

BASF Board Sends Letter to Governor Regarding Prisoner Hunger Strike

August 27, 2013 -- San Francisco -- The BASF Board of Directors on Wednesday, August 21, 2013, unanimously agreed to send the below letter to Governor Jerry Brown concerning the use of extreme isolation in California's prison system.

August 21, 2013

The Honorable Jerry Brown
State Capitol, Suite 1173
Sacramento, CA 95814

Dear Governor Brown,

On behalf of the Bar Association of San Francisco (BASF), I am writing to express our support for the goals of the current California prisoner hunger strike. As you may know, BASF is a legal professional membership organization comprised of more than 7,400 members. It champions equal access to justice and pioneers constructive change in our society. Generally, the goals of the hunger strike seek to limit the use of long term solitary confinement and to provide more humane treatment for prisoners consigned to secured housing unit (SHU) cells.

The American Bar Association has set forth reasonable standards regarding solitary confinement. They center around a core ideal: "Segregated housing should be for the briefest term and under the least restrictive conditions practicable and consistent with the rationale for placement and with the progress achieved by the prisoner."

Those standards provide that, while correctional authorities may physically separate prisoners in segregated housing from other prisoners, they should not deprive those prisoners of items and services necessary for the maintenance of psychological wellbeing.

Further, conditions of extreme isolation should not be allowed, regardless of the reasons for a prisoner's separation from the general population. Conditions of extreme isolation generally include a combination of sensory deprivation, lack of contact with other persons, enforced idleness, minimal out-of-cell time, and lack of outdoor recreation. All prisoners placed in segregated housing should be provided with meaningful forms of mental, physical, and social stimulation. Those placed in segregated housing for reasons other than discipline should be allowed as much out-of-cell time and programming participation as practicable, consistent with security.

Such long term and indefinite solitary confinement, according to various studies, violates various international human rights rules and may fly in the face of the Eight Amendments ban on cruel and unusual punishment.

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It is alleged that California's Department of Correction practice does not live up to these standards; our limited investigation supports these allegations. We are requesting the Governor and other state officials to fully investigate these allegations of long term and indefinite solitary confinement, and, if accurate, to make prompt efforts to bring our state into compliance. We are concerned about the deteriorating condition of the hunger strikers, who should not have to endanger their own health to make this very reasonable point.

Thank you for your serious consideration of this letter.

Sincerely,

Christopher Kearney
President

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The Bar Association of San Francisco (BASF) is a nonprofit voluntary membership organization of over 8,000 attorneys, law students and legal professionals in the Bay Area. Founded in 1872, BASF is one of the largest and most dynamic metropolitan bar associations in the U.S., with a long and distinguished record of community action, public service and service to the legal profession.