

State Agencies Fail To Show At Hearing On Mental Health Treatment In Prison

Following a No-Show from Key State Agencies, Unanswered Questions Remain on Implementation of SHU Exclusion Law Protecting People with Serious Mental Illness from Solitary Confinement

ALBANY, NY – At a public hearing today held by the Assembly Standing Committees on Correction and Mental Health, four state agencies failed to show up to address questions on mental health treatment and prisoner suicides in New York State prisons. The Department of Corrections and Community Supervision (DOCCS), Office of Mental Health (OMH), Commission on Quality of Care and Advocacy for Persons with Disabilities (CQCAPD), and the State Commission of Corrections (SCOC) were expected to testify along with advocates and family members of affected prisoners about the implementation of the Special Housing Unit (SHU) Exclusion Law, which requires that imprisoned people diagnosed with serious mental illness be removed from solitary confinement and placed into residential mental health treatment units. The agencies were also expected to answer questions about the suicide rate in New York state prisons, which doubled in 2010, and the steps taken by DOCCS and OMH to prevent prisoner suicides.

“I am extremely disappointed that DOCCS and OMH chose not to testify at this public forum about what they have done to address the increased suicides in the prisons in 2010, to implement and monitor the SHU Exclusion Law, and to provide discharge planning services that assist people in preparing for their release from prison,” said **Jennifer Parish, Director of Criminal Justice Advocacy at the Urban Justice Center’s Mental Health Project**. “Prisons are closed institutions, and the public has very little access to what happens inside. Transparency and accountability are paramount. I do not know why the agencies chose not to testify at this hearing, but they owe the public an explanation.”

“Regardless of their status, all incarcerated people deserve to be treated humanely while they serve their sentences,” said **Christine Allen, a licensed clinical social worker who worked within OMH, and the wife of a person incarcerated in NYS DOCCS**. “Speaking as both a mental health professional and a person whose loved one is incarcerated with mental illness, I know that continued improvements are needed in the ways in which the mentally ill are treated in our prisons, including intensive mental health training for DOCCS staff and greater agency oversight.”

The SHU Exclusion Law was enacted in 2008 and became effective July 1, 2011. The law requires that prisoners with serious mental illness be diverted or removed from segregated confinement (disciplinary confinement in a

Special Housing Unit (SHU) or separate keeplock housing unit) to a residential mental health treatment unit (RMHTU), where such confinement could potentially be for more than 30 days, except in exceptional circumstances.

Twenty prisoners committed suicide in state correctional facilities in 2010, twice the number of suicides that occurred in 2009 and the highest prison suicide rate since 1982. Eleven of these suicides were committed by prisoners who had previously been diagnosed with a mental illness.

Advocates praised the legislature for passing the SHU Exclusion Law and improving care for imprisoned people diagnosed with serious mental illness, but noted that there is still considerable work to be done.

"We will continue to advocate for compliance and accountability by OMH and DOCCS, to ensure that our loved ones with psychiatric disabilities in the Department of Corrections and Community Supervision are given treatment and kept safe from torture and severe punishment," said **Leah Gitter, member of Mental Health Alternatives to Solitary Confinement (MHASC) and Rights for Imprisoned People with Psychiatric Disabilities (RIPPD), whose godson was released last year after more than a decade in prison.**

"Effective monitoring by the Commission on Quality of Care and Advocacy for Persons With Disabilities (CQCAPD) will be essential for a strong prison mental health system going forward," said **Nina Loewenstein, Senior Staff Attorney with Disability Advocates, Inc.**

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