

# Some background to the incarceration of the mentally ill in the US prison system

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In February the United States reached a benchmark of 2 million individuals in its prisons and jails. The US incarcerates the greatest number of people of any country in the world, and has become a worldwide example of prison abuse, especially in the use of the death penalty. In state after state growing numbers of juveniles are being tried and sentenced as adults.

The US Department of Justice has estimated that 283,800 mentally ill offenders were held in state and federal prisons and local jails at mid-year 1998. Additionally 547,800 mentally ill persons were on probation. Seven percent of federal inmates and 16 percent of those in state prisons or local jails or on probation said they either had a mental condition or stayed overnight in a mental hospital, unit or treatment program.

A Michigan Community Health Department survey indicates the number of mentally ill suffering in prison may be even higher than the Justice Department figures. The Justice in Mental Health Organization refers to statistics in the 1999 Michigan survey of three state jail systems. They note that while the number of prisoners that screened positive for mental health concerns using standard survey methods was 12 percent, the number rose to 34 percent when a psychologist interviewed each inmate in depth. Stung by criticism that the indigent mentally ill were being denied care and forced instead into jails, Department of Community Health Director James K. Havemann, Jr. did not release the full results of the survey.

Millions of mentally ill people are being affected by the policies of law-and-order advocates in states across the US. A National Institute of Justice 1995 discussion on the impact of the Americans with Disabilities Act (ADA) noted that 10 million individuals are detained in prisons and jails in the US each year. At least 6.4

percent and possibly as high as 8 percent had a severe mental disability, usually resulting from severe mental illness or mental retardation.

What is most striking about these figures, and the countless injustices that lie behind them, is that society is reverting at a rapid pace to attitudes and conditions that pre-date the US Civil War.

In 1837 American social reformer Dorothea Dix began a 30-year campaign to see that the mentally ill were taken out of the prisons, where many had been incarcerated. Often they existed in circumstances far worse than that of other prisoners. According to a biography of Dix published by the New Jersey Historical Commission there were 17,456 mentally ill out of a population over 17.5 million in America at the time Dix began her work.

In 1981 in *Dorothea Lynde Dix, and the Politics of Institutional Reform* author Frederick M. Herrmann emphasized the impetus for the great reform movement that swept the Northern states prior to the US Civil War. When the Industrial Revolution replaced America's homogeneous rural society with a complex, urban society it also created a growing number of mentally distressed individuals. Adequate resources were not available to the working class to deal with the urban ills of modern capitalism.

During the pre-Civil War period Northern industrialists were concentrating on developing the nation's internal market. Federal grants of western lands financed infrastructure projects like roads, railroads and canals. The Southern states, whose elite were dependent primarily on international trade in slave-produced cotton, opposed anything that would strengthen the political and economic power of the North. They opposed social reforms that threatened their profits. While the most important demand of

Northern reformers was an end to slavery, that result was eventually achieved only through a bloody civil war.

Dorothea Dix counted among her allies the abolitionists Charles Sumner and Samuel Ridley Howe, and the educational reformer Horace Mann. Her campaigns and successes in replacing local and community care of the mentally ill with professional care by public institutions included founding or enlarging over 30 mental hospitals in United States and in Europe. Dix even managed to get the US Congress to approve a federal land grant to provide care for the mentally ill, although President Franklin Pierce vetoed the bill. Later she was to supervise nursing during the Civil War.

Dix joined with the New Jersey Medical Society in a famous battle to get the state's legislature to build a mental hospital. Medical Society leaders told the state lawmakers that confining the mentally ill in jails because they had carried out home break-ins to survive, or were perceived as a threat to the community, "was criminal and subversive of all distinctions between calamity and guilt and punishes the misfortune, which it is the duty of society to relieve."

Today, over 150 years later, the mentally ill are again being herded into prison instead of being cared for by society. The Wayne County Jail is now metropolitan Detroit's largest facility housing mentally ill people. In Michigan, jail officials admit they keep mentally ill prisoners because there is nowhere else to send them.

In 1999 a lawyer for one Wayne County Jail inmate told the *Detroit News*, "There are no resources for mentally ill people up until the point they commit a crime. Everyone is willing to let the criminal justice system become the surrogate for the mental health system. We're too willing to allow people who deserve a different category of treatment go to prison."

This is mostly the result of the closure of 13 of the state's 17 psychiatric hospitals. Even children are the victims of the budget cuts, with all but one psychiatric center for children in the state having closed in the last 10 years. The Michigan Auditor General recently charged that the Family Independence Agency, responsible for nearly 6,000 Michigan youth considered delinquent, is failing to provide needed counseling and psychiatric treatment for the children.

And once in the jails and prisons, the atrocities

continue. Nationally, the Justice Department found that only 61 percent of those identified as mentally ill in state and federal prisons and only 41 percent in local jails received any form of mental health service.

Jean Froh, a Detroit-area woman whose brother was killed in 1999 because he could not get the care he needed, summed up today's circumstances for the mentally ill. In a letter to a local newspaper last spring she wrote, "The sad and unconscionable truth is that the majority of the mentally ill who would best be served by inpatient care are either in jail, living on the street or dead. Many families feel helpless in this era of cost-cutting."



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