

Date:

To: Director of Corrections
P.O. Box 942883
Sacramento, CA 94283-0001

RE: Eighth Amendment Rights Violation of Cruel and Unusual Punishment

Dear Director,

The primary problem concerns High Desert State Prison (HDSP) Officials' blatant disregard for the welfare of inmates in Z-Unit (Administrative Segregation), and the deliberate disregard for rules and regulations which govern their duty to ensure inmates have proper clothing to protect them from the weather and climate.

The Eighth Amendment of the United States Constitution protects inmates from cruel and unusual punishment. Also the California Code of Regulations (CCR) Title 15, Section 3030 (a), states in part:

“Each inmate shall be provided state clothing and linen pursuant to this section.”

And the CCR Title 15, Section 3030 (b) (F) states each inmate shall be issued:

“The distinctive, protective and/or extra clothing required by the climate and/or the inmate's job assignment.”

However, here at HDSP, Officials in Z-Unit do not adhere to this policy. At HDSP, winters are harsh with temperatures at or below freezing from mid-November through late February. During these months it snows, which leads to ice and snow accumulating in and around the yard cages. Even with these temperatures and conditions, HDSP Officials do not allow Z-Unit inmates to have proper outside winter attire. Inmates are not allowed gloves, beanies, proper footwear, or jackets that button or zip closed (general population inmates are allowed these items).

Also in these severe winter conditions, Officials strip search inmates while they are outside. This is done no matter the temperature. All inmates are forced to get naked and await a search of their clothing.

Conclusion

This problem permeates the HDSP Z-Unit prison population and adversely affects numerous inmates. These issues have been addressed via the institutional appeal process (CDCR 602) by several inmates without any correction to those cruel and unusual acts by HDSP staff.

Nevertheless I, _____, persist and request that a thorough and appropriate investigation be conducted to ascertain necessary facts to correct this unlawful problem.

Respectfully submitted,

(signature) _____
CDCR # _____

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