

**Frances Geteles, Ph.D.**

382 Central Park West, New York, New York 10025

212-663-8048

---

December 15, 2017

Deborah Slack-Bean  
Senior Attorney  
New York State Commission of Correction  
Alfred E. Smith  
80 S. Swan Street, 12<sup>th</sup> Floor  
Albany, New York 12210

Re: I.D. No. CMC-44-17-00012-P  
Proposed Rulemaking on Inmate Confinement and Deprivation

Dear Ms. Slack-Bean,

I am a clinical psychologist, certified in the state of New York (Certificate No. 003252-1). Since 1993, I have been examining victims of torture from around the world in connection with their requests for asylum here in the United States. This work has led me to become involved in efforts to eliminate the practice of torture here in my own country. I am referring specifically to the use of long-term solitary confinement, which is clearly a form of torture given the devastating psychological, physical and social effects it can cause.

We know that extended isolation can cause an abundance of psychological problems even in people who are reasonably healthy psychologically. These can include: severe anxiety; depression; hopelessness; increased irritability, anger and rage; and signs and symptoms of psychosis, including delusional thinking and/or visual and auditory hallucinations. Clearly this should not be what we are willing to do to other human beings.

Your new rules suggest some modification of the treatment of youth and pregnant women in our jails, assuming that the jail authorities don't find easy ways to work around them with the discretionary powers they are given. But what about the mentally ill, the elderly and the physically disabled – all of whom are especially vulnerable to the suffering that isolation can cause? And what about the thousands of people in our state's prisons? Do you really want to continue to damage so many people psychologically?

In addition to the terrible mistake of being willing to continue harming so many people, there are some specific features in your rules that really make no sense psychologically. The first of these is that, in your list of actions that might lead to someone being sent to solitary, you include suicidal attempts and self-harming behavior. These are actions that demonstrate that the individual is already feeling depression, hopelessness and despair. Isolating someone in this condition will only intensify and worsen those feelings and the person's pain. It will therefore

increase the likelihood that the behaviors for which someone is being punished will, of necessity, be repeated.

Your rules allow the jail administrators to deprive youth of participation in educational activities. This too can add to someone's feelings of despair. People, especially young people, need something to look forward to. A chance at education can provide a basis for some hope that maybe the future can be better, which in turn can lead to better behavior.

Additionally, your rules allow for restrictions on the reading materials allowed to the people in jail, which seems to include the people in solitary confinement. Yet, much of the harm to the people in solitary confinement, in addition to the lack of human interaction, is due to the idleness it imposes on them. For many, reading is a way of holding on to their sanity in very difficult situations. It should thus be encouraged.

In my view, if you really want to eliminate the torture of solitary confinement and all the psychological problems that go with it, you should help us to get the HALT (Humane Alternatives to Long Term) Solitary Confinement Bill (A3080/S4784) passed. The safety of the institution can likely be improved if the humanity of the people in it is recognized and they are treated accordingly – especially if staff are provided with new tools for truly understanding the people they are caring for and for interacting with them humanely.

Thank you for considering my input in this matter.

Respectfully,

A handwritten signature in blue ink that reads "Frances Geteles, PhD". The signature is written in a cursive style and is positioned above a horizontal line.

Frances Geteles, PhD.,  
Clinical Psychologist