

Step toward ending private hell in prison

Bill's passage leaves one hurdle to stopping solitary imprisonment of mentally ill in New York

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ALBANY -- By passing a bill to prohibit placing mentally ill inmates in solitary confinement, the state Legislature took the lead nationally on an issue prison reformers consider a breakthrough.

It took more than six years of dogged advocacy to earn passage in the Republican-controlled Senate at the end of the session. The bill previously passed overwhelmingly in the Democratic-led Assembly. It now goes to Gov. George Pataki.

"I hate to speculate, but I'm hopeful it will be signed by the governor," said state Sen. Michael Nozzolio, R-Seneca Falls, chairman of the Committee on Crime Victims, Crime and Corrections and sponsor of the bill.

Nozzolio said the bill's unanimous passage in the Senate came about because it not only would offer more humane treatment for mentally ill prisoners placed in Special Housing Units (SHUs), also known as The Box, but would make prisons safer for correction officers, too. Support from the correction officer union and others representing prison employees was crucial, Nozzolio said.

Currently, about 8,000 prisoners, roughly 12 percent of the total inmate population, have been diagnosed with serious mental illness.

Confined to SHUs for months or years at a time, these inmates purposely injure themselves and commit suicide at a rate three times higher than the general prisoner population. Mentally ill inmates also face exceptionally high rates of recidivism because they commonly are released straight from solitary confinement into the community with little preparation.

In addition to prohibiting the mentally ill from being put in solitary confinement in the first place, the legislation would establish new treatment alternatives in the prisons, expand mental health training for correction officers and create an oversight body. The

law would be phased in after 18 months.

Molly Fullington, a spokeswoman for Pataki, declined to speculate on the bill's chances.

"We don't comment on bills," said Linda Foglia, a state Department of Correctional Services spokeswoman.

But advocates were already celebrating.

"We were just ecstatic that it passed. It's landmark legislation," said Robert Corliss, associate director for criminal justice at the National Alliance on Mental Illness of New York State.

"No other state has passed this sort of legislation," said Corliss, who was among the lead lobbyists for the bill for more than six years. Efforts included rallies at the state Capitol, letter-writing campaigns and public hearings where former inmates with mental health problems who had been confined to The Box spoke.

"The passage of this bill represents a major step forward in terms of appropriate and humane treatment of people with mental illness in our prison system," said Robert Gangi, executive director of the Correctional Association of New York, a watchdog group.

Advocates doubted this day would ever come.

"We never stopped thinking about the suffering of mentally ill prisoners in The Box, and we refused to give up," said Harvey Rosenthal, executive director of the New York Association of Psychiatric Rehabilitation Services.

Two dozen women who are wives, sisters and mothers of prisoners praised passage of the bill at the fourth annual retreat of Prison Families of New York, held last week in Lake George, the group's director said.

"Their loved ones with mental illness were being criminalized, and they had no business being in the SHUs," Alison Coleman said.

"This is a huge issue for our prisoner families," she said. "We feel if we can accomplish this victory, we can accomplish other things."

