

Solutions to Improving Access to Care for Individuals with Serious Mental Illness in Prisons and Jails

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Inherent Challenges of COVID-19 and Prisons

- COVID is an airborne virus where prevention is addressed through masks and social distancing.
- Prison overcrowding with the possibility of multiple incarcerated individuals per cell.
- Staff also can be in close contact with incarcerated individuals for discipline, treatment, or safety reasons.
- Many prisons are closed environments.

Impact of COVID-19 Behind Bars

- Reported Positive COVID-19 Tests and Deaths Among State Prison Populations Total Jurisdictions: 44

Total Positives: 33,361 Incarcerated Individuals, 8,956 Corrections Staff

Total Deaths: 408 Incarcerated Individuals, 23 Corrections Staff

<https://covidprisondata.com/>

Mental Health Treatment Behind Bars

Background Information on People Receiving Treatment for Serious Mental Illness (SMI) in State and Federal Prisons

- 30 percent in California prisons receive some form of mental health treatment; 21 percent in New York; 20 percent in Texas
- Three percent of federal prisoners identified as SMI requiring treatment

<https://www.themarshallproject.org/2018/11/21/treatment-denied-the-mental-health-crisis-in-federal-prisons>

Intersection of Too Many People with SMI and COVID -19 Creates Challenges Behind Bars

- The intersection of the large number of people with SMI in prisons and jails with the best practices to prevent COVID -19 creates enormous problems for corrections staff and for prisoners
- But as will be discussed later, there are ways to address the housing and treatment of people with SMI in jails and prisons for the benefit of both the staff and those incarcerated.

Mental Health Treatment Behind Bars -- Challenges

Labels Frequently Overused to Negatively Define People with SMI

- “Malingering”
- Anti-social disorder
- Refusal to comply and punishment

Staff Bias Affects Handling of Prisoners with SMI

- Racial tensions
- Gender identity and sexual orientation
- Criminal history and perceptions

Resource limitations

Inappropriate settings for therapeutic care

Psychotropic Drug Treatment in Prison

Most common mental health treatment is psychotropic drugs, but there are significant challenges

- Reliance on drugs alone and lack of access to therapy including group and individual counseling which may be more effective in addressing many conditions as well as interactions with authority and other prisoners
- Limited formularies often result in use of older medications which often have worse side effects.
- Lack of consultation with specialty trained psychiatrists or other mental health professionals in Diagnosis and Treatment
- Continuity in treatment can be disrupted with movement from one location to another

Disciplinary Actions and People with SMI

Typical disciplinary actions

- Revocation of privileges (phone, visitation, mail)
- Solitary confinement – long- and short-term
- Transfers to other facilities
- In –Prison Criminal charges against prisoners

Alternative: Creating Incentives for addressing behavior issues

- Staff training and interactions
- Commissary incentives
- Lower security status

Disciplinary Actions and People with SMI – Challenges Of Current Practices

Role of Staff in Disciplinary Actions Involving People with SMI

- Handling disruptive behavior
- High security interactions (cell extractions, use of force teams)
- Racial bias
- Role of trauma

Challenges for Suicide Risk and Prevention During COVID -19 Pandemic

Risk of suicide among people with SMI

- Suicide is a threat to all persons involved in corrections. The rates of inmate suicide are far higher than the national averages, and even higher still for special populations (<https://nicic.gov/suicide-in-corrections>)

Practices employed to prevent suicides

- “Safe cells” and suicide watch
- Other interventions

Solitary Confinement Cannot Be The Answer

Dangers of solitary confinement for prisoners with SMI

- Possible Long-term psychological damage
- Exclusion from programming, mental health treatment and medical care
- Possible retraumatization and humiliation associated with use of restraints
- Suicide risk may be increased
- Impact on recidivism
- Features such as hallucinations, voices and delusions may intensify

Categorical exclusions from solitary confinement

- Court decisions excluding people with SMI from extended solitary confinement
- BOP Care Levels
- Supermax prisons and efforts to minimize impact on prisoners with SMI

Challenges To Treatment Existed Pre COVID

Challenges to providing mental health treatment in correctional settings

- Typical mental health treatment practices can be difficult to replicate in a correctional environments while also maintaining order, reducing violence, and preventing harm (including suicides).
- Difficulty attracting qualified mental health staff and challenges of training security staff.
- High costs of providing needed interventions.

Look for where there have been problems

- What has been the historical interaction of the correctional system and inmates with SMI in your jurisdiction?
- Where might the cracks in the safety net be in your jurisdiction (looking broadly at all topics, housing, treatment, employment, etc.).

Ideas to address Housing and Treatment of SMI Prisoners In a COVID-19 Environment

- The rights of incarcerated individuals with SMI to treatment and to be free from cruel and unusual punishment have been recognized around the country.
- Expand diversion of people with SMI out of the correctional system, beginning with law enforcement but also including judicial reforms, expansion of community services and need for housing and employment
- Need for different approaches to presence of people with SMI in correctional facilities, including the use of solitary confinement

Some options For Crafting Solutions

- ❑ Tweaks to the current model of treatment
- ❑ Engage your state's health agencies
- ❑ Develop capacity to address SMI in all areas of contact (Police, Courts, Prisons, and Re-entry)

Recommendations for Increasing Capacity

- ❑ The importance of building alliances to increase capacity.
- ❑ Need for a full system review to identify gaps.
- ❑ Designate the essential components to support a working system.

Essential Components of any Solution

- Inclusion
- Package Services
- Participation of Law Enforcement
- Importance of Housing
- Data Collection

QUESTIONS & DISCUSSION

Thank You

SAMHSA's mission is to reduce the impact of substance abuse and mental illness on America's communities.

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