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FOR IMMEDIATE RELEASE

ACLU and CLASI Respond to COAD

(Wilmington, February 8, 2017) Community Legal Aid Society, Inc. (CLASI) and the Delaware Department of Corrections (DDOC) entered into a settlement agreement regarding restrictive housing (also known as solitary confinement) and mental health care on August 31, 2016. The order was approved by a United States District Court judge on September 1, 2016.

The settlement was negotiated as a result of a lawsuit filed by CLASI, and litigated by the ACLU, CLASI, and a private law firm on behalf of over 100 seriously mentally ill inmates being held in solitary confinement 165 hours per week with virtually no mental health treatment. The terms of the settlement aimed to bring DDOC in line with standards established by the American Psychiatric Association and the American Correctional Association for conditions of confinement and the treatment of people with mental illness in prison. Commitments to increased staffing and expanded prison facilities to provide better mental health programming for maximum security inmates were included in the agreement.

“The Delaware Department of Corrections should be commended for bringing correction facilities in Delaware into line with best practices regarding prison security and the treatment of the mentally ill,” said Kathleen MacRae, ACLU of Delaware executive director. “We understand that the hostage crisis and the death of Sgt. Floyd has been a traumatic experience for everyone associated with the DDOC. But the fact that the Correctional Officers Association of Delaware is making false claims about the terms of the agreement to attack DDOC, former-Commissioner Robert Coupe and Attorney General Matt Denn is troubling to say the least. As a result of mass incarceration policies, overcrowding and chronic understaffing have been known problems within the prison system for decades. It is utterly untrue and irresponsible for COAD to say that the settlement agreement turned control of our prison facilities over to inmates.”

Daniel Atkins, the executive director of CLASI, noted that “safe, humane, and well-staffed prisons that provide treatment and opportunities for rehabilitation are in everybody’s interests. The settlement agreement charted a path towards a much improved Delaware prison system that ultimately will enhance the safety of inmates, the people who work with them, and the public.”

Eldon Vail, former Secretary of the State of Washington Department of Corrections, said “Involving mental health professionals in the operation of correctional facilities improves security and makes the

facilities safer. When a prison has sufficient mental health staff dealing with inmate mental illness, correctional officers are better able to do their jobs. Jurisdictions around the country that have reformed solitary confinement and involved mental health professionals have seen the level of violence go down in their prison systems. Adequate mental health care in correctional facilities is also important to make our communities safer, because most inmates are eventually released.”

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