



DISABILITY RIGHTS OREGON

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Report: Ongoing Isolation of State Prison Inmates for Nearly 23 Hours a Day Raises Alarms

Solitary confinement of more than three dozen men with serious mental illness shows prison falling short of constitutional standards

Portland, Oregon—Today, Oregon’s leading statewide disability rights organization warned that the Oregon State Penitentiary (OSP) was falling short of meeting basic constitutional standards for inmates with serious mental health conditions. According to a new progress report from Disability Rights Oregon, more than three dozen men in the BHU spent an average of almost 23 hours per day confined to dark, cramped cells during the final quarter of 2017.

OSP houses inmates with the most serious mental illnesses in a specialized area called the Behavioral Health Unit (BHU). Two years ago, Disability Rights Oregon published an alarming investigative report that brought to light the near total isolation of 40 or so men who lived in the unit where they were subjected to unnecessary staff violence and received inadequate mental healthcare.

In response to the public outcry the report generated, in early 2016, the Department of Corrections (DOC) promised to improve the health and well-being of inmates held in the specialized unit within four years. In a two-year midpoint assessment, Disability Rights Oregon warns that the DOC is unlikely to reach the central goal of the agreement: ensuring that prisoners with mental health conditions are out of their cells for a minimum of 20 hours a week. That number signifies the constitutional floor necessary to protect inmates with serious mental health conditions from cruel and unusual punishment in violation of the Eighth Amendment.

“The agreement strives to reshape this unit to live up to its original vision: an environment that’s safe for prisoners and the prison staff who work with them, where prisoners can heal through effective treatment for their mental health conditions, and where their intrinsic human dignity is safeguarded,” said Joel Greenberg, report author and staff attorney with Disability Rights Oregon. “We’re at the halfway point in the timetable laid out to transform the treatment of prisoners with mental illness and bring conditions up to constitutional standards. What we’re seeing is that DOC’s initial modest progress came to a standstill at the end of the second year. Unless there is a dramatic shift, DOC is unlikely to meet the goals it agreed to within the timeframe.”

For people with serious with mental illness, isolation exacerbates their symptoms and can result in lasting harm. Prisoners with depression grow more depressed. Prisoners with anxiety grow more anxious. Prisoners with delusions have an ever-harder time trying to sort out reality. Given the enduring harm caused when solitary confinement violates people’s intrinsic human rights, many prison systems have wholly abolished the use of isolation.

Today’s report, “Behind the Eleventh Door at the Halfway Point: Progress at a Standstill,” makes a number of recommendations. Those include:

- Moving swiftly to end solitary confinement and isolation
- Transferring the most acutely impaired BHU residents to a therapeutic environment
- Quickly improving access to high quality psychiatric care

The corrections system has become the state’s largest provider of mental health services. The DOC has determined that more than half of Oregon’s prison population has been diagnosed with a mental illness. The roughly 40 men who are held in solitary confinement in the BHU are more profoundly impacted by their mental illness than any other individuals in the DOC system.

Additional Resources:

- [Report: Behind the Eleventh Door One Year Later: DRO’s First Annual Report – Progress to Improve Conditions at the Behavioral Health Unit of the Oregon State Penitentiary](#) (April 2017)
- [Memorandum of Understanding](#) (January 2016)
- [Report: Behind the Eleventh Door](#) (2015)

About Disability Rights Oregon

Disability Rights Oregon upholds the civil rights of people with disabilities to live, work, and engage in the community. The nonprofit works to transform systems, policies, and practices to give more people the opportunity to reach their fullest potential. For 40 years, the organization has served as Oregon’s Protection & Advocacy system.