. When prisoners who are deprived of meaningful social contact begin to shun all forms of interaction,

withdraw more deeply into themselves and cease initiating social interaction, they are in pain and require psychiatric attention. They get little or none.⁸ Prisoners who have become uncomfortable in the presence of others will be unable to adjust to housing in a mainline prison population, not to mention free society. They are also at risk of developing disabling, clinical psychiatric symptoms. Thus, numerous studies have underscored the role of social isolation as a correlate of mental illness. Similarly, when prisoners become profoundly lethargic in the face of their monotonous, empty existence, the potential exists for this lethargy to shade into despondency and, finally, to clinical depression. For others who feel the frustration of the totality of control more acutely, their frustration may become increasingly difficult to control and manage. Longterm problems of impulse control may develop that are psychiatric in nature.

This kind of environment is capable of creating clinical syndromes in even healthy personalities, and can be psychologically destructive for anyone who enters and endures it for significant periods of time. However, prisoners who enter these places with *pre-existing* psychiatric disorders suffer more acutely. The psychic pain and vulnerability that they bring into the lockup unit may grow and fester if unattended to. In the absence of psychiatric help, there is nothing to keep many of these prisoners from entering the abyss of psychosis.

Indeed, in the course of my interviews at Pelican Bay, numerous prisoners spoke to me about their inability to handle the stress of SHU confinement. Some who entered the unit with pre-existing problems could perceive that they had gotten worse. Others had decompensated so badly that they had no memory of ever having functioned well, or had little awareness that their present level of functioning was tenuous, fragile, and psychotic. More than a few expressed concerns about what they would do when released—either from the SHU into mainline housing, or directly into free society (as a number are). One prisoner who was housed in the unit that is reserved for those who are maintained on psychotropic medication told me that he was sure that the guards in this unit were putting poison in his food. He was concerned because when released (this year), he told me "I know I won't be able to work or be normal."

Many SHU prisoners also reported being suicidal or self-mutilating. A number of them showed me scars on their arms and necks where they had attempted to cut

themselves. One prisoner told me matter-of-factly, "I've been slicing on my arms for years, sometimes four times a day, just to see the blood flow." One suicidal prisoner who is also deaf reported being cell extracted because he was unable to hear the correctional officers call count (or "show skin"—a procedure used so that staff knows a prisoner is in his cell). He now sleeps on the floor of his cell "so that the officers can see my skin." Another prisoner, who has reported hearing voices in the past and seeing "little furry things," has slashed his wrists on more than one occasion. Instead of being transferred to a facility where he could receive mental health treatment—since obviously none is available at Pelican Bay—he has been moved back and forth between the VCU and SHU units. While in the VCU, he saw a demon who knew his name and frequently spoke to him. As I interviewed him, he told me that the voices were cursing at him for talking to me. In the course of our discussion, he was clearly distracted by these voices and, periodically, he laughed inappropriately. One psychotic SHU prisoner announced to me at the start of our interview that he was a "super power man" who could not only fly, but see through steel and hear things that were being said about him from great distances. He had lived in a board-and-care home and been maintained on Thorazine before his incarceration. Although he had attempted suicide three times while at Pelican Bay, he was confident that when he was placed back in the mainline he would not have to attempt to kill himself again—because he thought he could convince his cellmate to do it for him. Another flagrantly psychotic SHU prisoner talked about a miniature implant that the Department of Corrections had placed inside his head, connected to their "main computer," which they were using to control him electronically, by programming him to say and do things that would continually get him into trouble. When I asked him whether or not he had seen any of the mental health staff, he became agitated and earnestly explained to me that his problem was medical—the computer implant inserted into his brain—not psychiatric. He offered to show me the paperwork from a lawsuit he had filed protesting this unauthorized medical procedure.

When prison systems become seriously overcrowded—as California's is (operating now at more than 180% of capacity)—psychiatric resources become increasingly scarce and disturbed prisoners are handled poorly, if at all. Often, behavior that is caused primarily by psychiatric disfunction results in placement in punitive solitary

confinement, where little or no psychiatric precautions are taken to protect or treat them. They are transferred from one such punitive isolation unit to another, in what has been derisively labeled "bus therapy."⁹ In fact, I have come to the conclusion that the Pelican Bay SHU has become a kind of "dumping ground" of last resort for many psychiatrically disturbed prisoners who were inappropriately housed and poorly treated—because of their psychiatric disorders—in other SHU units. Because such prisoners were unable to manage their disorders in these other units—in the face of psychologically destructive conditions of confinement and in the absence of appropriate treatment—their continued rules violations, which in many cases were the direct product of their psychiatric disorders, have resulted in their transfer to Pelican Bay. Thus, their placement in the Pelican Bay SHU is all the more inappropriate because of the process by which they got there. Their inability to adjust to the harsh conditions that prevailed at these other units should disqualify them for placement in this most harsh and destructive environment, yet, the opposite appears to be the case.

Conclusions

Although I have seen conditions elsewhere that approximate those at the Pelican Bay SHU, and have testified about their harmful psychological effects, I have never seen longterm social deprivation so totally and completely enforced. Neither have I seen prisoner movements so completely regimented and controlled. Never have I seen the technology of social control used to this degree to deprive captive human beings of the opportunity to initiate meaningful activity, nor have I seen such an array of deliberate practices designed for the sole purpose of preventing prisoners from engaging in any semblance of normal social intercourse. The technological structure of this environment adds to its impersonality and anonymity. Prisoners interact with their captors over microphones, in chains or through thick windows, peering into the shields that hide the faces of cell extraction teams as they move in coordinated violence. It is axiomatic among those who study human behavior that social connectedness and social support are the prerequisites to longterm social adjustment. Yet, persons who have been wrenched from a human community of any kind risk profound and chronic alienation and asociality.

A century and a half ago, social commentators like Dickens and de Tocqueville

marveled at the willingness of American society to incarcerate its least favored citizens in "despotic" places of solitary confinement.¹⁰ De Tocqueville understood that complete isolation from others "produces a deeper effect on the soul of the convict," an effect that he worried might prove dis-

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abling when the convict was released into free society. Although he admired the power that American penitentiaries wielded over prisoners, he did not have the tools to measure their longterm effects nor the benefit of more than a hundred years of experience and humane intelligence that has led us away from these destructive interventions. Ignoring all of this, places like Pelican Bay appear to have brought us full circle. And then some. ■

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¹ In words it appears to have long since forgotten, the United States Supreme Court, more than a century ago, characterized solitary confinement as an 'infamous punishment' and provided this explanation for its abandonment: '[E]xperience demonstrated that there were serious objections to it. A considerable number of the prisoners fell, after even a short confinement, into a semi-fatuous condition, from which it was next to impossible to arouse them, and others became violently insane; others still, committed suicide; while those who stood the ordeal better were not generally reformed, and in most cases did not recover sufficient mental activity to be of any subsequent service'...[I]t is within the memory of many persons interested in prison discipline that some 30 or 40 years ago the whole subject attracted the general public attention, and its main feature of solitary confinement was found to be too severe.' *In re Medley*, 134 U.S. 160, 168 (1890).

² Its predecessor, the federal prison at Marion, Illinois, is now more than 25 years old and a technological generation behind Pelican Bay. Although many of the same oppressive conditions and

restrictive procedures are approximated at Marion, these comments are focused on Pelican Bay, where my observations and interviews are more recent and where conditions are more severe and extreme. In addition to some of the descriptive comments that follow, conditions at the Pelican Bay SHU have been described in Elvin, J. "Isolation, Excessive Force Under Attack at California's Supermax," *NPP JOURNAL*, Vol. 7, No. 4, (1992), and White, L. "Inside the Alcatraz of the '90s," *California Lawyer* 42-48 (1992). The unique nature of this environment has also generated some media attention. E.g., Hentoff, N., "Buried Alive in American Prisons," *The Washington Post*, January 9, 1993; Mintz, H., "Is Pelican Bay Too Tough?" 182 *The Recorder*, p.1, September 19, 1991; Roemer, J. "High-Tech Deprivation," *San Jose Mercury News*, June 7, 1992; Ross, J. "High-tech dungeon," *The Bay Guardian* 15-17, (1992). The creation of such a unit in California is particularly unfortunate in light of fully 20 years of federal litigation over conditions of confinement in the "lockup" units in four of the state's maximum security prisons (Deuel Vocational Institution, Folsom, San Quentin, and Soledad). E.g., *Wright v. Enomoto*, 462 F. Supp. 397 (N.D. Cal. 1976). In a lengthy evidentiary hearing conducted before Judge Stanley Weigel, the state's attorneys and corrections officials were present during expert testimony from numerous witnesses concerning the harmful effects of the punitive solitary confinement they were imposing upon prisoners in these units. Except for some disagreement offered up by Department of Corrections employees, this testimony went unanswered and rebutted. *Toussaint v. Rushen*, 553 F. Supp. 1365 (N.D. Cal. 1983), *aff'd in part Toussaint v. Yockey*, 722 F.2d 1490 (9th Cir. 1984). Only a few years after this hearing, and while a federal monitor was still in place to oversee the conditions in these other units, the Department of Corrections began construction of Pelican Bay. In apparent deliberate indifference to this extensive record, and seemingly without seeking any outside opinions on the psychological consequences of housing prisoners in a unit like the one they intended to create or engaging in public debate over the wisdom of such a project, they proceeded to commit over \$200 million in state funds to construct a prison whose conditions were in many ways worse than those at the other prisons, whose harmful effect had been litigated over the preceding decade.

³ Most corrections experts understand the significance of maintaining social connectedness and social ties for longterm adjustment, in and out of prison. See, e.g., Schafer, N. "Prison Visiting: Is It Time to Review the Rules?" *Federal Probation* 25-30 (1989). This simple lesson has been completely ignored at Pelican Bay.

⁴ Indeed, in my opinion, double-celling in Security Housing Units like those at Pelican Bay constitutes a clear form of overcrowding. As such, it can be expected to produce its own, independently harmful effects, as the literature on the negative consequences of overcrowding attests.

⁵ Although not extensive, the literature on the negative psychological effects of solitary confinement and related situations is useful in interpreting contemporary observations and interview data from prisoners placed in punitive isolation like Pelican Bay. See, e.g., Heron, W. "The Pathology of Boredom," *Scientific American*, 196 (1957); Burney, C. "Solitary Confinement," London: Macmillan (1961); Cormier, B., & Williams, P. "Excessive

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does not exist. This is a system inherited by the now independent republics.

There appears to be no systematic method of reversing wrongful conviction. We heard of men and women convicted for offenses, such as doing private business, which were crimes against the State under communism. They are no longer crimes, but, according to accounts at the conference, people serving long sentences for such activities remain in the camps. With the outbreak of ethnic wars in several republics, the "crime" of being a conscientious objector has also reappeared, resulting in imprisonment for those refusing to join up.

The law operates against a backdrop of economic collapse, vertiginous inflation, and top-level political combat between reformers and old guard. It operates with many of the judges from the old days still in office, trained to protect the state, not the individual. It operates, above all, in a moral vacuum. Corruption at every level is rife. We heard of examples at the conference, and even witnessed one when a policeman stopped a driver taking us into Moscow and accused him of a number of infractions until he handed over 800 rubles. On this occasion, the presence of foreigners made no difference.

Death Penalty

With the rule of law seen to be absent, public faith in harsh punishment is well-

nigh unshakable. A poll quoted at the conference indicates that 75% of Russians are in favor of capital punishment, and 30% want it expanded. One speaker at the conference felt that research into the effects of capital punishment needed to be undertaken—to which Alvin J. Bronstein [executive director] of the NPP replied this would be "like researching whether Buchenwald was a success."

The death penalty is not applied as frequently as it was under the old regime, but recorded executions in the former Soviet Union have been about 90 annually in recent years (compared to 30 annually in the U.S.). A bizarre debate took place about the method of execution, and speakers asked a senior ministry official why the body could not be returned to the family. They received the chilling non-answer that the prison custom was cremation, "so there might be excesses because of different cultural ways [among the population] of disposing of the body."

The debate ended with a suggestion from Alvin Bronstein, which received support, that there should be a resolution against the death penalty. The chairman, an eminent Russian writer, said he couldn't be sure how to frame such a resolution. The discussion resumed. By the end of the day, no one seemed clear whether such a resolution did or did not exist. (Throughout the conference, commitment was rivalled only by chaos.)

The Future of Reform

Given the nightmarish problems faced by the ex-USSR, is there anything that can be done by outsiders to further the unpopular cause of penal reform? In relation to the scale of the task, not much. It was clear at the conference that Russia and her neighbors are not going to leap-frog the mistakes we in the West have made over the past century. The problem is not primarily one of money; it is a question of mentality. What Westerners can offer—and what the reformers in Russia want—is know-how: organizational, technical, and, if precisely targeted, material.

But most of all, vigilance. The Russian authorities pay far more heed to foreign opinion than they do to their own citizens. Former political prisoners have taken up the cause of everyday prisoners, and of everyday people, in their fight to make the system more humane. There may no longer be political prisoners in Russia (though no one could swear to that), but the need for constant reminders to those in power that people in the West are watching has not diminished. As Valery Abramkin told us: "We need your support just as much now as when we ourselves were in prison." ■

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Deprivation of Liberty," 11 *Canadian Psychiatric Association Journal* 470-484 (1966); Scott, G., & Gendreau, P. "Psychiatric Implications of Sensory Deprivation in a Maximum Security Prison," 12 *Canadian Psychiatric Association Journal* 337-341 (1969); Cohen, S., & Taylor, L., *Psychological Survival*, Harnondsworth: Penguin (1972); Grassian, S., "Psychopathological Effects of Solitary Confinement," 140 *American Journal of Psychiatry* 1450-1454 (1983); Jackson, M. *Prisoners of Isolation: Solitary Confinement in Canada*, Toronto: University of Toronto Press (1983); Grassian, S. & Friedman, N., "Effects of Sensory Deprivation in Psychiatric Seclusion and Solitary Confinement," 8 *International Journal of Law and Psychiatry* 49-65 (1986); Slater, R. "Psychiatric Intervention in an Atmosphere of Terror," 7 *American Journal of Forensic Psychiatry* 6-12 (1986); Brodsky, S. & Scogin, F., "Inmates in Protective Custody: First Data on Emotional Effects," 1 *Forensic Reports* 267-280 (1988); and Cooke, D. "Containing Violent Prisoners: An Analysis of the Barlinnie Special Unit," 29 *British Journal of Criminology* 129-143 (1989).

⁶ This description of cell extraction practices is corroborated not only by numerous prisoner accounts of the process but also by explicit Department of Corrections procedures. Once a decision has been made to "extract" a prisoner from his cell, this is how the five-man cell extraction team proceeds: the first mem-

ber of the team is to enter the cell carrying a large shield, which is used to push the prisoner back into a corner of the cell; the second member follows closely, wielding a special cell extraction baton, which is used to strike the inmate on the upper part of his body so that he will raise his arms in self-protection; thus unsteadied, the inmate is pulled off balance by another member of the team whose job is to place leg irons around his ankles; once downed, a fourth member of the team places him in handcuffs; the fifth member stands ready to fire a taser gun or rifle that shoots wooden or rubber bullets at the resistant inmate.

⁷ One of the basic principles of any unit premised on domination and punitive control—as the Pelican Bay Security Housing Unit is—is that a worse, more punitive and degrading place always must be created in order to punish those prisoners who still commit rule infractions. At Pelican Bay, that place is termed the "Violence Control Unit" (which the prisoners refer to as "Bedrock"). From my observations and interviews, some of the most psychiatrically disturbed prisoners are kept in the VCU. Prisoners in this unit are not permitted televisions or radios, and they are the only ones chained and escorted to the door of the outside exercise cage (despite the fact that no prisoner is more than four cells away from this door). In addition, there are plexiglas coverings on the entire outside facing of the VCU cells, which results in a significant distortion of vision into and out of the cell itself. Indeed, because of the bright light reflected off this

Plexiglas covering, I found it difficult to see clearly into any of the upper-level VCU cells I observed, or even to look clearly into the faces of prisoners who were standing right in front of me on the other side of this plexiglas shield. Inside, the perception of confinement is intensified because of this added barrier placed on the front of each cell.

⁸ In the first several years of its operation, Pelican Bay State Prison had one fulltime mental health staff member, and not a single Ph.D. psychologist or psychiatrist, to administer to the needs of the entire prison population, which included over 1,000 SHU prisoners, as well as over 2,000 prisoners in the general population of the prison. Although the size of the mental health staff has been increased somewhat in recent years, it is still the case that no advance screening is done by mental health staff on prisoners admitted to the SHUs to determine pre-existing psychiatric disorders or suicide risk, and no regular monitoring is performed by mental health staff to assess the negative psychological consequences of exposure to this toxic environment.

⁹ Cf. Toch, H., "The Disturbed Disruptive Inmate: Where Does the Bus Stop?" 10 *Journal of Psychiatry and Law* 327-350, (1982).

¹⁰ Dickens, C., *American Notes for General Circulation*. London: Chapman and Hall (1842); Beaumont, G., & de Tocqueville, A., *On the Penitentiary System in the United States and Its Application in France*, Montclair, N.J., (1833; 1976).