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BLACK PRISONERS BRUTALLY ATTACKED AND TARGETED FOR THEIR RACE, SPEECH AND ASSOCIATIONS FILE CLASS ACTION AGAINST CALIFORNIA'S PRISON AGENCY AND ITS TOP OFFICIALS

OAKLAND, CALIFORNIA, DECEMBER 13, 2021 – Two incarcerated Black men, Talib Williams and Dimario Pickford, have filed a class action lawsuit against CDCR and its top officials on behalf of approximately 200 Black men targeted in a race-based raid at a California state prison in an effort to mass validate incarcerated Black men as members, associates and suspects of “Security Threat Groups” (“STG”).

The complaint details how the California Department of Corrections and Rehabilitation (“CDCR”) inflicted violence and used unlawful STG (a/k/a gang) validation techniques against Black men at the Correctional Training Facility (“CTF”) in Soledad. CDCR and its officials’ actions egregiously violated the class members’ constitutional and civil rights.

“It is hard to see that the CDCR is still abusing Black people in the age of Black Lives Matter,” said Tasha Williams, the wife of plaintiff Talib Williams.

The suit was filed on December 10, 2021 in the Northern District of California by attorneys at Medina Orthwein LLP and Siegel, Yee, Brunner & Mehta.

The raid occurred at the height of the COVID pandemic and the Movement for Black Lives uprisings in the wake of the murder of George Floyd. At around 3:00 a.m. on July 20, 2020, officers and investigators roused the targeted prisoners from their beds. The officers, dressed in full riot gear with tape over their nametags, slammed prisoners to the ground and against cell walls, restrained them, and dragged them out of their cells, the suit states. Prisoners were placed in chokeholds and headlocks, pushed down the stairs, and punched and kicked by officers.

Barefoot, unmasked, and nearly naked, the men were led towards the dining hall, where officers seated them on stainless steel stools for approximately six hours. During that time, they were subjected to visual cavity searches and forced to strip naked for officers to take photographs of their bodies. Many were interrogated about their and other prisoners’ feelings about the Black Lives Matter movement, as well as alleged associations with groups classified as gangs within the prison system. Their cells were searched and personal items such as letters, art and educational materials were used as purported evidence of STG involvement. Investigators used educational materials related to Black history and liberation, religious texts, as well as common symbols and associations with other Black people as evidence of alleged gang involvement, despite a complete lack of evidence of any violence or criminal activity by Black people incarcerated at CTF for years.

The men demanded medical attention and masks to protect them from COVID-19. In response, some officers screamed: “I hope you motherfuckers get COVID!” and “Black lives don’t matter!” One officer in the gun tower pointed his rifle at prisoners who were chanting “Black lives matter!”

When Mr. Williams complained to one of the officers about the abuse, the officer told him, “You shouldn’t have been Black.”

“CDCR needs to be held accountable for permitting its officers to orchestrate attacks on Black men in its custody in response to the Movement for Black Lives and for exercising free speech surrounding Black liberation,” said Jen Orthwein, an attorney on the case. “The attack is one of many abuses of power CDCR’s policies and practices permit its officers to use to terrorize people and perpetuate violence.”

Some of the men, including Mr. Williams—who has been incarcerated since he was 17 and has written about and led workshops on toxic masculinity and racism during his incarceration—were falsely validated as gang members based on dubious evidence after the raid, states the suit. Mr. Williams was further retaliated against for publishing articles and books that educated the public about CDCR’s long history of targeting prisoners based on racial and ethnic characteristics as a means to foster violence and maintain control within overcrowded institutions. STG validation leads to increased surveillance, harassment, isolation, significantly decreased likelihood of parole and harsher punishments for prisoners.

The lawsuit demands relief for discrimination under the Civil Rights Act and the Equal Protection Clause of the Fourteenth Amendment. It also alleges Black prisoners’ First Amendment rights to free speech and association were violated and that the Black prisoners were unlawfully retaliated against for their race and political beliefs. It further alleges violations of prisoners’ Fourth Amendment rights to be free from unreasonable searches and seizures, as well as negligence and battery by prison officials.

“Even with a stellar record, there was nothing my husband could do to avoid retaliation from guards who were angry that he had blown the whistle and that it had caught traction all across the United States,” said Tasha Williams. “I worried for his mortal safety every second of every day in the following weeks and months, and I fear that the retaliation will pick back up once this lawsuit is reported,” said Talib Williams wife.

“The retaliation hit my family so hard, from friction in the marriage, to my stress level leaving me completely unable to work. I’m still terrified of the inhumane control the administration has over a person’s daily wellbeing. To this day, CDCR will not so much as admit responsibility for its role in the consequential mass spread of COVID throughout the prison, nor the violent abuse of the most non-violent race group in the prison.”

CDCR has a documented history of violence against Black prisoners, particularly those who peacefully advocate against discrimination and the agency’s abusive policies and practices against Black prisoners, the suit argues.

Williams et al. v. CDCR [Complaint](#)

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Medina Orthwein LLP is a queer-owned public interest law firm located in Oakland, California. Medina Orthwein strives to ensure the voices and rights of those most impacted by inequity are heard and can fight power with power. Using an intersectional approach to practice, Medina Orthwein uses its expertise to enforce and expand protections for those whose identities are most impacted by cultural bias and discrimination through individual and class action litigation. The firm specializes in employment discrimination class actions and wage and hour collective disputes. For more information about Medina Orthwein, please visit www.meditinaorthwein.com.

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