



California Families Against Solitary Confinement

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March 24, 2016

Juan E. Méndez

c/o American University

4801 Massachusetts Avenue, NW

Washington, DC 20016-8181

Via email: [jmendez@wcl.american.edu](mailto:jmendez@wcl.american.edu)

Re: Sleep deprivation at Pelican Bay SHU

Dear Mr. Méndez:

We are writing on behalf of California Families to Abolish Solitary Confinement (CFASC) and the Prisoner Hunger Strike Solidarity (PHSS) coalition to submit an official Complaint about cruel and inhuman treatment in California's Pelican Bay State Prison Security Housing Unit (SHU). This claim is submitted to you in your official capacity as United Nations Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The prisoners who have requested that we file this complaint on their behalf are: Youssef Abujawdeh (V95976), Carlos Almeida (G30247), Jesus Carraza (T66284), Jose Flores (G00837), Ricardo Hernandez (AA5364), Jose Ledesma (V87318), Joshua Lopez (F42207), Javier Marquez (H21452), Gabriel Nevarez (K28495), Daniel Treglia (T66950), and Salton Zagsaw (AB9523). Each of them has been subjected to these conditions since August 2015 and almost all remain housed there today.

We know that you are familiar with the Pelican Bay SHU, as you visited there in connection with your work on the *Ashker v. Governor* case, as an expert for the plaintiffs. Conditions for prisoners there have worsened since your visit in December, 2014.

In August, 2015, Pelican Bay prison began a program of "wellness" checks every 30 minutes on all prisoners in the SHU. Correctional officers enter each pod and go to each cell front every half hour. The process is very noisy and disruptive, particularly because the electronic doors to each pod are very loud when they open and close. The officers themselves are noisy as they stomp up the metal stairs to the upper tier of each pod. They can also be loud when they hit each cell with a metal

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pipe to activate a sensor (Guard One). Prisoners throughout the SHU are experiencing serious sleep deprivation, as they are awakened multiple times throughout the night. They cannot get enough sleep or deep sleep, and are suffering greatly as a result. Sleep deprivation is a form of torture.

These checks were ordered by a federal judge in the *Coleman v. Brown* case as a suicide prevention method for prisoners in isolation units. However, the *manner* in which the checks are implemented is the purview of the Department of Corrections and Rehabilitation (CDCR). Due to prisoner complaints, the court temporarily ordered the nighttime checks to be conducted hourly instead of every thirty minutes and CDCR has contracted with an outside company to determine if the pod doors can be modified to make them quieter. However, these abusive checks have been going on for eight months now and there is no end in sight.

The following documents are submitted for your review:

1. Three reports about this situation (dated October 2015, January 2016 and March 2016) based on prisoner interviews by Carol Strickman, Staff Attorney at Legal Services for Prisoners With Children;
2. Three statements on the impact of sleep deprivation on mental health, by sleep experts Dr. Thomas Roth and Dr. Jamie Zeitzer, and by psychiatrist Dr. Terry Kupers, and a statement by the American Public Health Association's Jail and Prison Health Committee;
3. *Coleman* order and CDCR memo.

We request that you investigate this matter, issue a statement or report of your findings and opinions, and call upon appropriate United States authorities to take all necessary steps to cease cruel and inhuman prison practices that interfere with these prisoners' human right to sleep.

Sincerely,



Irene Huerta  
Co-Founder, CFASC



Dolores Canales  
Co-Founder, CFASC

Encl.