

In addition to my letter to Deborah Slack-Bean, Senior Attorney for the NYS Commission of Correction sent on Dec 11 of this year, I want to also have on record/make public the following comments with regard to Solitary Confinement and what Governor Cuomo and the SCOC ignore when attempting to pass laws or rules about Solitary Confinement other than HALT (A 3080/S 4784):

My son Masai Stewart who has been diagnosed with mental illness since the age of 7 was in NYS Jails and Prisons recently. He was diagnosed at age 12 with Bipolar/Psychotic features by several competent doctors. While in prison, he somehow had his designation of seriously mentally ill remain, but his diagnosis did not protect him from Solitary (ie the SHU exclusion law is flawed in that if a person has Mood Disorder NOS they are not covered under the law) and was punished for actions that are a part of his illness. My son ended up in Solitary where his illness became worse. My son's delusions and symptoms never included suicide ideation before prison. But he reports that while in solitary he began to think about "killing myself" frequently and at one point even placed his bed sheet around his neck. Thankfully, he said he heard a voice he thought was his little sister's that told him to remove the sheet.

Upon release, in Sept. of 2015 he seemed different, very aloof, very easily agitated. His symptoms were much more intense and much more troubling. He has currently been in a program for serious and persistent mental illness (2015-2017) but he is decompensating terribly. Suicide ideation is frequent. Paranoia is much worse. The PTSD that he had from before he went to Prison, is also much much worse.

My son has been out of prison now for 2 years and 3 months. He has trouble sleeping, trouble relating to others, cannot ride a bus, cannot go to a mall, cannot talk for long periods of time with others, feels distress and anxiety, has troubling thoughts, troubling dreams, worries that he will "suffocate", complains to his therapists and doctors that he is "wasting away" and for the past 2 months has had mobile crisis called numerous times, Dutchess County NY Sheriff's called numerous times, with 9.45 orders (involuntary commitment) for threatening suicide. At the end of November of this year and 2 weeks ago my son had to be hospitalized for the first times since the year 2010. He has since been released again from the area hospital, however, he isolates in his apartment, does not eat, rarely showers, and on the whole has sunk into depression along with his usual Bipolar Psychosis.

Treating my son has become a true challenge for the mental healthcare professionals that want to help him. Truly, at this time, I am not sure WHAT will happen with my son. But I do know that my son was never so sick, and his symptoms never so scary, as they are since his prison experience and his stay in solitary confinement. It seems to me, and to his family, that our loved one became horribly worse since this time in solitary and this is why I am still writing and asking the Governor and the SCOC to pass the HALT legislation once and for all. No NYS family should have to undergo this. No family should have to watch their loved one feel as though they are "wasting away" and opt for suicide upon release from prison.

Rev. Tama Bell

Poughkeepsie NY

Deborah Slack-Bean
Senior Attorney, New York State Commission of Correction
Alfred E. Smith Building
80 S. Swan St., 12th Fl.
Albany, NY 12210

December 11, 2017

Dear Ms. Slack-Bean,

I am writing to comment on the proposed rules for the use of solitary confinement in our state's jails. Studies have shown that extreme isolation has serious long-term detrimental effects on people, including anxiety, severe depression, panic attacks, loss of impulse control, and irrational anger. The United Nations "Mandela Rules" on the treatment of prisoners prohibits solitary confinement in excess of 15 days in duration as cruel and inhumane. Solitary confinement in our state is often inflicted for minor, non-violent offenses and disproportionately upon Black and Latino prisoners.

Despite the very real human cost that the overuse of solitary exacts, the proposed regulations grant broad discretion to jail administrators to ignore them, and keep any person they choose in solitary 23-24 hours a day for "safety, security, or good order." The proposed requirement for a minimum amount of out-of-cell time (4 hours) is important, but is undercut by the explicit license for the Jail Chief to override that requirement when he/she sees fit and by the allowance that such out-of-cell time be spent under solitary conditions rather than with other people. Under the proposed regulations, there is no limitation on how long a person can be subjected to solitary, so people will still be able to be held for months or years in solitary, including kids and pregnant women in jails.

It is time for New York State to pass the HALT Solitary Confinement Act (A3080 / S4784) to set minimum, humane, and intelligent standards in our state prisons. Today, I urge the Governor and SCOC to adopt the provisions of HALT as the standards to be applied to our local jails, limiting the duration to 15 consecutive days, and providing humane and effective, program-based alternatives. This is particularly critical given that 70% of people being held in our local jails are awaiting trial for charges of which they have not been convicted.

Sincerely,

Rev. Tama Bell

<http://www.pressconnects.com/story/news/local/new-york/2015/12/02/mothers-experts-plead-oversight-ny-prison-system/76694224/>