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began.

Staggs said he mailed money to someone outside of the prison for a pair of shoes that were no longer available in the canteen. According to prison investigators, it was an address inmates were known to send money to for drugs.

Up until that point, it would appear Staggs had been focused and doing well. He had reached the highest incentive level in the prison, was active in the Uhuru SaSa cultural club, held a good job and had earned high grades in the college courses he'd taken.

When he was brought in for questioning about the money he'd sent, he said the two investigators, one of whom was the lieutenant, hung his achievements over his head.

Staggs said they told him he wasn't really a factor in their investigation and reminded him he could lose his good standing. They showed him three photos of inmates who Staggs said he didn't know. He said he was asked to point to one of the three photos and write a confidential statement saying that person was bringing in drugs, but he refused.

"The next day, I had a disciplinary report for allegedly bringing drugs in to the prison, which resulted in a year of solitary confinement," he wrote.

While it violates state ordinance to sentence an inmate to one year of solitary confinement, there's a loophole. Once a prisoner hits the 180-day maximum allowed in disciplinary segregation, he can be shipped off to Snake River Correctional Institution to be housed indefinitely in the Intensive Management Unit (IMU), another version of solitary confinement.

According to one inmate, the IMU is known within the prison as the "fortress of solitude."

During the course of an 18-month period tracked by the Vera Institute of Justice, 549 inmates statewide were moved from disciplinary segregation to an IMU. Nearly half had spent four or more months in segregation before the transfer.

The National Commission on Correctional Health Care's most recent position states that to house anyone in solitary confinement for longer than 15 consecutive days is "cruel, inhumane and degrading treatment, and harmful to an individual's health."

The main difference between IMU and disciplinary segregation is anger management and substance abuse programming. Inmates in both units spend the vast majority of their time alone in a cell the size of a parking space with little to occupy their minds.

While in the past this programming was "limited to packets that adults in custody were expected to complete alone in their cells," according to the Vera Institute of Justice report, a more comprehensive and interactive program has been added.

But this was not available during Staggs' first stint in IMU. He wrote, "In administration's eyes 'packets' = 'programs.' I can assure you, a 'program' it is not. The packets consist of outdated, generic multiple-choice questions that never change, let alone make a difference in one's way of thinking or ability to make healthier decisions."

We obtained copies of all the current program packets and curriculum from the

Little recourse for Oregon prisoners

Federal law changes and complex administrative rules often leave inmates feeling helpless

BY EMILY GREEN
STAFF WRITER

The 1996 Prison Litigation Reform Act greatly limited a prisoner's ability to use the legal system.

It was intended to limit frivolous lawsuits, as prisoner court filings were increasing. However, this increase was not commensurate with the increase in prison population. The rate was actually lower than in the previous decade, according to data compiled by Margo Schlanger, a law professor.

She studied 40 years of prison litigation and authored a paper stating that since the 1970s, court orders had been a major source of regulation and oversight for America's jails and prisons.

She found that those court filings plummeted after the 1996 reform act.

The act restricted lawsuits based on mental or emotional harm, limited the court's ability to change prison policy, applied court fees to incarcerated people, and limited the amount of litigation costs the facility would have to pay the inmate's attorney, making inmate cases far less attractive to lawyers.

Prison advocacy groups such as Prison Policy Institute argue that as the nation reconsiders mass incarceration, it's also time to reconsider this reform act.

The act also requires that before inmates can sue their correctional facility, they must exhaust all internal administrative processes first.

This can be problematic at Oregon state prisons where the internal administrative process involves a complicated set of rules written in legalese that can be difficult for some inmates to decipher.

In this system, Oregon's state prison inmates can file a grievance when they take issue with the way a rule is being applied or with their treatment by staff.

They are encouraged to confront the problem person-to-person, using this grievance system only in cases that cannot be resolved.

They must exhaust this system and its different levels of appeal before they can file a lawsuit.

Inspector General Craig Prins said an average of 640 out of Oregon's 14,600 inmates filed a grievance each month during the second quarter of this year. He said all but 1.2 percent of those complaints were responded to within 24 days.

"We're proud of that," he said. "That's something that we've worked on hard, and I think that shows it's a program we take seriously."

He said when inmates disagree with the response to the grievance, they have a first appeal and second appeal option where independent eyes review the evidence to see if the claim can be substantiated.

"If it is," he said, "we take corrective action."

But in order to exhaust the system, the grievance has to be accepted as being in compliance with the grievance rules.

In a sampling of 17 grievances filed against one Oregon State Penitentiary employee that Street Roots reviewed, 10 were denied outright, mostly for non-compliance with the "Grievance Review System" rules.

Julia Yoshimoto is an attorney who has helped inmates at Coffee Creek Correctional Institution, a women's prison in Wilsonville, navigate Oregon's prison grievance system as part of her work with the Oregon Justice Resource Center.

She said that often the inmates don't comprehend why their grievances have been returned or denied or know how to fix it. They often just drop it entirely or send a similar complaint.

"The regulations, which explain the grievance process and set the grievance rules, are long, read like a maze, and are difficult to follow," Yoshimoto said. "As an attorney, I'm used to combing through regulations and statutes, but I find the rules complicated and, given the circumstances and the type of incident

someone is grieving, difficult to abide by completely in order to make it through the first level of review to even be considered by administration."

She said a better way of bringing issues to the attention of the administration is needed, "especially when we know that a number of the women have not gone far in school and don't have the strongest reading and writing skills."

She said that many women are afraid to file grievances in the first place because they fear retaliation from staff.

"They either have experienced retaliation after filing a grievance, know of someone else who was retaliated against for filing grievance, or just have no trust in prison staff or the system and assume retaliation will follow. And so they will not speak out about what happened to them through a grievance," she said.

In three out of the 17 grievances Street Roots reviewed, the inmate explicitly stated that as part of their desired outcome, they did not want to be retaliated against for filing the grievance.

"We very much think this is a part of giving the adults in our custody a voice," Prins said of the grievance system. "We very much think it's a part of respecting and showing them a pro-social way to deal with conflict."

Yoshimoto's experience at Coffee Creek says otherwise.

"Women often share with me that they do not feel heard," she said. "For the women who I've talked to about grievances, they don't really think the process does anything for them. They may try to go through it because they feel it's the only option to let administration know about an incident - to feel like they didn't just take it and that they at least tried to advocate for themselves - but they don't have any real expectations for a positive outcome. It's as if they expect to be ignored. And when filing grievances leads to a denial, to no real change or to retaliation, it can leave a woman feeling even more beaten down and silenced. One woman told me that she just wanted some sign that administration at least 'acknowledged' her and her concerns."

Department of Corrections and sent them to Nick Crasper, a licensed mental health and chemical dependency counselor who counsels former inmates at Sponsors Inc. re-entry services in Eugene.

Crasper gave us mixed reviews of the programming. One packet, a Substance Abuse and Mental Health Services Administration publication, he said, was an effective and evidence-based curriculum that he, himself, has taught from. However, he used it for facilitated groups, whereas in IMU, inmates work through it alone.

Another packet on anger management, Crasper said, was based on dated approaches and was not in an effective format.

Crasper said the most solid curriculum was the new Pathfinders of Oregon program, which incorporates actual classroom time and is facilitator driven. An instructor heads a classroom outfitted with

chairs that allow for inmates to be cuffed and shackled into the seat.

After Staggs finished six months in IMU, he was returned to the general population at Oregon State Penitentiary in March 2016.

Because of his placements in segregation and IMU, he had lost his job, program placements and good standing.

His fiancée remembers visiting him there shortly after his release from the IMU. She said he was pale and had become so skinny it brought tears to her eyes. He had lost 40 pounds.

"I touched his arm, and his face changed," she said. "He said it felt weird to be touched."

She said his friends told her they had to be patient with him because he was anxious all the time and acting strangely. But he got better. He was able to buy food items from the commissary and gain back some weight, and he began to act like his old self again.

He soon completed a voluntary three-phase Substance Abuse Awareness group therapy program and rejoined his cultural club as newsletter editor. He completed an eight-week mentorship class, bought a guitar, enrolled in a music theory class and got a job in the laundry.

"I was doing more and accomplished more in seven months than many inmates have done in 10 years," he wrote. "I was on track."

A product of severe child abuse growing up and a drug user since the age of 9, Staggs was on a better path than at most other points in his life.

One day in August 2016, while he was at work in the laundry, his cellmate was found with methamphetamine in their shared cell. On Nov. 17, Staggs was placed in segregation pending a 30-day investigation

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