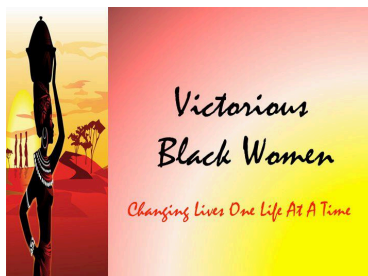


The Use of Isolated Confinement: The case of my brother Leo McShan



About the Author:

Yvette McShan founded the organization Victorious Black Women to support and build family structure for women of color and within the African American community. Her brother, Leo McShan, has been in Pelican Bay for 31 years. Ms. McShan has documented the abuses committed against him.

Report:

Pelican Bay State Prison was built with one of the other twenty prisons in the 1980s and 1990s with little legislative or judicial oversight; they delegated building and decisions to the Department of Corrections Administrators. The design was intended to be an indefinite Segregated Housing Unit. The Federal District Courts became involved due to letters and complaints of inhumane conditions, in particular the case of *Madrid v. Gomez*¹ where Judge Thelton Henderson recorded Madrid abuse of prisoners at Pelican Bay. An African American Vaughn Dortch, a prisoner with mental health challenges whom guards force him to bath in near boiling water. As one guard stated we as he was holding Dortch in hot water “Looks like we are going to have a white boy before we are finished.” At which time Judge Henderson ordered reforms to policies and practices at the prison, better staff training, and diversions for prisoners with mental health challenges, and ending long term stay in Segregated Housing Unit opening and starting a general populated community with opportunity to educate, work, and have recreation activities in the early 2000s.²

Society thinks that places like Pelican Bay have to exist and that indefinite practices must occur for the safety of officers and controlling the intuition, society is misinformed by television & news media reporting their views. Contrary to what many believe of prison and prisoners, isolation is not used primarily to address chronically violent behavior or serious safety or security concerns. It more often is used in response to non-violent prison rule violations, or even retaliation for questioning authority, talking back to staff, or filing grievances. Isolation may also be used to administratively segregate people deemed to pose a threat to safety, or as a place of protection for the isolated person. Prison staff has wide discretion in imposing Segregated

¹ Madrid v. Gomez (N.D. Cal. 1995)

² Background information taken from Keramet Reiter, “A Brief History of Pelican Bay, 1987-2007”:
<http://prisonerhungerstrikesolidarity.wordpress.com/pelican-bay/305-2/>

Housing Unit “SHU” sentences, resulting in a disproportionate number of African Americans in the SHU.

My little brother “Leo McShan” was convicted of second-degree murder at the age of sixteen years old sentence to the California Youth Authority. Less than a year later, he was shipped to Folsom State Prison, to San Quentin, to Corcoran, back to San Quentin, and finally Pelican Bay; he was one of the first inmates to open Pelican Bay State Prison. A sixteen year old child became a man in the prison system. Young teenage boys at sixteen should be learning to become a responsible adult; unfortunately for my brother he was an intended target of ending the middle class African American community in America by mass incarceration. Seemingly overnight crack, cocaine and guns infiltrated the middle class community of African Americans of Richmond, California. After his arrest, Mr. McShan was placed in segregated housing unit the majority of his 31 years and counting his placement in prison. These last six or eight years, Mr. McShan has been privilege to be in general population in Pelican Bay he was part of the advocacy of the famous hunger strike in Pelican Bay demanding the following:

- 1) Eliminating group punishments for individual rules violations.
- 2) Abolish the debriefing policy, and modify active/inactive gang status criteria.
- 3) Comply with the recommendations of the US Commission on Safety and Abuse in Prison (2006) regarding the end of long term solitary confinement
- 4) Provide adequate food
- 5) Expand and provide constructive programs and privileges for indefinite SHU inmates, along with forty other demands from inmates housed at Pelican Bay State Prison in Crescent City, California.

Research continues to show people in isolation become suicidal, which is rarely discussed as an effect of being isolated. The sensory deprivation, lack of normal human interaction, and extreme idleness can lead to intense suffering and severe psychological damage, even in healthy, well-functioning adults. Children or people with mental illness fare even worse. Being place in Segregated Housing Unit “SHU” inmate’s sentences also increases the amount of time they remain in prison by causing them to get more time to their original sentence, and to get denied by the Parole Board when expecting to be paroled from prison. In closing, Leo McShan has survived a system that deliberately wants to destroy him for only one reason: being born an African American especially being a young male. Leo McShan knew his father a good provider and other relative from first and second generations a strong black people of pride and integrity. By no means do I excuse my little brother actions of taking a life and my prayers will always be with the Mason family who lost their father, brother, son an African American Family of Richmond, California. Although Leo did not die on the street of Richmond, he lived a traumatic life in prison these 31 years and continues counting on a twenty-two year sentence. Many times I have personally did time in women correctional system, if I had to endure the trauma my little brother I would have killed myself of over dose and I’m sure about it. This is my personal story of my little brother Leo McShan.