

# Videos showing abuse in California prisons allowed in court

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On September 25, a federal judge ruled that videos showing prison guards pepper-spraying groups of mentally ill inmates may be used in open court.

The videos are to be used as evidence in a court case, which has dragged on since 1991, brought against the state on behalf of 33,000 mentally ill prisoners. Lawyers are demanding the release of the videos, which were taken on various occasions. They plan to have the videos shown in court and are seeking to have them released to the public.

According to a description by an expert witness, one video depicts guards using pepper spray on an inmate who was not “lucid or coherent enough” to follow guards’ orders while locked in a cell. By the time the guards had stopped spraying him, the cell was so slick with spray that both the prisoner and guards slipped and went sprawling across the floor.

The state’s own expert witness testified that the guards are overusing pepper spray, citing the routine use of riot control amounts of pepper spray on individual unarmed inmates.

California Governor Jerry Brown, a Democrat, said he would prefer that the videos were merely shown in private to the regional US District Court and not be made available to the public. His office argued that the videos would give Californians the wrong impression of the state’s correctional system.

Plainly, Brown fears that the public will receive the correct impression, which is why he wants the videos suppressed.

Parts of California’s prison system are currently under federal oversight due to decades of overcrowding, abuse, and deaths from negligence. In particular, the mental health and health care systems have been found to violate the US Constitution’s Eighth Amendment prohibition of cruel and unusual

punishment.

Speaking in January of this year, Brown said that California has “one of the finest prison systems in the United States.” He offered this absurd statement as part of a campaign to end federal involvement with the California prison system.

The videos in question, apparently filmed by non-participating guards, show correctional officers spraying large amounts of mace and throwing chemical grenades into the locked cells of screaming inmates in the psychological ward. It appears that some inmates, already in the grip of psychosis, were unable to respond to orders from guards.

It is obvious from the description of the videos that the assaults against the inmates were conducted not in self-defense, but as sadistic and malicious acts of torture.

The events captured in these videos are not isolated incidents, but manifestation of the humanitarian disaster that has been the state’s prison system for decades. Extreme overcrowding, denial of critical health care to inmates, and what the US Supreme Court deemed at least “one needless death per week” have not ceased to be the norm. Seven years of federal intervention have neither lowered the prison population sufficiently from its 2006 high of 202 percent of capacity, nor prevented the kind of abuses depicted in the new videos.

Protesting their treatment, some 30,000 prisoners began a hunger strike on July 8. They demanded freer contact with visitors, an end to abuses, and limits on solitary confinement, which currently may stretch for years at a time. Solitary confinement beyond 15 days is considered torture by the United Nations.

Conditions facing inmates in California’s state penitentiaries rival those found in dictatorships around

the world that are so regularly decried by the same politicians—Democrats no less than Republicans—who maintain them in the US.



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