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Criminal Justice Issues and Prisoners' Rights

<https://solitarywatch.org/2014/01/11/mentally-ill-south-carolinas-prisons-suffer-decades-abuse/>

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by [Jean Casella and James Ridgeway](#) | January 11, 2014

A court ruling out of South Carolina this week deserves the attention of anyone concerned with the use of solitary confinement and other brutal conditions and practices on the hundreds of thousands of people with mental illness who are held in our nations prisons. The best reporting on the ruling comes from The Atlantic's Andrew Cohen, in a lengthy piece titled [When Good People Do Nothing: The Appalling Story of South Carolinas Prisons](#).

On Wednesday, [in one of the most wrenching opinions you will ever read](#), a state judge in Columbia ruled that South Carolina prison officials were culpable of pervasive, systemic, unremitting violations of the states constitution by abusing and neglecting mentally ill inmates. The judge, Michael Baxley, [a decorated former legislator](#), called it the most troubling case he ever had seen and I cannot disagree. [Read the ruling](#). Its heartbreaking.

The evidence is now sadly familiar to [anyone who follows these cases](#): South Carolina today mistreats these ill people without any evident traces of remorse. Even though there are few disputed material issues of law or fact in the case, even though the judge implored the state to take responsibility for its conduct, South Carolina declared before the sun had set Wednesday that it would appeal the ruling and thus likely doom the inmates to years more abuse and neglect. That's not just deliberate indifference, the applicable legal standard in these prison abuse cases. That is immoral.

But what makes this ruling different from all the rest and why it deserves to become a topic of national conversation is the emphasis Judge Baxley placed upon the failure of the good people of South Carolina to remedy what they have known was terribly wrong since at least 2000. Where was the states medical community while the reports piled up chronicling the mistreatment of these prisoners? Where was the states legal community as government lawyers walked into court year after year with frivolous defenses for prison policies? Where were the religious leaders, the ones who preach peace and goodwill?

No one in power came forward. Even as the evidence became more clear and compelling that something horrible was happening inside those prisons.

Cohen delves into the history of the problem, from the early 1990s, when South Carolina did reasonably good job of caring for its mentally ill prisoners, through decades of growing prison populations and decreasing budgets for prison health care. He traces more than a decade of scathing reports, lawsuits, and whistleblower efforts that clearly documented what was going on in South Carolinas prisons.

Judge Baxley wrote in his opinion: The evidence in this case has proved that inmates have died in the South Carolina Department of Corrections for lack of basic mental health care, and hundreds more remain substantially at risk for serious physical injury, mental decompensation, and profound, permanent mental illness. Cohen provides more detail as to what these words mean:

They mean that one mentally ill inmate, James Wilson, was kept in solitary confinement for at least 2,491 consecutive days. It means that an intellectually disabled (and schizophrenic) man named Jerome Laudman was abused and neglected, and then left to rot in his own feces and vomit, until he died of a heart attack. It means that force was used 81 times on a severely mentally ill inmate named James Howard. It means that some mentally ill inmates were restrained at length in what they called a crucifix position.

It means that mentally ill inmates are routinely caged for days in their own feces and urine, having to eat literally where they shit. It means, Judge Baxley wrote, that the deposition testimony of some psychiatrists reveals an alarming lack of knowledge about the policies and procedures at SCDC. One such psychiatrist did not know what mental health counselors do, and had no idea who drafted treatment plans for inmates. And even if the mental health professionals knew what they were doing, they wouldn't have been able to do much. The ratio of inmates needing treatment to professionals able to provide it was astronomically high.

The article, which combines solid facts with appropriate outrage, can be read in full [here](#). Cohen concludes: This epic ruling forces South Carolina, and the rest of us, to make a choice about what we want our prisons to say about who we are as a people and what we represent as a civilized society.

James Ridgeway (1936-2021) was the founder and co-director of Solitary Watch. An investigative journalist for over 60 years, he served

as Washington Correspondent for the Village Voice and Mother Jones, reporting domestically on subjects ranging from electoral politics to corporate malfeasance to the rise of the racist far-right, and abroad from Central America, Northern Ireland, Eastern Europe, Haiti, and the former Yugoslavia. Earlier, he wrote for The New Republic and Ramparts, and his work appeared in dozens of other publications. He was the co-director of two films and author of 20 books, including a forthcoming posthumous edition of his groundbreaking 1991 work on the far right, *Blood in the Face*. Jean Casella is the director of Solitary Watch. She has also published work in The Guardian, The Nation, and Mother Jones, and is co-editor of the book *Hell Is a Very Small Place: Voices from Solitary Confinement*. She has received a Soros Justice Media Fellowship and an Alicia Patterson Fellowship. She tweets [@solitarywatch](#).

Accurate information and authentic storytelling can serve as powerful antidotes to ignorance and injustice. We have helped generate public awareness, mainstream media attention, and informed policymaking on what was once an invisible domestic human rights crisis.

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by [Juan Moreno Haines](#)

October 25, 2022

by [Solitary Watch Guest Author](#)

October 13, 2022

by [Vaidya Gullapalli](#)

September 29, 2022

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Im sorry for sons suffering. Im sad for you as well. Prisoners who report abuse are subjected to even worse abuse (torture). As a person who advocates for the incarcerated mentally ill, my well-being as been threatened by prison staff. (Im not in prison).

Not only South Carolina, but Florida as well, treats inmates to the same. Tortures. If reported, the inmates are the ones who suffer even worse abuse. They live in fear. My son, dying of liver cancer, suffering insane diarrhea no toilet paper, was dehydrated with cracked, bleeding and infected lips. Trying to get help, the warden threatened me for hiring a lawyer to get my son proper care. Further complaints will be met with further a use of my son.

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