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.

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

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

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

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

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

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

WHEREAS, there is no requirement that the information be current, so that a parolee returned to prison for a new offense after ten years on the outside can be validated as a gangster based on information from his previous incarceration; and
WHEREAS, assignment of an alleged gang member to a SHU is indeterminate, with the only way out being death, parole, insanity, debriefing, or six years free from gang activity; and

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

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

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

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

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

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

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

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

WHEREAS, as of July 13 four prisoners were still refusing food trays in Pelican Bay; now, therefore, be it
RESOLVED, that the Board of Supervisors does hereby urge state legislators to hold a
hearing at Pelican Bay to address the strikers' grievances and debate their proposals for
reform; and be it
FURTHER RESOLVED, that the Board of Supervisors does hereby urge the California
Department of Corrections to stop validating gang members for innocuous conduct unrelated
to gang activity; and be it
FURTHER RESOLVED, that the Board of Supervisors does hereby urge the California
Department of Corrections to stop validating gang members based on informers' statements
which do not allege any specific gang activity; and be it
FURTHER RESOLVED, that the Board of Supervisors does hereby urge the California
Department of Corrections to release inactive gang affiliates from the SHU, defining "currently
active" gang affiliates as those who have been involved in gang activity within the past twelve
months; and be it
FURTHER RESOLVED, that the Board of Supervisors does hereby urge the California
Department of Corrections to provide procedural protections for alleged gang affiliates,
including the opportunity to be interviewed prior to validation.
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

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

Date Approved

Mayor Willie L. Brown Jr.