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Folsom Prison's Building A Is Certainly Not Like Home

Editor's note: Last month, inmates at Folsom Prison's building 4A — the highest security area in the maximum security prison — began a strike to protest living conditions. In the following story, Sigrid Bathen, who reports on prisons for The Bee, explores the background of the strike and the history of building 4A.

By SIGRID BATHEN
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It was six years ago that I climbed three flights of stairs and watched the arms stretch, disembodied, through the cell bars.

Like dominoes falling, the arms reached outside the bars, small hand mirrors cupped in palms.

They know when someone new comes on the tier. The steel door slams behind the visitor and

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the arms immediately reach out down the long corridor of cells. I couldn't see their faces, only their arms, the hands clutching the mirrors reflecting the image of me and the warden standing behind the bars at the end.

The din was incredible. Noisier even than San Quentin's death row.

As the warden and I climbed the stairs, it got louder and louder. Reporters, much less female reporters, didn't often come around to see this place, this "prison within a prison," this steel and concrete Folsom Prison building called 4A.

My own visit was restricted to the end of the tiers. I wasn't allowed to walk the tiers or talk to the men, only to look down the long corridors of bars. I was permitted to see an empty cell, but all I remember is that it looked like most other prison cells I've seen: small, spare, drab, the toilet its central feature.

The strongest impression was of those arms, and the sound of grown men screaming — screeching it was — unintelligible sounds.

I understand the look of it hasn't changed much. I'm told the men can have TV sets in their cells — if they or their families have the money to buy them — and they're allowed out in an enclosed concrete exercise yard for a few hours every day, or at least on days when things are calm.

Things haven't been very calm in 4A since July 11, when two-thirds of the men refused to stand for

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count and raised a ruckus that lasted well into the night. Those 78 men dwindled to 57 by last week, but the 57 continued until Aug. 2 to refuse "conformity" with prison rules. And, for several days until a truce of sorts was negotiated last week, they weren't eating either.

There is no way to report first-hand what is happening inside this "security housing unit," which is the latest prison euphemism for what used to be called the "adjustment center." Prison officials were not allowing reporters, or even attorneys representing the striking prisoners, to take a look at those tiers.

Warden Paul Morris has refused to meet with the striking inmates despite their continued insistence that he do so. He refers all press inquiries to Associate Warden Huel Morphis, who used to be the man in charge of 4A.

Based on a temporary truce negotiated by Smith in meetings with prison officials and inmates, the men agreed Aug. 2 to start eating and obeying the rules. In return, prison officials say they have resumed certain conditions of normalcy for the men on 4A — resumption of visiting with friends and family, return of personal property to the mens' cells, restoration of exercise privileges.

But, prison officials and inmate representatives agree, the determination of the men on 4A not to renege on their demands is unchanged. They've simply decided to stop violating the rules while their grievances are negotiated with prison administrators.

Since some of the demands speak to the disciplinary measure meted out — for participation in the strike — including loss of earned "good time" and extension of time in 4A — the negotiations

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could break down next week when it comes time to discuss those demands. If the men feel the disciplinary measures are too harsh, one prisoner's wife told The Bee last week, "the men will go to a double-fold strike."

The men presented Security Housing Director Jim Eastman with a list of 40 demands at the Aug. 2 meeting. One of the demands was that Eastman be replaced, but the bulk concerned living conditions.

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Assistant State Corrections Director Phil Guthrie said some of the demands have been under discussion since last fall, and prison officials are in the process of granting some of the "more reasonable" requests — such as the right to wear straw hats to shade them on the asphalt exercise yard, the right to wear their own shoes to visits with family and friends, the right to wear colored sweatshirts.

The striking prisoners are basically asking for the same privileges that inmates in the general population slowly have been obtaining in the last few years — including more access to educational and vocational materials, overnight in-prison visits with families, access to prison-monitored pay telephones.

Time was when prisoners were expected to act in prescribed ways and to dress and look very much alike. They wore the regulation blue denims, had short hair, couldn't wear beards or mustaches and didn't have access to a telephone for non-emergency personal calls.

All that is changing, as prison administrators realize that small things, such as the right to wear a mustache, don't represent a threat to prison security and, if allowed, help to keep the all-important peace.

"We already have the power," former state

prison Director Ray Procunier, who started the changes before he left in 1975, once remarked. "We don't have to prove it in petty ways."

Small things assume enormous importance to prisoners. People have been killed over a chance remark or a pack of cigarettes.

Procunier's successor as director, Jerry Enomoto, has continued relaxing some of the Marine Corps rules once imposed on California inmates, who aren't exactly your standard Marine Corps recruit material.

Which takes us back to 4A, the "hole," where the majority of the men — at least before the strike — are detained under "administrative segregation," which means they aren't there for breaking specific rules but because they pose a threat to other inmates, or vice versa. The latter, the men needing protection, were not part of the strike and are

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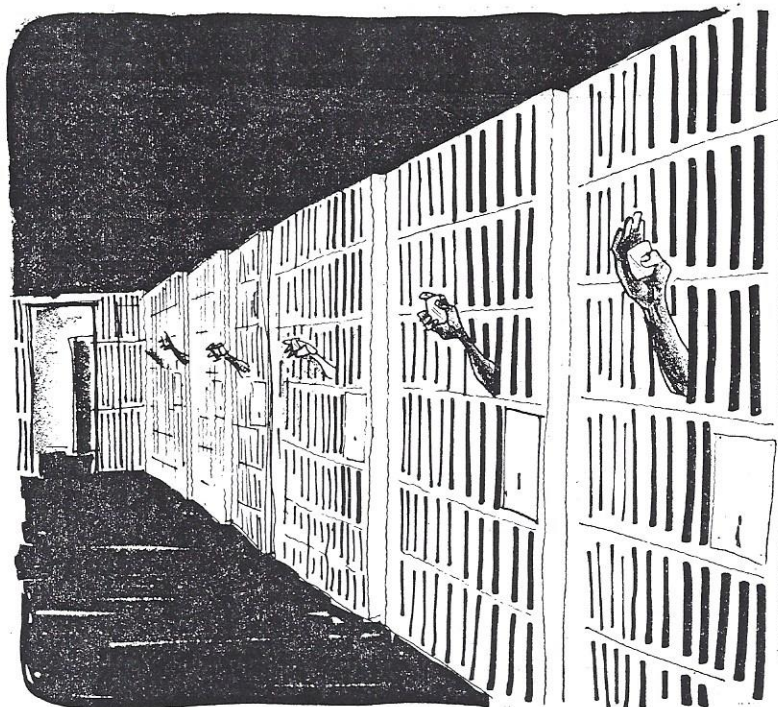
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housed separately from the alleged gang leaders and members or the particularly violent or escape-prone men in 4A.

Officials contend that granting certain general population privileges to the men in 4A presents security risks that don't prevail on the mainline. The prisoners, obviously, disagree.

Weightlifting, for example, is something they want to be able to do in their limited time on the yard. Weightlifting is a major pastime in any prison, the prison "iron pile" a standard fixture. But the weights are not without security risks, officials say, pointing to an officer who was killed by an inmate wielding a weightlifting device as a bludgeon at San Quentin in 1976.

In their five or six hours on the small asphalt exercise yard of 4A, the men in lockup can play basketball, handball, volleyball. They have much less time out of their cells than men in the general population, usually spending 18 or 19 hours of every day locked in a 6 by 9-foot cell. They don't have direct, or as much, access to vocational and education programs, none to hobby crafts, only indirect access to the prison library. They don't work in prison industries.



Mostly, they stay in their cells, some of them for years. The average stay for a man in lockup, according to corrections figures, is nine months and eight days, and that can be misleading because it averages the short-term disciplinary lockups for rule infractions with the long-term "administrative segregation" lockups.

Based on a September 1977 analysis of lockup cases by the Department of Corrections, 72 of the 136 men in Folsom lockup were "administrative assignments," which includes protective custody cases as well as those deemed a "threat to others," primarily the alleged gang leaders. During the strike there were 113 men in lockup, but officials say the proportion of men in administrative lockup just prior to the strike was about the same as last September — roughly 60 percent.

The strike was centered on the first floor of 4A, where the "heavy" administrative cases are housed. The three inmate representatives for the strikers — one black, one chicano, one white, all suspected by corrections officials of being gang leaders within their respective ethnic groups — are in long-term administrative segregation.

The men facing long years of lockup in 4A believe the severe restrictions placed on them aren't fair and might even be, in a legal sense, unconstitutional.

"Their position," says attorney James Smith, who represents the striking prisoners, "is that they haven't done anything wrong and shouldn't be punished for administrative reasons."

The inhospitable building called 4A was built in 1952 to house prisoners deemed incorrigible, or at least difficult, by prison officials. It was one of four such places built in the Big Four of California prisons — Folsom, San Quentin, Soledad and the Deuel Vocational Institution.

Outsiders didn't ask many questions about why men were locked up, often around the clock, sometimes for years, until attorneys like Smith started asking questions and filing lawsuits against prison authorities in the late 1960s and early 1970s.

In 1971, a petition was filed in a state appellate court charging Folsom officials with keeping prisoners, primarily blacks, in 4A solely because of their political views.

"The punitive sections (of the) Adjustment Center are antiquated facilities," the petition charged. "The cages are dark, dingy, the extremes of temperature cause discomfort, many toilets are inoperable and disgusting. Cells in these punitive areas are encrusted with filth from previous occupants, and infested with vermin and insects."

Although prison officials say such accounts are "exaggerated," they say those punitive "strip cells" are no longer in use.

In 1972, a massive federal suit was filed in Sacramento challenging the "administrative segregation" practices of the Department of Correction. Eventually it made its way indirectly to the U.S. Supreme Court. It challenged the constitutionality of segregating a man from the general population on the suspicion that he might at some unspecified time "cause trouble."

Among the attorneys filing the suit were Smith and former Sacramento Legal Aid Society Director Roger Warren, who is now a Municipal Court judge. The allegations in that suit later were incorporated in a 1973 federal suit in San Francisco that attacked the administrative lockup practices at other state prisons. One of the attorneys in the 1973 suit was J. Anthony Kline, now Gov. Brown's legal affairs adviser.

In 1976, a three-judge panel in San Francisco upheld the prisoners' contention that more due-process protection was needed for prisoners subjected to administrative confinement in places like 4A. That sort of segregation entails a "much more severe loss of liberty," the judges ruled, than confinement on the prison mainline, and

therefore is subject to more stringent legal requirements.

The state appealed the ruling, but it was upheld last February in a landmark decision by the U.S. Supreme Court.

The high court spoke only to the constitutional issue of due process for men in administrative lockup. The basic conditions of confinement — and whether administrative segregation constitutes cruel and unusual punishment in violation of the Eighth Amendment to the Constitution — is now a matter for the San Francisco federal judge to decide.

There were other court rulings that limited the authority of California prison officials to restrict a prisoner's liberty beyond the already strict confines of state imprisonment in the general population. As a result of those rulings and media exposure of prison conditions, the stories of men left literally to rot, sometimes without proper food or medical attention or clothing, certainly without recreation or sunshine, have disappeared.

California prison officials admit there may have been some abuses in the way they handled lockups of the sort that 4A was designed for, but they say those alleged abuses are past. They say the Folsom unit offers more of the limited amenities available to segregated prisoners than elsewhere in the system.

And, they say most of the men locked up there are dangerous people who require special handling. Credited to the 113 men in 4A, officials say, are 64 murders and 109 assaults over the years — most outside prison, but some in.

"These are some of the most dangerous men in our system," Guthrie says. "This is a prison. They're in a maximum security unit. We're not taking any chances."

There is much talk these days about gang activity in prison, about how it spills over into the streets or from the streets into the institutions, or from the adult joints to the kids in juvenile prisons. Scary stuff, complete with "hit lists" and rules of "blood in, blood out," when a person joins a gang or tries to leave one.

California prison officials are very worried

about gangs. And they say it's not the so-called political prisoners of the 1960s and early 1970s who are locked up in places like 4A, but rather the gang heavies and the people who need protection from them.

Roughly half the 4A population is comprised of minority inmates, according to officials, including about 30 percent black and 20 percent Chicano. Part of that 50-50 balance of minorities and whites is a deliberate effort by officials to equalize, or neutralize, the power of the gangs, which are organized along ethnic lines. But inmate representatives and their families say it's a deliberate effort to pit the races against each other.

"We've never had a killing in 4A," Guthrie counters. "We'd like to keep it that way."

Folsom Prison is California's only officially designated maximum security prison. The average inmate age, according to officials, is just under 40, which means these guys have been around a while and probably have been in prison one or more times before.

Of the three inmate representatives during the strike, according to officials, one is a fourth-terminer in for robbery, one a third-terminer doing time for murder, and one a man who was sent to state prison in 1965 for rape and kidnap, is currently serving three life terms for murder and manslaughter and is believed responsible for the deaths of three guards and two inmates over the years.

Since 4A is the maximum security unit of a maximum security prison, the place conjures up all the imagery, and a lot of the concern, about the baddest of the bad guys in prison. But attorney Smith says prison officials are playing on public hysteria about crime by exaggerating the dangers the men in 4A pose to the public peace, or at least to the tranquility of life on the Folsom mainline.

"It's true these people don't get into prison for truancy," Smith said, "but the men in 4A are not objectively that much different than men on the mainline. They are people who have been convicted of crimes that are no different than those on the mainline..."

"This myth that they are caged dynamite is just that — a myth."