

1 [Reform of Prison Gang Validation Policy.]

2

3 **Resolution urging the California Department of Corrections to reform a prison gang**  
4 **validation policy, which led 900 prisoners to participate in a hunger strike earlier this**  
5 **month.**

6

7 WHEREAS, the California Department of Corrections (CDC) has a policy of removing  
8 prison gang members from the general population and isolating them in Security Housing  
9 Units ("SHUs"); and

10 WHEREAS, the CDC's evidentiary requirement for prisoner gang validation is vague  
11 and open-ended; and

12 WHEREAS, current CDC policy virtually assures the arbitrary and discriminatory  
13 segregation of prisoners based on false or inconclusive information; and

14 WHEREAS, the most frequent way to validate a prisoner is by an informant's  
15 conclusory assertion that "prisoner x is a gang member or associate;" and

16 WHEREAS, other innocuous conduct that the CDC uses to justify gang validation  
17 includes possession of literature or art, writing to another prisoner's family, assisting another  
18 prisoner with legal work, signing birthday or get well cards to prisoners, exercising or  
19 otherwise interacting with another prisoner; and

20 WHEREAS, prisoners are not allowed to present evidence or witnesses in their  
21 defense to demonstrate that they are not gang members; and

22 WHEREAS, there is no requirement that the information be current, so that a parolee  
23 returned to prison for a new offense after ten years on the outside can be validated as a  
24 gangster based on information from his previous incarceration; and

25

1           WHEREAS, assignment of an alleged gang member to a SHU is indeterminate, with  
2 the only way out being death, parole, insanity, debriefing, or six years free from gang activity;  
3 and

4           WHEREAS, release from a SHU based on six years of gang inactivity is at the  
5 discretion of the prison administration, which can keep an inactive gang member in the SHU  
6 merely on staff testimony that he has a "bad attitude;" and

7           WHEREAS, debriefing is dangerous because it subjects prisoners to the risk of  
8 retaliation by their fellow inmates; and

9           WHEREAS, SHU prisoners spend 22 ½ hours per day in 8x10 foot windowless cells;  
10 and

11           WHEREAS, SHU prisoners are always shackled when they leave their cells, exercising  
12 in a "yard" which is really a larger concrete cell with no exercise equipment and no view of the  
13 outside world; and

14           WHEREAS, SHU prisoners receive all meals in their cells, are not allowed to  
15 participate in training or educational activities, are not allowed contact visits and have no  
16 telephone access; and

17           WHEREAS, the severe sensory deprivation of the SHU causes many prisoners to go  
18 insane; and

19           WHEREAS, over 900 prisoners at Pelican Bay and Corcoran State Prisons went on  
20 hunger strike on July 1 in protest of the CDC's gang validation policy; and

21           WHEREAS, the hunger strikers did not lightly undertake the decision to starve  
22 themselves, but went on strike because their due process rights and their appeals for justice  
23 were consistently ignored, dismissed, and delayed; and

24           WHEREAS, as of July 13 four prisoners were still refusing food trays in Pelican Bay;  
25 now, therefore, be it

1 RESOLVED, that the Board of Supervisors does hereby urge state legislators to hold a  
2 hearing at Pelican Bay to address the strikers' grievances and debate their proposals for  
3 reform; and be it

4 FURTHER RESOLVED, that the Board of Supervisors does hereby urge the California  
5 Department of Corrections to stop validating gang members for innocuous conduct unrelated  
6 to gang activity; and be it

7 FURTHER RESOLVED, that the Board of Supervisors does hereby urge the California  
8 Department of Corrections to stop validating gang members based on informers' statements  
9 which do not allege any specific gang activity; and be it

10 FURTHER RESOLVED, that the Board of Supervisors does hereby urge the California  
11 Department of Corrections to release inactive gang affiliates from the SHU, defining "currently  
12 active" gang affiliates as those who have been involved in gang activity within the past twelve  
13 months; and be it

14 FURTHER RESOLVED, that the Board of Supervisors does hereby urge the California  
15 Department of Corrections to provide procedural protections for alleged gang affiliates,  
16 including the opportunity to be interviewed prior to validation.



City and County of San Francisco

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

Tails  
Resolution

File Number: 011368

Date Passed:

Resolution urging the California Department of Corrections to reform a prison gang validation policy, which led 900 prisoners to participate in a hunger strike earlier this month.

July 30, 2001 Board of Supervisors — ADOPTED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, McGoldrick, Newsom, Peskin,  
Sandoval, Yee

Absent: 1 - Maxwell

File No. 011368

I hereby certify that the foregoing Resolution was ADOPTED on July 30, 2001 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young  
Clerk of the Board

AUG 10 2001

Date Approved

Mayor Willie L. Brown Jr.