

CRUEL AND UNUSUAL PUNISHMENT

Saturday

July 7, 2018

I didn't know this, but, apparently (at least in some states), it's against the law to chain an animal outside once the temperature hits something like 86°. Or maybe it was 88°. Regardless, animals have rights, too, which includes the right to be treated humanely. Honestly, I get it. It would be bad enough to be chained up on a cool day, but on a warm, sunny day when you're covered in fur? That's got to be misery.

So tell me something, if it's against the law to leave a chile in a car, and it's against the law to chain an animal up in the yard on a hot, sunny day, why is it permissible to lock people up in a box made out of concrete and metal where the summer temperatures **routinely** exceed 100+ degrees, and refuse to give them any ventilation whatsoever, let alone cool air, cold water, showers or anything else to help them cool off? And to add insult to injury, to fill these boxes with men who are elderly or have serious medical conditions? The short answer is that it's **not** legal to do this, not in any way, shape or form, yet this is **exactly** what's happening here in Chino, California, at the California Institute for Men (CIM).

I've only been here since October of 2017, but since that time, I've yet to have even the slightest puff of air coming through the ventilation system here in my cell, and I'm told that this has been an issue for **years**, an issue the men have consistently brought to the attention of the prison administration. With more than 15-years in the system, I'm painfully aware that there's a "right" way and a "wrong" way to address these issues, so, when it became clear that the guys here before me couldn't get anything done, I set my sights on the issue, hoping to get something done before the heat really set in.

The first thing I did was file an inmate appeal, basically a grievance, and I asked them that they treat this as an emergency appeal, thereby bypassing the regular time limits. Logically, it's the right thing to do, particularly when the weather forecast predicted temperatures in the 90s over the course of the next few days, but the prison's response was to inform me, more than a week later, that this wasn't an emergency, and submit it through regular channels. A week after that, someone from the Maintenance Department came over to interview me, during which time they attempted to explain that there was no requirement that the air coming through the ductwork be a certain temperature. I politely informed him that this wasn't the issue, that the issue was a complete **lack** of airflow whatsoever, something I'd told him, in writing, on numerous occasions. He started to make all kinds of promises about returning with a measuring device to measure the amount of air coming through the ductwork, but I politely insisted that, seeing how he was already there, he just travel a few dozen feet to my cell and check it the "old fashioned way." He did, and immediately realized that it wasn't an issue of the temperature of the air coming through the ventilation system, or even how much was coming through, but one of no air whatsoever coming through. After making all sorts of promises to return with a camera that he could snake through the vents, he left.

So, here we are, well over a week later, during which time the news has been making all sorts of dire predictions about how hot it was going to get. Sure enough, temperatures spiked at a whopping 117° yesterday. This would have been bad enough for anyone to deal with, but as I mentioned before, these cells are made out of concrete and metal, which literally absorb the heat from the sun's rays and then project it into the cell. This would be bad enough if you had air conditioning, but when you don't have any ventilation whatsoever, it's pure torture.

To make matters worse, there's no cold water fountain. Instead, they get an Igloo, fill it up with ice and water and then pass it out to anyone wanting something to drink, but as with anything the prison does, there are always conditions. In this instance, they don't do this until the temperatures in the building actually hit 90°, which they have the ability to prolong, seeing how they determine where to take their temperature readings. Also, just because they brought ice water over and are supposed to pass it out doesn't actually mean they're going to. Sure, you're technically allowed to get some water, but how can you when you're not allowed to leave your cell, and if you did leave your cell, how could you get to the water? It's in the dayroom, separated from you by a locked grill gate, and if the officer sees you in the hallway and out of your cell, he's going to throw a temper tantrum and close everyone's cell doors, making it even hotter.

One alternative method of cooling off is to take a shower, but again, even though they're required to allow us to take showers when it gets this hot, the same problem exists. To take a shower, you've got to get out of your cell and into the shower, which you can't because of the locked grill gate and an officer looking for a reason to shut everyone's doors. So, at the end of the day, all you can do is sit there and suffer, watching as the temperatures climb higher and higher, trying to understand how it's illegal for you to do something like this, but acceptable for prison officials, despite being against the law.

Somehow, temperatures outside were hotter yesterday than today, and yet, our cells are hotter today than yesterday. It no doubt has something to do with the walls radiating so much heat into the cells, combined with no ventilation and an officer who keeps shutting the doors, but regardless as to the reason why, conditions like this should never, ever be allowed to exist, which is why I'm asking my readers to Google the phone numbers for the California Institute for Men (CIM), located in Chino, California, and call in to complain to our Warden, Dean Norris, to the people working in the Maintenance Department and if possible, to the Prison Law Office, located in San Quentin, California (510) 280-2621 (www.prisonlaw.com) Call often, complain loudly, not because you happen to know me personally, but because right is right and wrong is wrong, and if you were in this situation, you'd want someone out there speaking up for those who were unable to speak, or to the people unwilling to listen. There truly is strength in numbers, and I assure you, if enough people call and complain, they'll do something.

We'd actually like to see them do two things. First, fix the ventilation system so that it blows air through the ductwork. While it's true that the air won't be "cool" air, having some airflow will certainly help. At the moment, nothing works, not the intake and not the exhaust. the second thing we'd like to see them do is to start selling us miniature swamp coolers, like the Arctic Air that's currently being advertised on TV. Sure, it's a pretty small unit, but we're in pretty small cells, and trust me, every little bit helps when temperatures routinely get this hot. I got out of bed at 2:30 this morning, only to find that the floor was already hot to the touch, along with the bunk, the walls and the ceiling. As the Arctic Air commercial says, all a fan does is push around hot air, and you know what? They're right.

If you do decide to contact the people in charge, either by phone or e-Mail, don't allow prison officials to put you off with assurances that they're "looking into the matter," or that there is airflow coming through the vents. They've said both for years, and for years, they've lied. I assure you that, if and when they actually do something, I'll post an update.

As always, if you have any questions, concerns or comments, please feel free to leave a response here, or write to me at the address below. All responses will be answered, whether I agree with what you say or not.

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