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September 12, 2016

LOCKED UP AND LOCKED DOWN:
National Report Tackles the Segregation of Inmates with Mental Illness

See AVIDprisonproject.org

Between 80,000 and 100,000 inmates are currently segregated in prison cells nationwide for 22-24 hours per day, for days, months, years, and in some cases decades at a time. Segregation disproportionately affects inmates with mental illness and research shows that individuals may acquire symptoms of mental illness, or experience exacerbated symptoms of mental illness, as a result of the conditions in segregation. On September 8th, the Amplifying Voices of Inmates with Disabilities (AVID) Prison Project, in partnership with the National Disability Rights Network (NDRN) and the federally mandated protection and advocacy (P&A) agencies in over 20 states across the country, released Locked Up and Locked Down: Segregation of Inmates with Mental Illness. The report outlines the advocacy efforts undertaken on behalf of inmates with mental illness in segregation by the P&A network, and calls for greater national prison reform measures.

“Segregation is harmful for all inmates, but it’s particularly harmful for inmates with mental illness who have unique therapeutic needs that are generally unavailable in prisons,” says Anna Guy, AVID attorney and author of the report. “In drafting this report, we found that inmates with mental illness from all over the country are routinely placed in the most restrictive forms of segregated housing where they receive even less mental health care and are treated even more harshly than other inmates in segregation for serious rules violations, resulting in increased punishment solely on the basis of their disability.”

The report contains examples of both litigation and non-litigation advocacy cases from 21 P&As and illustrates the sensory deprivation, psychiatric decompensation, and behaviors relating to self-harm and suicide experienced by inmates with mental illness in segregation across the country. According to
the report, segregation means that inmates with mental illness are repeatedly excluded from mental health treatment, programming, and services that support rehabilitation and re-entry. Report findings include limited access to mental health treatment, punishment for disability-related behaviors with increased segregation and restraint, the worsening of inmates’ psychiatric symptoms, and death related to the conditions in segregation.

Indiana Disability Rights, Indiana’s P&A, was a contributor to the report. Indiana Disability Rights describes its recent litigation in which the P&A and the ACLU of Indiana filed a lawsuit against the Indiana Department of Correction. The lawsuit alleged that the Department was housing inmates with mental illness in segregated or excessively isolated and harsh conditions where they failed to receive adequate mental health care. The court found that the Department’s practices violated Eighth Amendment prohibitions against cruel and unusual punishment and the parties worked together to come to a settlement agreement, which makes numerous improvements to the conditions for inmates with mental illness including the prohibition of, with some exceptions, the confinement of inmates with serious mental illness in segregation. "This case opened the door to more positive outcomes for the 5,600 people with a mental health diagnosis currently in Indiana prisons," said Dawn Adams, Executive Director of Indiana Disability Rights. "This case underscores the importance of access to care for people with mental illness and highlights the need for reform in our mental health system."

The report includes the following recommendations to address this crisis in our nation’s prisons:

1) Increased federal funding to the P&A network for corrections-based monitoring and advocacy;
2) Creation of independent corrections ombuds offices at the state level in order to address inmate concerns before they rise to the level of litigation;
3) Increased data collection by the U.S. Department of Justice’s Bureau of Justice Statistics regarding the prevalence of people with mental illness in U.S. prisons and jails;
4) Increased monitoring and outreach in prisons by P&As across the country;
5) Fostering of collaborative relationships between state prison systems and P&As.

The report is available at AVIDprisonproject.org, where both the text of the report, and extensive original interviews with inmates with mental illness and corrections experts can be accessed.

About the AVID Prison Project
The AVID Prison Project is an advocacy initiative focused on the needs of current and former inmates with disabilities. The project was developed by Disability Rights Washington and this report is a collaboration among NDRN, the P&As in Arizona, Colorado, New York, South Carolina, and Washington, with communication assistance from the P&As in Louisiana and Texas, and additional input from Connecticut, Florida, Illinois, Indiana, Iowa, Kentucky, Maryland, Massachusetts, Montana, Nebraska, Nevada, North Carolina, Ohio, Oregon, Tennessee, and Vermont.

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The mission of Indiana Disability Rights is to protect and promote the rights of individuals with disabilities through empowerment and advocacy.