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Class Action Lawsuit Charges RI Department of Corrections with “Inhumane” Constitutional Violations Against Prisoners with Mental Illness

PROVIDENCE, Rhode Island — Disability Rights Rhode Island (DRRI, formerly the R.I. Disability Law Center) and attorneys for the American Civil Liberties Union National Prison Project (ACLU) and its Rhode Island Affiliate (ACLU-RI), today filed a federal class action lawsuit against the R.I. Department of Corrections (RIDOC) alleging multiple constitutional violations of the rights of prisoners with serious and persistent mental illness (SPMI).

The complaint alleges violations of the plaintiffs’ constitutional right against cruel and unusual punishment, as well as violations of federal laws barring discrimination against persons with disabilities. The suit seeks sweeping changes in the way that those inmates are treated at the ACI.

The lawsuit caps years of investigation by DRRI into RIDOC’s harmful and inhumane practice of subjecting prisoners with mental illness to solitary confinement for up to 24 hours a day for months, and even years. The 58-page complaint describes in great detail the harm that the six named inmate plaintiffs and others at the ACI – both sentenced prisoners and pretrial detainees – experience due to the conditions of their confinement. The lawsuit alleges that RIDOC

“subject[s] hundreds of people to prolonged solitary confinement in tiny, frequently filthy cells where they are kept locked down for 22 to 24 hours a day for weeks, months, and even years at a time. While in solitary confinement, these men and women have little human contact or access to exercise, fresh air and sunlight, or other environmental stimulation. . . .

“Defendants, by statewide policy and practice of isolating people with SPMI in these inhumane conditions, subject individuals to serious psychological harm and increasingly acute symptoms. Many individuals are already experiencing perceptible harm, including increased symptoms of anxiety, depression, social withdrawal, paranoia, agitation, and suicidal ideation. Defendants deny or ignore individuals’ administrative grievances and written requests to be removed from solitary confinement due to the harm they are experiencing in such conditions.”

The lead plaintiff in the case, Charlene Liberty, has engaged in serious self-injurious behaviors, including multiple suicide attempts, while in solitary. The suit claims that she has been pepper-sprayed and shackled as a result of these self-injurious behaviors, and even been sanctioned with solitary confinement for attempting suicide.

The allegations in the lawsuit, filed in federal court in Rhode Island, echo concerns that the ACLU and DRRI formally raised in a letter to RIDOC director Patricia Coyne-Fague back in February. The lawsuit seeks a judicial finding that the defendants have violated the inmates’ constitutional and statutory rights, and a permanent injunction against RIDOC placing prisoners with SPMI in solitary confinement. The suit also seeks comprehensive remedies for the inhumane conditions faced by inmates with SPMI, including the appointment of independent experts to oversee improvements in their housing and to assist in the design and implementation of alternatives to solitary confinement.

After a legislative commission reported critically on the state’s practice of placing SPMI inmates in solitary confinement, RIDOC set up a Residential Treatment Unit as an alternative. But the lawsuit notes that, despite the scores of individuals with SPMI in solitary confinement on any given day, the unit has the capacity to enroll only eight men at a time. The suit also points out that no such unit has been set up at all for women inmates.

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