

I arrived at Pelican Bay Security Housing Unit (SHU) in July '91. This SHU opened in 1989 and is now a well-known Control Unit, sometimes called by the prisoners "Dungeon Pelican Bay." I informally call it "Treblinka."

The finer details of life in this SHU are not well-known. It is my intent to reflect on them, but first I believe some background is necessary as to how I ended up here.

I'm a male-to-female transsexual lesbian. I'm serving a life term out of Los Angeles and expect to die in prison, as opposed to begging the Board of Prison Terms for mercy. This is my first time in prison; I entered the system when I was 27. Since then, in 1980, I've rotated through seven California prisons, including San Quentin and Folsom (old and new). I'm a trained paralegal and jailhouse lawyer and am involved in extensive administrative appeals and litigation against conditions of confinement. I'm of American Indian and Mexican Indian lineage and have been deaf since age 15 from meningitis. My complaints and briefs highlight prison issues concerning Native American legal and religious rights, the rights of deaf prisoners, and medical treatment for transsexuals in prison.

In May '95 I defended myself against a bashing at Folsom, an attack that prison officials encouraged and deliberately failed to prevent in retaliation for my administrative complaints and legal activism. At the time of the incident I had a lawsuit pending against Folsom and the California Department of Corrections for treatment of transsexualism and a number of citizen's complaints against Folsom guards and administrative personnel for harassment and discrimination based on my gender orientation and exercising my legal rights to petition for a redress of grievances. Also, I and two other deaf prisoners (Louis Fresquez, a Mexican, and Thomas Brooks, a white, both of whom were most enthusiastic and steadfastly dedicated to the rights of deaf prisoners, whatever the consequences), had begun to assert our rights to equal treatment by requesting telecommunication devices for the deaf (TDD) to use the telephone with, and television decoders. Some deaf prisoners were also being forced against their will and on the threat of

punishment to work in the factory, which due to their deafness poses a health and safety hazard to them and those around them and is violation of certain safety codes. We also filed paperwork for light-flashing alarms on the yard, and a computer readout screen on a wall to alert us to emergency situations in which the gunners gave everyone the order to "drop!", and other emergency instructions. This was a serious problem for us that could have easily turned lethal in the level-four Folsom setting, where there are always five gun towers covering the yard and signs everywhere give notice that "no warning shots will be fired

— the first round will be for effect." Drop orders are often given and prisoners have been shot to death more than once. And more than once the order was given without my knowledge with the result that I ended up in the gunners' sights. Folsom officials did not like the fact that we were protesting such conditions.

In a disciplinary hearing at which a number of my due process rights were denied me I was found guilty of "battery with serious injury." A Folsom committee, which I had in court just weeks earlier, imposed a two-year disciplinary term to be served at Pelican Bay despite my

claims of denial of due process, self-defense and the term being above the max. On July 23 I was shipped to Pelican Bay, shackled hand and foot and kept in a tiny cage at the front of the bus for the eight hour ride from Sacramento to the Oregon border.

At approximately 3 o'clock the next morning, while sleeping I was subjected to a violent, brutal "cell extraction" because I could not hear the guards calling me to "show skin" for count. This was Pelican Bay's welcome party and would be repeated two more times. The extraction team was in full riot gear, brandishing such weapons as a taser gun, weapons that shoot gas pellets, rubber bullets and wooden bullets, and their batons, visors and a shield. I had been shocked out of my sleep. I was brutally manhandled, my hands cuffed behind my back, ankles cuffed, and violently jerked out of bed. They stood me before them in my cell, naked, and played their flashlights on my breasts and privates, giggling like idiots. There were extraction team members and medical personnel, altogether about ten of them crammed in my cell.



This article originally appeared in Prison News Service (PNS), issue #39 (Jan/Feb 93). I have wanted to reprint it in goodenough since then, because I feel that although a great many people have read it, very few transsexuals or transgendered people are even aware of its existence. I believe Lofofora's article to be a very important testimony of her experiences at Pelican Bay, (a state prison that is infamous for its abusive treatment of inmates), one that will hopefully open the eyes of the members of our communities to the realities of transsexual prisoners. The article is reprinted here with Lofofora's permission. - editor

A sergeant began to scold me; that's all I could gather. I couldn't understand a word he was saying. I was barely oriented and hadn't the wildest imagination of what was going on. I cut in by telling him that I'm deaf and could not understand him and could he slow down his speech so that I might read his lips. They all wore protective vests. The sergeant was small and his vest puffed up his size.

One of the biggest misconceptions about deaf people is that they can be taught lip reading like anyone can be taught to read and to write and thereafter can communicate with the greatest of ease. No problem, just read a person's lips as one would read a book. This is a myth. Lip reading is guesswork and everyone has their own way of speaking and no two pairs of lips are the same. A lip reader does not expect to understand every word but instead looks for key words that cue them. Thus most times things must be repeated because the person isn't able to key in on the message with the few words they think they understand. It contributes to the problem when the speaker makes no effort to speak slowly or consciously form words and instead speaks in a normal fashion as if the deaf person has normal hearing ability. Moustaches are also a hindrance.

The sergeant made no effort to effectively communicate with me and I indicated my hearing aid on the desk. It is a compact aid that fits behind the ear and serves to amplify sound. Hearing aids give rise to another myth — many people seem to think they "cure" deafness. Hearing aids do not restore normal hearing; they merely amplify sound. It is up to the individual to interpret the sound to the best of their ability with whatever remnants of hearing that remain in the damaged nerve, if it is a nerve deafness that they suffer from, as I do. I was struck with cerebral meningitis while in the youth authority, which caused an inflammation of the membrane surrounding my brain, damaging my ear nerves, and put me in a coma. I am medically diagnosed as profoundly nerve deaf without the faculties to hear adequately even with a hearing aid. Thus I must use a combination of lip reading and sound and even then it can be very difficult when a person is impatient and uncooperative in making an effective effort to communicate with me.

I asked to be uncuffed so that I could put on my hearing aid. They would not uncuff me. Instead one of them began to play with my hearing aid. He was obviously unfamiliar with it and was not handling it with care. It is a sensitive instrument. He immediately tried to place it on me and I had to tell him to insert the battery first. I didn't know why the MTA's, so-called "Medical Technical Assistants," did not take the medical responsibility of doing this themselves. The guard made a clumsy attempt to insert the battery, putting it in backwards. They got a kick out of it whenever I told them they were doing something wrong. I told him how to set the battery in and before I could tell him not to close the battery case he closed it. When this type of aid is "on" while not in the ear it emits a very loud, high-pitched piercing whistle that is offensive to persons

with normal hearing but which cannot be heard by deaf persons. The result was that they all immediately recoiled and covered their ears with their hands and looked to be on the verge of stampeding back out of the cell. After turning the aid off the guard tried to put it in place. He failed, and just left it dangling from my ear. This appealed to their sordid sense of humour.

Eventually I was able to gather that I was expected to "show skin" for all counts, which include the 11 p.m., 1, 3, and 5 a.m. counts. I told them I would do so. A rereading the next day of the SHU orientation package showed no rule mandating skin counts.

At all times I was forced to stand shackled totally naked before them. My psychological process was strongly assaulted. I felt raped. To them I had no claim to dignity or defense. As a prisoner I was a non-person in their eyes and therefore had no rights, human or legal. I was inferior, I was debasement of debasement. Low. A judgement that gleamed in their eyes as they appraised me curiously in their puffed-up vests, sweating like swine. I a wakan, a holy image, a transsexual, was incomprehensible to these heathen. As a woman I was expected to be a physically and mentally shackled slave. Nothing more, perhaps less. Less than a non-person. Low. My scream is loud and long.

The next day the guards took an amusement in refusing to let me shave. This was a deliberate ploy to cause mental suffering to someone with a female psychological composition having to bear a 3-4 day stubble, since tweezers are not allowed here. I was allowed to shave after filing an administrative appeal. Razors are issued during showers only and showers are three times a week for ten minutes. My hair falls below my shoulders. To shampoo, shave and wash my entire body in ten minutes? Luckily sometimes a shower will run 15-20 minutes, or even longer if the guards are occupied. Sometimes I must compromise a shampoo to shave my legs or vice versa. Or I shampoo in my cell or take a birdbath, and so on.

Not all prisoners are receptive to or even neutral towards transsexuals. For the most extreme of this sort we seem to pose a threat to their sense of machismo and to their sexuality. And there are those who think that we must succumb to their whims. Bitch this, bitch that. This display is outright bullshit and is usually a case of male supremacy. And there's the omnipresent spectre of uneducated "peer pressure" for someone not to have anything to do with a transsexual or gay boy, not even convo. And in all cases these are the ones who don't want to struggle against their oppressor, who are from this crowd or that crowd and "we don't file appeals." Or don't want to educate themselves or see the light and that they are being the tools and the fools of their oppressor, who want to bury them just as deep as the rest of us.

Soon the guards told me I had to have a cellmate. I asked for a transsexual cellmate, if any, or a gay boy - someone

with similar factors as mine or as close as possible in terms of my gender orientation. That same day a "straight" person was put in with me. He was in the cell no longer than 15 minutes when he expressed his displeasure at being celled up with me and asked for a cell move. He was told he could not have a cell move unless there was a cell fight, and when he tried to argue around this he was again told he could only move if he assaulted me. This is SHU policy, formal or informal. "Cockfights" are often set up by guards by placing known enemies together or persons they know will be incompatible and who know that there will be only one way out. This serves not only to keep prisoners divided and conquered but in SHU longer because they must receive a disciplinary write-up, lose good behaviour credits, TV or radio privileges, even yard privileges, for 30, 60, 90 days or more and could even have their SHU term extended for six months.

Realizing the futility of his verbal attempts my cellmate then immediately began to assault me in front of the guard, without pretext. I stumbled to the ground, and he began to kick and bang my head against the concrete bunk. I lost my orientation. When I could finally put things in focus an extraction team was assembled in front of the cell and my cellmate had his hands up. The door opened and he backed out. I was then told to bring his property out and set it at the pod door. They do this, hoping televisions or radios will be broken or letters kept for addresses and pictures or torn up and cosmetics kept. I didn't take the bait. I set all his property at the door, intact.

Pelican Bay SHU is comprised of C and D facilities. A and B facilities are the level-four mainlines. The whole SHU complex is about 100 yards from the mainline and appears as a giant X from above. Video cameras scan all four corridors of the X, at the centre of which there is a central control. C SHU has 12 units and D SHU 10 units. Each unit is comprised of six pods in a semi-circle, separated by walls. In a pod there are eight cells, four up and four down. There are no windows. The pods are totally isolated from each other and it is virtually impossible to communicate with someone in another pod. A control booth is at the centre of the semi-circle of pods, on the second-floor level, where the gunner has a view into each pod from his desk and makes announcements over the loudspeaker. They cannot see into the cells from control. There are two floor officers in each unit.

The yard or the "dog run," is a small space about 20 feet long and 10 feet wide, with 20-foot grey walls topped by mesh screen, half covered with plastic to block the rain, and a video camera by which control can observe you. There is nothing else out there but a drain hole, which some urinate into as there is no toilet. But this has stopped in most pods on unanimous agreement because it created a foul odour and also because prisoners talk to other pod yards through the drainpipe. Only a very limited portion of the sky can be seen from the yard. And that's all the direct

visual contact we have with the outside world. "Dungeon" is an appropriate term.

A typical strip search is required before going to the yard and coming back in. Requiring us to spread our buttocks and squat three times is psychologically debilitating, which is its real purpose, not "security." Along with the other various blatant or subtle psychological techniques that Pelican Bay is all about, it has the effect of further depersonalizing prisoners and emphasizing the big me/little you guard complex. It's also meant to discourage us from going to the yard, which means less work for the guard and more time for them to shoot the shit and read our newspapers.

An assortment of weapons are used by the extraction teams. Not long after arrived in SHU a cell fight occurred upstairs. It broke out while the guard was up there, which is how they sometimes happen when solely done for a cell move. These two prisoners were heavysed and I could feel the vibrations of their rumbling. It was a fierce confrontation. The guard came running down the stairs, signalling the gunner to call the crew, and a short while later an extraction team entered the pod in full force. The lead guard carried a weapon that resembled a single-barrel 12-gauge sawed-off shotgun. Known as "Big Bertha" it scatters wooden shot. Close behind him another guard leaped up the stairs two at a time, carrying an Uzi that fires rubber bullets. A lieutenant with a taser ran by and a sergeant and other goons rushed up the stairs with a 5-foot plastic shield and a stretcher, wearing visors and carrying mechanical restraints and batons. Fortunately they did not use their weapons on the prisoners, but one was taken out on the stretcher.

It is especially difficult for me to communicate with the guard from my cell. The tiny perforated holes in the thick metal of the door (there are no bars) compound the problem. The doors are painted white inside and brick red outside. This combination of light/dark paint and tiny holes permits limited outward vision and maximum inward vision. Another little something. A guard at my door once expressed his annoyance at the resultant communication impasse. As it was later told to me, prisoners in other cells called to him and logically asked that due to my deafness why doesn't he simply write his comments on paper for me. At this point the gunner, a female, yelled into the pod, "You guys shut up and mind your own business!" Right, as if they were a bunch of heartless cowards. At which time they immediately cussed her out. The guard did eventually write his comments for me.

Nowhere in any SHU or CDC rule book does it say that prisoners in SHU must show skin for count. This arbitrary policy is a typical abuse of power, to wake prisoners in the middle of the night as a form of psychological harassment and to punish us. At times my intense bright light has been locked on all night by guards, and once for as long as three consecutive days, because I cannot hear them calling me. They will bang on the door with their batons at three in the

morning knowing very well I can't hear it, just to annoy everyone in the hopes to get them mad at me. They'll yell, kick the door, slam my tray slot door open and closed, turn on all the pod lights. The second time I was extracted while sleeping the prisoners told them I can't hear them, that I am medically deaf. Some of them commented to each other, "Isn't [she] deaf? I heard [she] can't hear." But their leader ignored this. "Be sure to wear gloves. Continue to prepare." After the extraction, in which I was hogtied and taken out on the gurney, my sheets and blankets were taken away and light locked on all night. They pride themselves on this place being so high-tech, yet it is run by cavemen.

The jailhouse lawyers in SHU are very united. This is what uplifts me the most. Legal books and materials are shared. Case law is discussed through the air vents. Postage, paper, monthly canteen and even yearly 30 lb. packages are shared. The guards have attempted to break up such solidarity by arbitrarily and periodically moving prisoners around en masse or singly. They are especially concerned about the fact that other prisoners express protests over my treatment and I have been moved around many times. It is fair to say that I'm well known by prisoners in the SHU's as one who will stand up for my rights and the rights of others and will not hesitate to oppose the system with my mind in the fashion that many of them have taught me in ways that I never knew existed. In all my years of imprisonment I have never seen anything like the solidarity that can exist in this SHU. It has affected me profoundly. At certain times I'm not in a hurry to leave. I know that when I finally do leave my beloved friends here I will not forget them for one moment and I will miss them. We will continue to struggle together — that is certain!

"Oh Amazon... Tall babydoll..." The heathens have taunted me here. It would be a pleasure to oppose them on equal terms and lay to rest any myths they may have about

women of whatever strain.

In the midst of all this madness, and lots more which has yet to be spoken, I had appealed the disciplinary guilt finding on due process grounds and a rehearing was ordered in October '91. It took until January '92 to have the hearing in SHU. I was again denied due process in the hearing preparation phase. I made a big issue out of this to the hearing lieutenant. To my surprise he agreed and entered a finding of not guilty. I was subsequently ordered released from SHU.

Instead of being released I was issued an indeterminate SHU term on the ludicrous pretext that there is no room for me elsewhere. Since being at SHU I had become one of the eight named plaintiffs in a class action suit against conditions at the prison and had filed a high rate of administrative complaints, citizen's complaints against SHU guards and ranking administrative personnel, and a civil rights action against Folsom. My illegal retention in SHU is retaliation for exercising my legal rights. Imagine being absolved of an unjust allegation and then issued an indeterminate SHU for absolutely nothing other than exercising my conscience.

There is a lot of work to be done and legal tools to be manufactured with which to kick these heathen in the seat of their pants as hard as one can and obtain what little more movement one is allowed under the "laws" of this corrupt system that is rent with contradictions and rotten to the core.

* *Lofofora Contreras, alias Amazon Ice Queen, remains incarcerated in the California Department of Corrections.*

Pelican Bay Update

In 1990, prisoners at Pelican Bay initiated a civil rights suit against the prison with 300 individual actions. After deliberating for one year, Judge Thelton Henderson, (in *Madrid v. Gomez*), ordered an end to "the pattern of needless and officially sanctioned brutality" at Pelican Bay, appointing a Special Master who will negotiate with the California Department of Corrections (CDoC) and the prisoners to end the violations within 120 days.

However, some of the gross practises, (such as long-term solitary confinement, racial discrimination in the placement of prisoners, etc.), at Pelican Bay were left untouched by the judge and will probably continue. In addition, the CDoC, which is already in contempt of another judge's rulings (regarding

changes for psychiatric care for all prisoners), has a long history of delaying and/or not implementing court orders that are in favour of prisoners.

Thus, this victory may be only a moral one with few or no non-trivial changes to the treatment of inmates. However, it is still an important step in the campaign to close down Pelican Bay.

For further information or to offer support, please write:

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Prison Law Project, c/o National Lawyers Guild, 588 Capp Street, SF, CA, USA 94110

Prison News Service, Box 5052, Stn A, Toronto, Ont., Canada M5W 1W4

[source: PNS issue #49 - Jan/Feb '95]