

# Statement of Medical Professionals on the Pelican Bay Hunger Strike

Thousands of prisoners in California have been on hunger strike since July 1, demanding some basic reforms in conditions in the state's supermaxes, notably Pelican Bay Security Housing Unit (SHU), the epicenter of this struggle. At Pelican Bay, close to a hundred prisoners affirm that this will be an indefinite strike, and that they are willing to die.

California Department of Corrections and Rehabilitation regulations stipulate that prisoners are deemed on hunger strike after refusing meals for 48 hours, at which point they should be weighed and have their vital signs recorded. But according to Carol Strickman of Legal Services for Prisoners with Children, "We have heard of no one being weighed, having blood pressure taken, or being seen by a doctor. CDCR is saying that their hunger strike protocols were not intended to apply to a mass situation; they have no protocols for this situation."

What's even more worrying, according to Strickman, "Regarding medicines, we have heard conflicting reports – that ALL medications have been discontinued, or that ALL medications which are supposed to be taken with food have been discontinued. In either case, it is unacceptable."

The medical situation facing prisoners in Pelican Bay's SHU is not a good one at the best of times. One of the reasons the prisoners are on hunger strike is "denial of medical care," as detailed in their "Formal complaint." In this document, which was sent to Governor Schwarzenegger and CDCR Secretary Matthew Cate on February 5, 2011, they list the following in their "Summary of Human Rights Violations III.D.4. Denied adequate medical care (this became more pronounced when Dr. Michael C. Sayre, became PBSP Chief Medical Officer in 2006, and who, with the complicity of several cronies e.g. M. McLean, Sue Risenhoover and James Flowers, et al, began to systematically discontinue and deny medication, specialist care, assistive aids by telling SHU inmates, 'if you want better care get out of the SHU', and now SHU inmates are chained down to the floor of the clinic like animals if they need to see a doctor/nurse.) The Psychiatric Staff are complicit too claiming that, "there are no mental health issues precluding continue SHU confinement"; without any personal interaction with those inmates."

If it is true that CDCR medical staff are refusing prisoners their medications, either as punishment for being in the SHU or else as punishment for being on hunger strike, this would not only be unethical, but also illegal under California Penal Code Section 673.[3] This would be an act of deliberate indifference to a patient's serious medical needs, and as such would constitute a violation of prisoners' Eighth Amendment Constitutional rights.

No medical professional can withhold medications to a patient as a form of punishment. It is not for the health professionals to be punishing convicted people, that is what the judicial system is set up to do.

To deny medical care in such circumstances would be a very dangerous line for a health professional to cross, one that would collectively put ALL health professionals working in prisons at risk because we would then be considered to be part of the punishment apparatus. Health professionals who treat prisoners must be neutral and uphold ethical standards. We are there for one reason only, to treat the patient as we would treat any patient, with the highest standard of care.

We the undersigned are gravely concerned by these allegations, and as such we strongly urge Receiver J. Clark Kelso and the California Medical Board to investigate these claims. We urge CDCR to ensure that no prisoner on hunger strike be disciplined or threatened with the denial of medical care. We demand all medical professionals uphold their code of ethics and maintain the highest standards of care for all their patients – be they incarcerated or not.

Signatories on other side

## Signatories

Tarek Loubani, Physician, Emergency Medicine, London, Ontario  
Azad Mashari, Resident Physician, Anesthesiology, Toronto, Ontario  
Marsha Saxton, PhD, Rehabilitation Clinician, University of California, Berkeley, Disability Studies Program, World Institute on Disability  
Diane Beeson, PhD, Professor Emerita, Dept. of Sociology and Social Services, Cal State East Bay  
Nick Paretsky, Housekeeper, University Hospital, PhD in Sociology, University of Missouri – Columbia  
Bob Lederer, Health Action program producer/host, WBAI/Pacifica Radio  
Marc Sapir MD, MPH, Primary Care, Ambulatory Care Division, Alameda County Medical Center (\*)  
Michael C. Huntington MD, Corvallis, OR  
Barbara Zeller, M.D., Chief Medical Officer, Bronx, NY, HELP/PSI\* (\*)  
Dahlia Wasfi, M.D., Massachusetts  
Paul Alan Lenart, Certified Respiratory Therapist,  
Abeer Majeed, Family Physician, Toronto  
Susan Rosenthal & Liv Capozzi (officers), International Health Workers for People Over Profit  
Claudia Chaufan, MD, PhD, Assistant Professor of Sociology and Health Policy, UCSF  
Khati Hendry, MD  
Max Preglau, FSI, Stanford University, Austrian Visiting Chair at Stanford University of Innsbruck, Austria  
Suzanne Ross, Ph.D., Clinical Psychologist  
Hercules D. Morphopoulos, DDS  
Abby Lippman, PhD, Professor Emerita, McGill University, Montreal, Quebec, Canada  
Anne Andermann, MD, MPhil, DPhil, CCFP, FRCPC, Montreal, Quebec  
Eric Fryxell, MD  
Farha Najah Hussain, Speech-Language Pathologist, Montreal (occupied Indigenous territories)  
Helen Hudson, RN, MSc(A), Montreal, Canada  
John Hess, Roslindale, MA  
Judy Siff, MFT intern  
Nazila Bettache, MD CM, Montreal, Canada  
Paul Messersmith-Glavin, L.Ac., Portland, Oregon  
Samir Shaheen-Hussain, MD CM, FRCPC, Pediatrician, Montreal, Quebec  
Scott Weintein, RN, Montreal, Quebec  
Sophie Schoen, RN, Montreal, Quebec  
Wendy Hounsel, RH (AHG), New Orleans, LA  
Tolbert Small, MD  
Miriam Shipp, MD, MPH, Occupational Medicine, California Pacific Medical Center (\*)  
Elizabeth Schmidt, MSN, CRNP, Director of the LAX Women's Program, Philadelphia, PA  
William E. Williams, Former Chief Medical Officer, State of California (\*)  
John S. James, editor and publisher, AIDS Treatment News  
Joanne Ahola, M.D., P.C., New York, NY  
Laura Whitehorn, senior editor, POZ magazine, New York City  
Tony Jackson, Psychologist

\*(for identification purposes only)

The healthcare workers' letter is also endorsed by ACT UP/East Bay (Berkeley-Oakland, CA), Action Santé Travesti(e)s et Transsexuel(le)s du Québec / Trans Health Action of Quebec and Health For All (<http://www.health4all.ca/>). The International Health Workers for People Over Profit, with members across North America and Europe, has declared that it fully supports the hunger-striking prisoners and their just demands, and had called for an immediate rectification of their dire situation. Similarly, the following sixteen organizations in Montreal, Canada, have written to Warden Lewis, Secretary Cate, and Governor Brown (see: <http://contrelesprisons.blogspot.com/2011/07/letter-of-support-for-hunger-striking.html>) to express their "unequivocal support" for the prisoners and their demands: Certain Days Freedom for Political Prisoners Calendar \* CLAC Legal Committee \* COMITÉ DE SOUTIEN DE LA GRÈVE DE LA FAIM / HUNGERSTRIKE SUPPORT COMMITTEE \* Comité pour un Secours rouge canadien \* Immigrant Workers' Center \* Kersplebedeb Publishing and Distribution \* L'En-Droit de Laval \* No One Is Illegal Montreal \* Parti communiste révolutionnaire \* People's Commission Network \* Prison Radio Show CKUT 90.3 FM Montreal \* Prisoner Correspondence Project \* Projet Accompagnement Solidarité Colombie \* QPIRG Concordia \* Solidarity Across Borders \* The Termite Collective