MCLU Praises Legislature's Willingness to Review Solitary Confinement

Urges Prompt Action to Limit Confinement of Mentally Ill Prisoners in Solitary



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For Immediate Release

AUGUSTA—Today the House and Senate voted for final passage of an amended version of LD 1611, "An Act to Ensure Humane Treatment for Special Management Unit Prisoners." The amended version directs the Commissioner of Corrections to review due process and policies related to placement of prisoners in solitary confinement. Roll calls on the bill held late Monday afternoon were 74-68 in favor on the House side and 18 to 15 in favor on the Senate side. The House roll call in favor of final passage today was 78 to 67.

"Today was a moral victory for those concerned about human rights and security at the Maine State Prison, but much work needs to be done to resolve the excessive use of solitary confinement there," said Shenna Bellows, Executive Director of the Maine Civil Liberties Union. "The Department of Corrections has an opportunity to reduce the use of solitary confinement and to pay special attention to mentally ill prisoners for whom solitary confinement is equivalent to torture."

The original proposal, sponsored by Representative Jim Schatz (D-Blue Hill) would have prohibited the prolonged isolation of mentally ill prisoners. The Department of Corrections submitted data to the legislature's Criminal Justice Committee indicating that 63% of prisoners in the special management unit have mental illness and that 48% of prisoners in the special management unit were prescribed psychotropic drugs for mental illness.

"The Eighth Amendment prohibition on cruel and unusual punishment means we can't treat mentally ill prisoners in ways guaranteed to exacerbate their illness." said Alysia Melnick, Public Policy Counsel for the Maine Civil Liberties Union. "How we treat prisoners while incarcerated dramatically impacts whether or not they will re-offend when they return to our communities."

The Department of Corrections testified before the Criminal Justice Committee that 43 prisoners had been released directly from the special management unit to the streets over the last two years.

"We can protect human rights, increase security and reduce costs by limiting solitary confinement," said Bellows. "We hope the Department of Corrections will heed the legislature in reviewing its policies and taking swift action to limit the use of solitary confinement."

LD 1611 had the support of over 20 organizations including: Amnesty International, Bangor Theological Seminary, Centro Latino, Disability Rights Center - Maine, Human Rights Watch, Immigrant Legal Advocacy Project, Let Cuba Live, Maine Association of Psychiatric Physicians, Maine Civil Liberties Union, Maine Council of Churches, Maine Jeremiah Project, Maine People's Alliance, Maine Prisoner Advocacy Coalition, Maine Psychological Association, National Alliance on Mental Illness, NAACP – Portland Branch, National Association of Social Workers – Maine Chapter, National Religious Campaign Against Torture, Preble Street Resource Center, Roman Catholic Diocese of Portland, TengoVoz, and Veterans for Peace – Maine.

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