



# Mental-Health treatment at prisons faces scrutiny

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ALBANY - 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 in 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.

"It's clear that we as a state have an obligation to provide those incarcerated individuals with mental illness, serious mental affliction, with an environment that's safe, that's humane and that's decent," said Assemblyman Hakeem Jeffries, D-Brooklyn, a Correction Committee member.

"It's 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 York's Prison Visiting Project. Some facilities are still sending prisoners with serious mental illness to disciplinary solitary confinement, he said.

There's 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 Center's 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.

"We are very pleased with the quality of our services in the NYS prison system, and the strength of our partnership with DOCCS," Mental Health Commissioner Michael Hogan said in a statement. "We believe it is the finest prison mental health system in the

country."

The Commission on Quality of Care and Advocacy for Persons with Disabilities and the Commission of Correction did not send representatives to the hearing either.