

Thinking outside of The Box

By **ALEXANDRA SMITH**

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For all the controversy over the torture of foreign prisoners, it is a sad irony that so many vulnerable Americans continue to face unwarranted suffering in U.S. jails and prisons. And yet, right here in New York, Gov. David Paterson is trying to delay a law that would abolish solitary confinement for people with psychiatric disabilities, one of the most inhumane and destructive ways to treat prisoners — especially those with psychiatric disabilities.

Many individuals in New York prisons with psychiatric disabilities are unable to function within the regimented prison lifestyle. As a result, they are often punished for their inability to conform by being placed in 6-foot by 9-foot solitary confinement cells known as Specialized Housing Units, or The Box.

These cells cut off vulnerable New Yorkers from society and drive many to self-mutilation and suicide attempts, but the governor wants to keep them there — supposedly to save a little money. His calculations are morally and factually wrong.

New York prisons hold four times the national average of prisoners in solitary confinement (nearly 8 percent versus 2 percent). According to the Department of Correctional Services, 23 percent of state prisoners in disciplinary segregation — about 1,000 — are on a mental health caseload, and nearly one-third of prisoners with mental illness in New York's Specialized Housing Units had prior psychiatric hospitalizations. In SHU these prisoners experience cruel treatment and malnutrition. They remain in solitary confinement for 23 hours a day (with one hour of outdoor "recreation" in a cement cage) and often experience severe psychiatric deterioration as a result of so much isolation.

New York does not limit how long it keeps people in solitary confinement. Many people with psychiatric disabilities spend their lives wasting away in these prison cages, while humane alternatives exist.

In 2008, after years of lobbying, the New York Legislature passed what was known as the SHU Bill. The law requires that people with mental illness be diverted from SHU into treatment units. It also requires greater mental health assessments for inmates in SHU, and more training for correctional officers.

For Leah Gitter, the godmother of a 40-year-old man with bipolar disorder who has been in prison in New York for 12 years, "the SHU Bill is our only hope to staying connected to the path to recovery."

Paterson would take that hope away. He claims it is too expensive to implement the law now and wants to put it off for another three years. Hundreds more New Yorkers will deteriorate in the meantime.

It's hard to understand why Paterson is using the economic crisis as an excuse to prolong the suffering of prisoners with mental illness by forcing them to remain in The Box.

The governor also wants to diminish the impact of the law by denying access to treatment services for half the people in solitary. While we are in a fiscal crisis, and many sacrifices need to be made, do we really wish disabled prisoners to shoulder the burden?

The stories of family members and formerly incarcerated people echo each other and blend into one. They share the thread of loss, sadness and horror of the cruelties endured. I have seen worn pictures of an incarcerated son's 5th birthday party and photos of a beloved daughter performing at a piano recital when she was 12 years old. These old, faded pictures are the few things that families have to remember their loved ones who are locked up far away.

The threat of losing the SHU law, which can end these harmful practices in New York prisons, is more than most family members of incarcerated individuals can bear. By thinking beyond the budget table, Paterson can help end this cruel treatment of disenfranchised, poor and mentally ill citizens.

Alexandra Smith is a criminal justice advocate at the Mental Health Project at the Urban Justice Center in New York City.