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Criminal Justice Issues and Prisoners' Rights

<https://solitarywatch.org/2011/12/13/new-york-state-lawmakers-hold-hearings-on-solitary-confinement-reforms-spike-in-prison-suicide-rate/>

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by [Jean Casella and James Ridgeway](#) | December 13, 2011

A week ago today (while Solitary Watch was traveling), advocates for prisoners with mental illness gathered in Albany for a hearing on the [SHU Exclusion Law](#), which is designed to divert or remove prisoners with serious mental illness from solitary confinement units and into residential mental health treatment units.

[This report](#), from Gannetts Albany Bureau, quotes many of the advocates in the coalition that formed to pass the SHU Exclusion Law in 2008.

While conditions for mentally-ill prisoners have improved, in part due to a new law that took effect this year, there are many problems that remain, advocates for prisoners rights told an Assembly committee on Tuesday.

The Assembly committees on Corrections and Mental Health held the hearing to get feedback on how the law, which was adopted in 2008 and took effect in July, is working. It requires that inmates with serious mental illness be removed from solitary confinement in most cases and treated in residential mental-health units.

Another reason for the hearing was to investigate possible reasons for an increase prison suicides last year. Twenty inmates took their own lives in state prisons last year, twice the number that occurred in 2009. In 11 cases, the inmates had previously been diagnosed with mental illness.

Its clear that we as a state have an obligation to provide those incarcerated individuals with mental illness, serious mental affliction, with an environment thats safe, thats humane and thats decent, said Assemblyman Hakeem Jeffries, D-Brooklyn, a Correction Committee member. Its not clear, given some of the troubling evidence that has emerged over the last several years that they are meeting that obligation.

Mental-health care in prison is not uniform across the system, said Jack Beck, director of the Correctional Association of New Yorks Prison Visiting Project. Some facilities are still sending prisoners with serious mental illness to disciplinary solitary confinement, he said. Theres an inherent conflict between the correctional system, whose purpose is to control and discipline, and care, whose goal is to empower individuals, he said. Patients that are being sent to residential mental-health or behavioral-health units often have a problematic relationship with staff, which negatively affects the therapeutic environment.

So far this year, there have been nine suicides in state prisons, according to the Commission of Correction. Two were in Elmira, and one was at the Southport, Chemung County, Correctional Facility.

New York has made significant progress in reducing abusive treatment of mentally ill prisoners following the adoption of the new law and before that, reforms made as a result of a settlement between Disability Advocates Inc. and the state, said Sarah Kerr, staff attorney at the Prisoners Rights Project of the Legal Aid Society. However, there is a long way to go. Enforcement of the SHU Exclusion Law and monitoring and oversight of prison mental-health treatment remain essential for the humane treatment of this vulnerable population, said Kerr, one of the attorneys in the case against the state.

Jennifer Parish, director of criminal justice advocacy with the Urban Justice Centers Mental Health Project, said Corrections and Mental Health have to place more emphasis on discharge planning and assessing patients post-release needs for case management, housing and benefits.

Elizabeth Seltun, who lives in North Carolina, told lawmakers about her son, Amare, who took his own life in September 2009 while in solitary confinement at Attica Correctional Facility. He was ordered to spend years in solitary confinement between 1993 and 2008, she said. Today, I am here to tell you that this practice and policy of putting mentally ill prisoners into solitary confinement killed my son. And he is not the only one, she said.

Christine Allen of Geneva, Ontario County, said her mentally ill husband is incarcerated and has experienced beatings and endured mental and emotional abuse while in solitary confinement. She said her husband described solitary confinement as the most physically and emotionally debilitating form of torture and said it destroys the mind bit by bit.

Lawmakers and advocates said Tuesday they were disappointed the state Office of Mental Health and Department of Correctional and Community Supervision commissioners did not attend the hearing to testify and answer questions. A spokeswoman for the Office of Mental Health and a spokesman for the prison system said their agencies planned to submit written testimony

Interviews with additional advocates, as well as excerpts from the hearings and footage of New Yorks SHUs appears in [this television report](#).

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.

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September 29, 2022

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To be honest with you all, I would love to talk to anyone on this committee on my experiences in solitary confinement from an administrators view and share some of my own anecdotal and practice experiences inside such places.

P.O. Box 11374
Washington, DC 20008

info@solitarywatch.org

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