

LGBTQ Organizations Call for Swift Response to Address Devastating Prison Conditions Detailed in Justice Department Report

For Immediate Release:

November 19, 2020

Contact:

Michael Cox, Black and Pink Boston | paralegalmichaelcox@gmail.com | 617-992-6449

Amanda Johnston, GLAD | ajohnston@glad.org | 617-417-7769

On Tuesday, the U.S Department of Justice released a [blistering report](#) concluding that policies and practices of the Massachusetts Department of Correction (“DOC”) violate minimum constitutional standards for ensuring the mental health of those it incarcerates. The results of an over 2 year investigation show DOC personnel and policies placed individuals under mental health watch in solitary confinement (restrictive housing) wrongfully, repeatedly, and for prolonged periods of time. The report details the deadly consequences of DOC’s actions.

As organizations working on behalf of LGBTQ liberation in Massachusetts and nationally, we are keenly aware of the degrading and demeaning experiences suffered by members of our community held by DOC. The Commonwealth’s failure to provide for the most basic needs of those it locks up undermines social progress for the LGBTQ community and beyond.

The reality is that our community suffers disproportionately high rates of poverty, mental illness, substance use, and incarceration. This is particularly true for Black and Brown transgender women. When incarcerated, we are subjected to unsafe housing conditions, sexual violence and solitary confinement. This report should give us all pause to consider the role prisons play in society and whether they are capable of effectuating public safety for anyone.

The Justice Department’s report highlights the constitutionally deficient treatment of people in the care of the Massachusetts DOC, including a number of deaths by suicide, a transgender man and a gay man among them.

On June 21, 2019, a transgender man housed at MCI-Framingham died by suicide while confined to mental health watch, which is more restrictive and isolating than solitary confinement. The Justice Department found that DOC staff were aware that the individual had expressed suicidal ideation and that isolation would exacerbate this. Despite this, DOC kept him on mental health watch, even as he noticeably decompensated.

On October 29, 2019, a gay man housed at MCI-Shirley died by suicide. Records show he was “tormented” by guards and other incarcerated people for being gay. After receiving a negative parole decision taking away any hope of his release, his mental health deteriorated and he was placed on a mental health watch. Just one day after adjusting his mental health medication,

DOC staff released him from mental health watch and placed him in solitary confinement. The day before his death, his sister told the prison that her brother wrote informing her of his intention to kill himself. The following morning he was found dead in his cell with a ligature around his neck.

We demand that Governor Baker, the DOC, and the Legislature take swift action to address the findings in this report by:

- Implementing sweeping policy change to eliminate the practice of isolating people who are in a mental health crisis by placing them in solitary confinement or other demoralizing and degrading conditions. People experiencing a mental health crisis should be placed in a therapeutic environment that fosters stabilization, healing, and growth, not punishment and shame.
- Accountability must include discipline, up to and including termination of all persons who played a role in fostering the conditions that resulted in the constitutional deprivations found by the Justice Department. This should include all levels of DOC personnel or staff, including those who directly or indirectly encouraged self-harming behavior or ignored the serious medical needs of people experiencing a mental health crisis.
- Transparency and independent oversight must increase so that the community can properly monitor what happens to our family, friends, and neighbors while they are incarcerated. To advance this goal, DOC should eliminate unfair and burdensome charges for telephone usage currently in place that block communication between those who are incarcerated and their loved ones and advocates.
- District Attorneys and courts should avoid incarcerating people who live with serious mental illness. Prisons are incubators and accelerators of mental illness and offer little to no chance of rehabilitation. We would all be better served if those suffering from serious mental illness are in a community-based therapeutic environment that can address their underlying issues.
- At a bare minimum, DOC must be required to collect and report data on LGBTQ individuals held in solitary confinement and mental health watch.

The organizations signing onto this statement are:

Black and Pink Boston | GLBTQ Legal Advocates & Defenders | AIDS Action Committee
Bay State Stonewall Democrats | Boston Alliance of LGBTQ Youth | Boston Gay Men's Chorus
Fenway Health | JRI | Keshet | Massachusetts Commission on LGBTQ Youth
Massachusetts LGBTQ Bar Association | Massachusetts Transgender Political Coalition
MassEquality | National Center for Lesbian Rights | National Center for Transgender Equality
The Network/La Red | OUT MetroWest | OUT Now | SpeakOut Boston
Transgender Law Center

