

Health and Incarceration: Notes on A Human Rights Perspective

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Prisons: Home to the Vulnerable

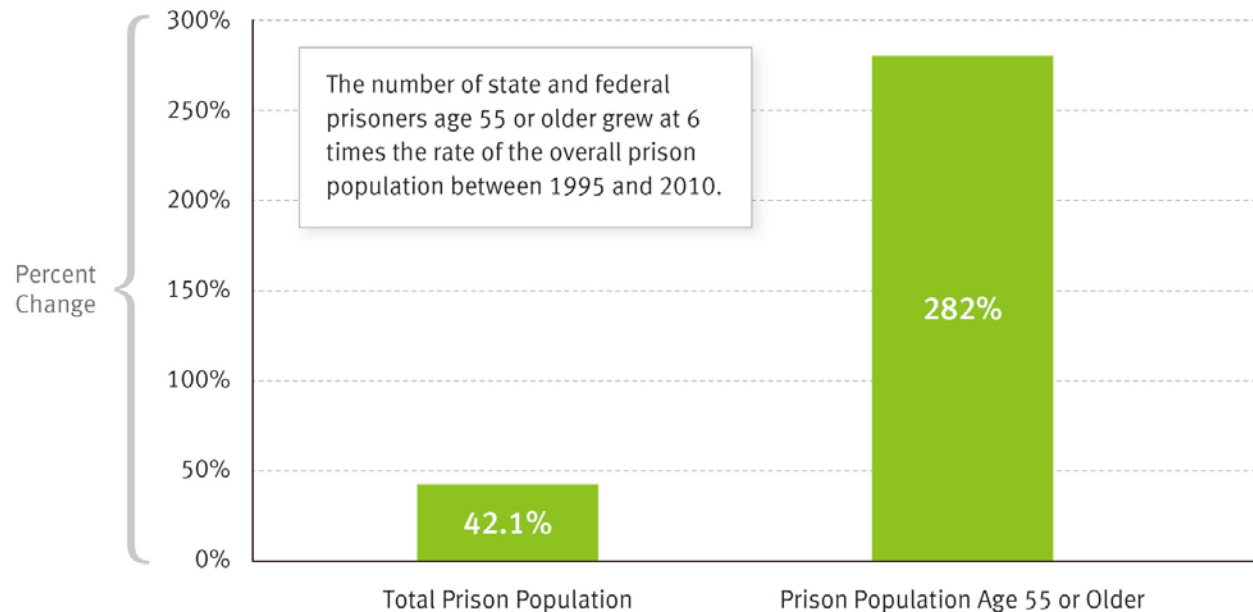
➤ The Mentally Ill

- Fifty-six percent of state prisoners have mental health problem
- Seventy-three percent of women, 55 percent of men in state prison
- 8-19 % of prisoners have psychiatric disorders that result in significant functional disabilities, and another 15-20 % will require some form of psychiatric intervention during their incarceration.
- 60% percent of state correctional systems report 15% or more of their inmate population as mentally ill.

Prisons: Home to the Most Vulnerable

➤ The Aging

GROWTH IN STATE AND FEDERAL PRISON POPULATION, BY AGE, 1995-2010

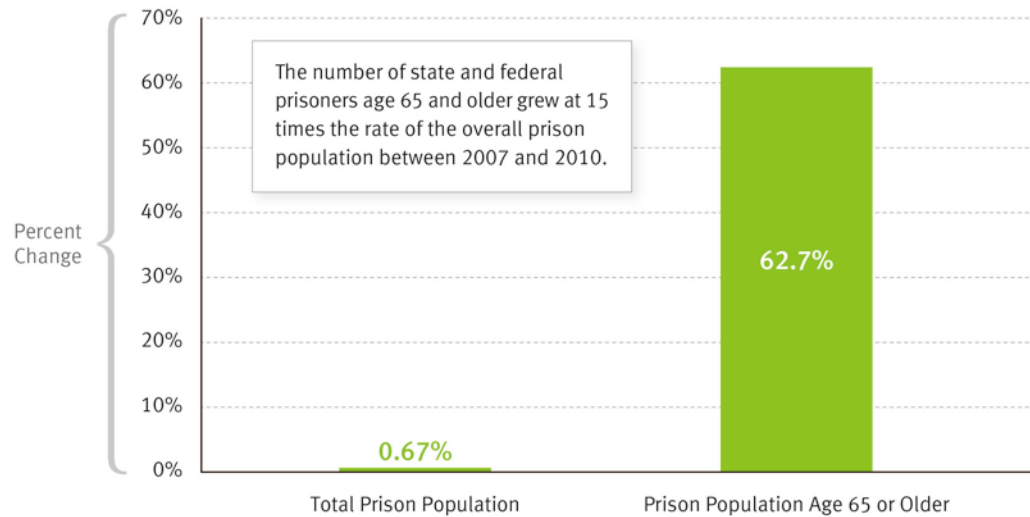


Source: Bureau of Justice Statistics, Prisoner Series, 1995-2010

Note: Based on number of sentenced prisoners under jurisdiction of federal and state correctional authorities with sentences of more than one year.

The Aging, cont.

GROWTH IN STATE AND FEDERAL PRISON POPULATION, BY AGE, 2007-2010



Source: Bureau of Justice Statistics, Prisoner Series, 1997 to 2010

Note: Based on number of sentenced prisoners under jurisdiction of federal and state correctional authorities with sentences of more than one year.

Prisons :Ill Equipped

- By virtue of culture, mission, policies, practices, staffing, budgets, physical plants, prisons are ill-equipped to
 - meet needs of mentally ill
 - meet needs of aging
 - meet medical needs in general? Of pregnant women?
 - Unable/unwilling to ensure well-being of prisoners

Prisons :violence

- One in ten state prisoners injured in fight
- 216,600 adults and youth were sexually abused in confinement facilities in 2008;
 - An estimated 9.6% of former state prisoners reported one or more incidents of sexual victimization
- Excessive use of force by staff

Prisons : Living Conditions not Conducive to Well-being

- Solitary confinement risks psychological harm to those without previous mental illness; decompensation for those with mental illness
- trauma from tension, lack of family visits, extortion, noise, lack of privacy, cross gender pat downs, lack of meaningful activities
- High suicide rate
- Punishment instead of drug addiction treatment
- poor sanitation, vermin and bugs
- extreme heat from lack of air conditioning, insufficient cooling and access to water

Human Rights Treaties

- **International Covenant on Civil and Political Rights (ICCPR)**
- **Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)**
- **International Covenant on Economic and Social Rights (ICESR)**
- **Convention on the Rights of People with Disabilities**

Respect for Human Dignity

“All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person...”

ICCPR Art 10 (1)

“Application of this rule ... cannot be dependent on the material resources available.”

Human Rights Committee, General Comment

Goal of Rehabilitation

“The penitentiary system shall comprise treatment of prisoners the essential aim of which shall be their reformation and social rehabilitation.”

ICCPR Article 10(3)

“No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.”

ICCPR ,Art 7

Interpreted to extend the widest possible protection against abuses, whether physical or mental.

Prisoners have Right to Health

Health treatment that meets community standards

Services that are available, accessible, provided by trained medical and professional personnel

Responsibilities of Correctional Health Practitioners

- **Respect and protect human rights of prisoners**
- **Acquiesce =condoning**
- **No longer guest in house of corrections**
 - **Address conditions of confinement and security rules**
 - **Address impediments to appropriate health care delivery**

Overincarceration is a Health Problem

- Overincarceration is a health and mental health problem
 - Impact on prisoners
 - Impact on their families
- May provide treatment opportunities, but health professionals should work to promote treatment
 - in the community
- Health professionals should address sentencing policies