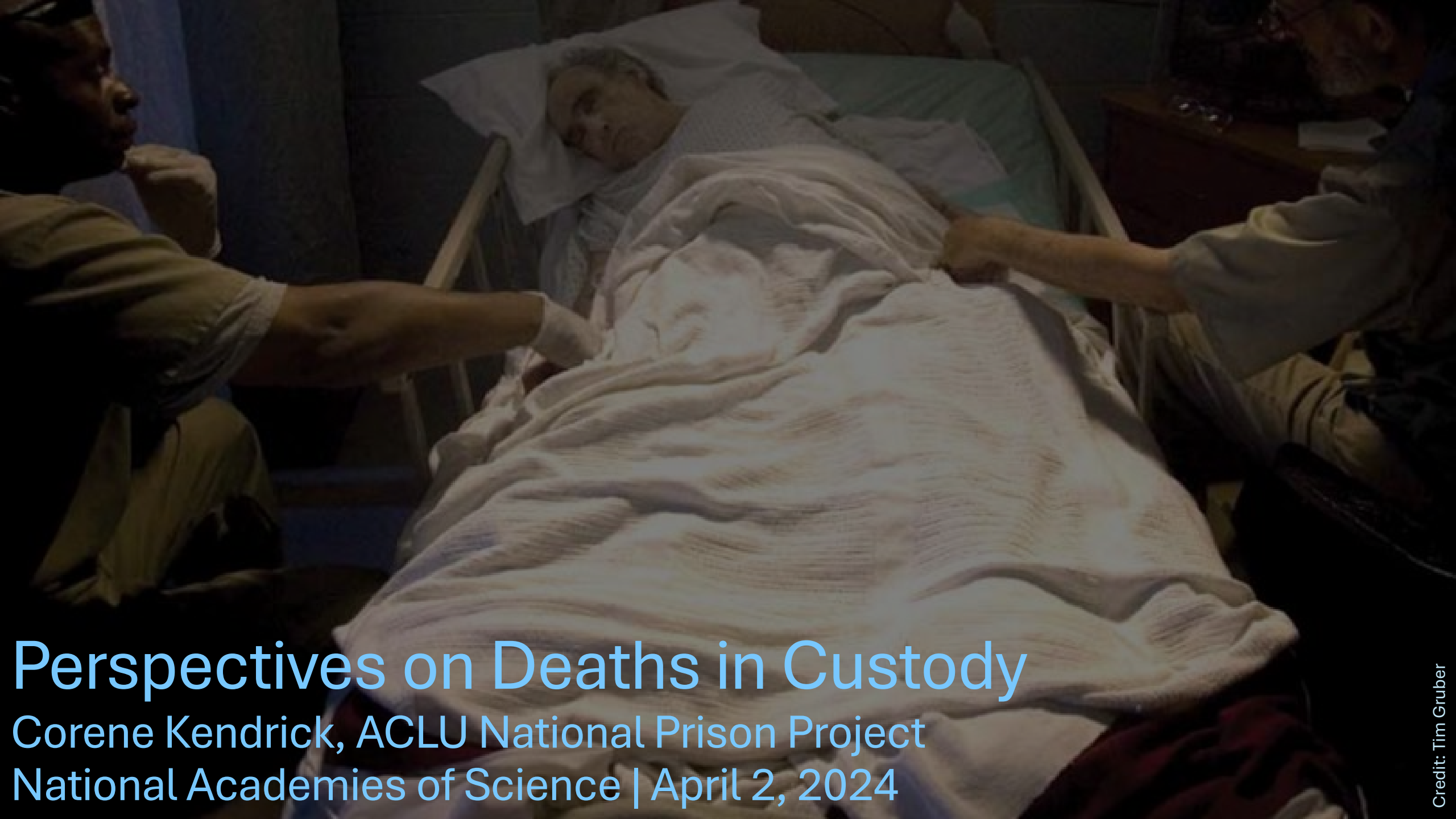


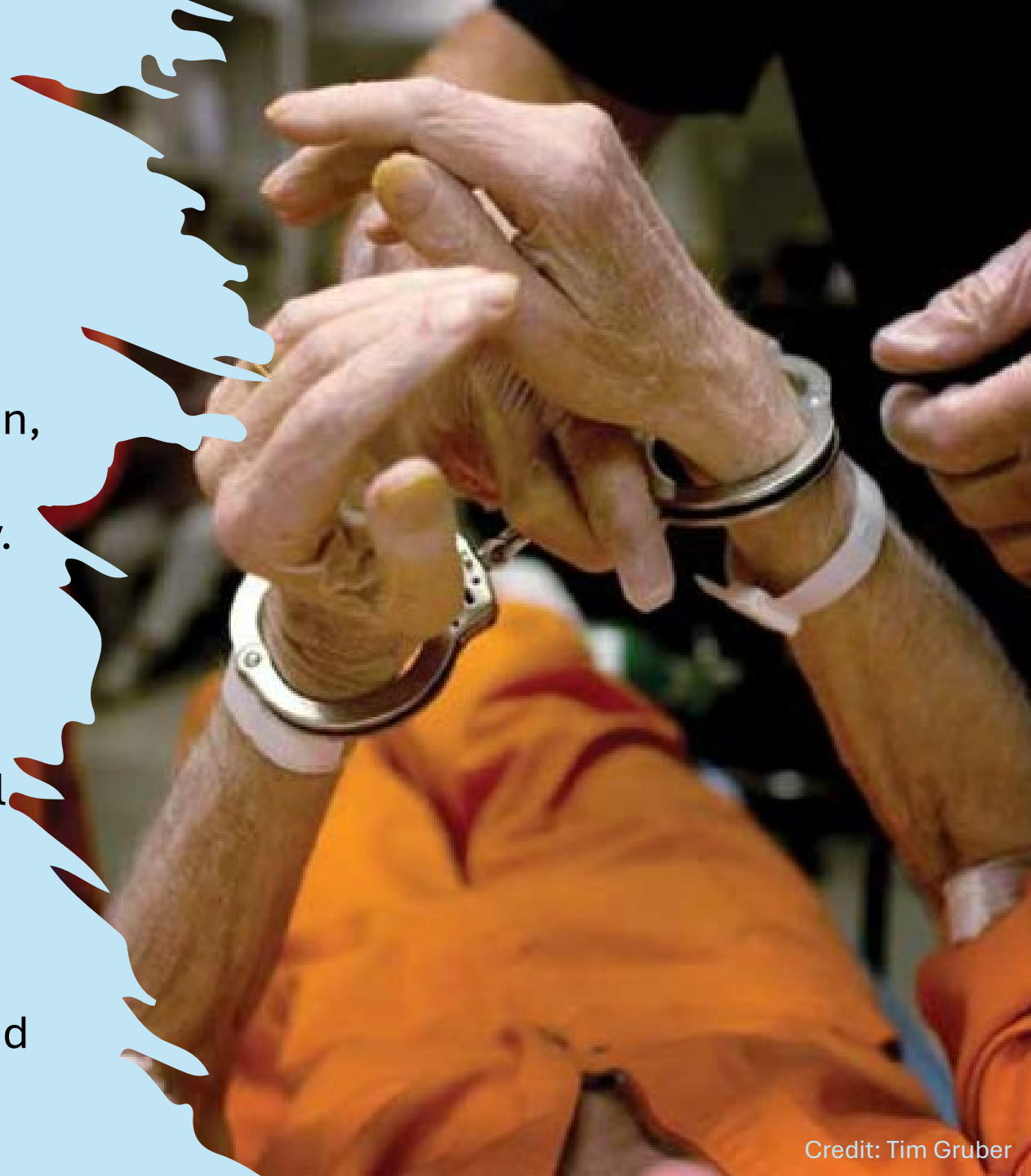


Perspectives on Deaths in Custody

Corene Kendrick, ACLU National Prison Project
National Academies of Science | April 2, 2024

ACLU National Prison Project

- Founded 1972, work across the US & territories.
- End policies that give the US the highest rate of incarceration in the world.
- Through litigation, advocacy, and public education, we fight for conditions of confinement that are consistent with health, safety, and human dignity.
- Conditions litigation against federal & state prisons, jails, ICE detention facilities, juvenile facilities; FOIA.
- Incarcerated people should retain the rights of all persons, incarceration is a very last resort and should focus on rehabilitation and release.
- Reclaim and frame the narrative of mass incarceration, to center the inherent humanity and dignity of incarcerated people.





Aging in Prisons

- In 1981, there were fewer than 9,000 incarcerated people nationwide age 55 or older. By 2022, it was close to 200,000.
- By 2030, it will be almost 400,000 – or more than one-third of the entire prison population nationwide.
- This will be a 4,400% increase over 50 years.
- More people aging in prisons = more people dying in prisons.

Credit: Ron Levin



Disabilities and Mass Incarceration

- 15% of incarcerated people report at least one physical disability: ambulatory (12%), vision (12%), hearing (10%). Cognitive disabilities affect almost a quarter of incarcerated people (23%), See <https://bjs.ojp.gov/content/pub/pdf/drpspi16st.pdf>.
- 40-50% of people in prisons and jails have a mental illness or disorder
- 1 in 4 people in jails report experiencing serious psychological distress; the top cause of death in local jails is suicide
- 66-75% of people in state / federal prisons report not receiving mental health care while incarcerated
- Incarceration (especially in solitary confinement) exacerbates mental health conditions

Unconstitutional Prison Medical Care



Unconstitutional Prison Mental Health Care



Treatment of People in Suicide Watch



Isolation Conditions: Lack of Mental Health Care



Prison Solitary Conditions: Harsh and Unhygienic



Prison Isolation Conditions: Outdoor “Recreation”





COVID-19 in Prisons



Social Distancing Is Impossible







Incarcerated People Near Death Await Arizona Gov. Ducey's Signature For Release

By **Jimmy Jenkins**

Published: Thursday, March 26, 2020 - 1:48pm

Updated: Wednesday, April 8, 2020 - 11:26am



Deaths in Jails and
Detention Centers



INDIANA JAIL LET MAN WITH SCHIZOPHRENIA STARVE TO DEATH IN SOLITARY, LAWSUIT ALLEGES

Graphic video footage obtained by The Appeal shows 29-year-old Joshua McLemore wasting away and rolling in his own waste in the Jackson County Jail before eventually dying of malnutrition.



Lashawn Thompson was slumped over in a cell at the Fulton County Jail in Atlanta when a detention officer came to check on him in September. The cell was so dirty that a worker who entered it wore a safety suit designed to protect from hazardous materials, according to jail records.

Officers were unable to resuscitate Thompson in the cell, where he'd been held for around three months. An autopsy could not determine his cause of death, but the report described an "extremely severe" infestation of small insects across Thompson's body. His face, upper and lower extremities were pockmarked with cuts and lesions from repeated skin-picking, the report said.

But to Thompson's family, the cause of his death is clear.

Thompson was "eaten alive" by insects and bed bugs, Michael Harper, an attorney for Thompson's family, said in a news release Wednesday. The release, accompanied by jail records and graphic photos of Thompson and his cell, called for a criminal investigation into the 35-year-old man's death and for the Fulton County Jail to be shuttered and replaced.

'Can you help me, please?' Ta'Neasha Chappell begged for medical aid before her jail death



Tessa Duvall

Louisville Courier Journal

Published 8:49 a.m. ET Jan. 21, 2022 | Updated 1:19 p.m. ET Jan. 21, 2022



San Francisco Chronicle

e-Edition

Account

CALIFORNIA

Its patients are 'literally a captive market.' Is this California health care giant failing them?

Tracking the Deaths in New York City's Jail System

Another man died after being held on Rikers Island, the ninth death in the city's jail system this year. Last year was the deadliest in nearly a decade.

'He didn't have a fighting chance': Questions surround killing of deaf man in Baltimore jail

Ben Conarck 10/18/2022 6:24 p.m. EDT

Mentally ill inmate tased, frozen to death in Alabama jail, suit alleges

Updated: Mar. 14, 2023, 11:09 a.m. | Published: Feb. 13, 2023, 6:51 p.m.

Jails Health Provider Sued After Inmates Left Dead and Disabled

Turn Key Health Clinics, criticized for its staffing levels, has been sued at least 160 times since 2015.

Published Apr 14, 2023 at 5:00 AM EDT

N NEWSWEEK MAGAZINE

Starved to Death in an American Jail, the Man Who Couldn't Pay \$100 Bail

BY ERIC FERKENHOFF ON 01/13/23 AT 1:19 PM EST

'Even when we did everything right, the person still died': Tarrant County sheriff defends jail after spike in deaths

The death of Chasity Congious' baby Zenorah and others have put the jail and Tarrant County Sheriff Bill Waybourn under the microscope.



Hidden Deaths in Detention

Los Angeles Times

No such information has been posted about Wilson because neither the Sheriff's Department nor the Department of State Hospitals has assumed "custodial responsibility." In other words, both agencies contend he was in the custody of the other when he died.

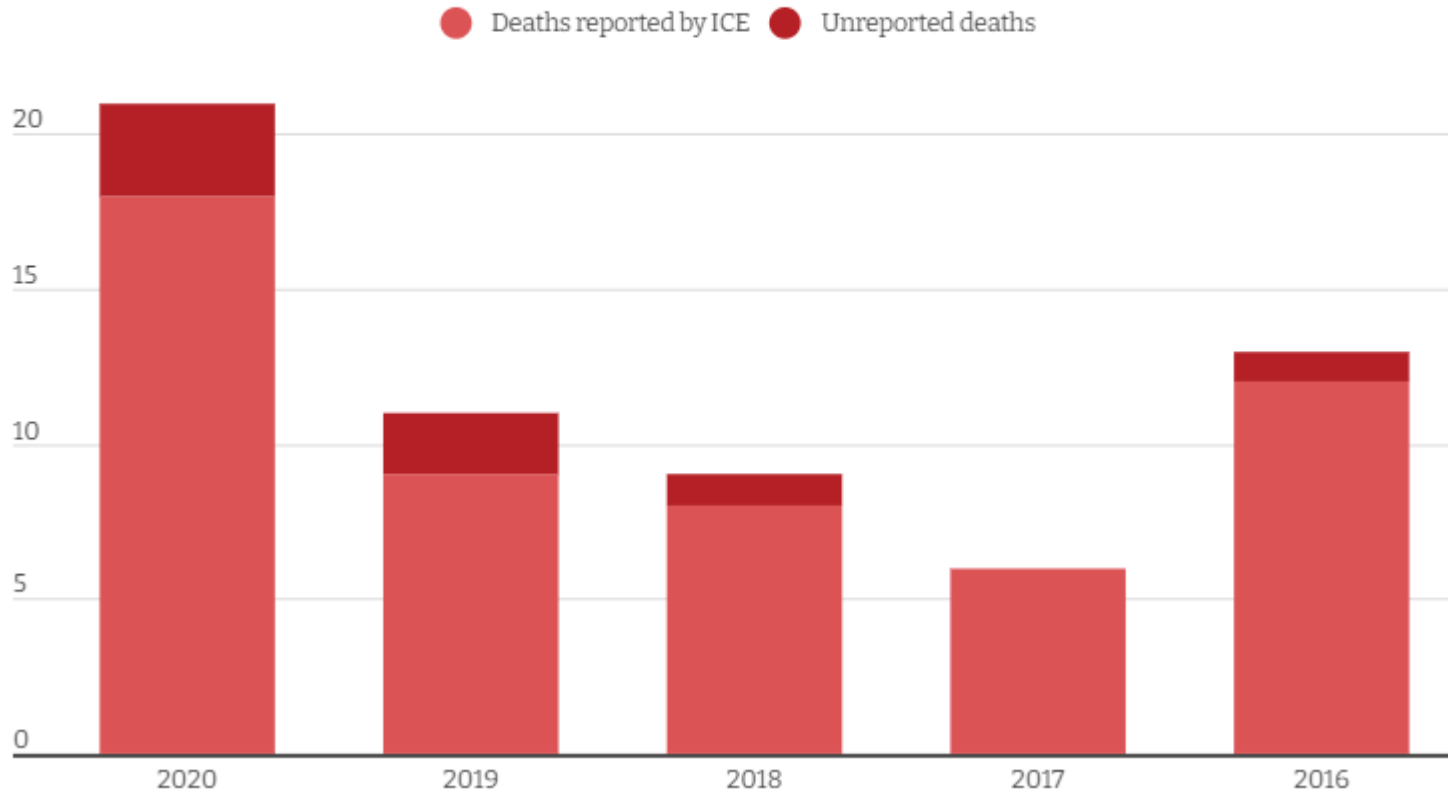
Exasperated by their search for answers, Wilson's parents filed a wrongful death lawsuit against the Sheriff's Department, the Department of State Hospitals and L.A. County in September, seeking \$45 million.

"They didn't count a person who was a Stanford graduate and an NFL player, so they must not be counting somebody dying in custody who was homeless, somebody estranged from their family, somebody they might think isn't worthy of being counted," said Wilson's mother, [Pulane Lucas](#). "I hope his circumstances can shed light on all the others who are uncounted."

ICE released a sick detainee from Adelanto immigration facility. He died three days later

Reported deaths don't reflect illnesses before release

Advocates contend that reports from ICE of immigrant deaths don't reflect those who died shortly after being released from U.S. custody. And, in some cases, families of immigrants say their loved ones did not receive proper care while in detention.



Source: U.S. Immigration and Customs Enforcement

‘DYING IN SILENCE’



Otay Mesa Detention Center in San Diego, California. Johana Medina Leon, a transgender detainee, died soon after being released from here and hospitalized in 2019. (BBC World Service)

Families, activists, ACLU question ICE's accounting of deaths in detention.

By Grace Vitaglione and Sammy Sussman

“U.S. Immigration and Customs Enforcement, mandated by federal law to publicize and investigate the death of every detainee in its care, has been using a loophole to avoid full accountability.”

The Investigative Reporting Workshop found that ICE underreported fatalities by releasing sick inmates to hospitals, where some died shortly afterward.”

<https://archive.investigativereportingworkshop.org/investigation/dying-in-silence/>

DOJ Refuses to Release Death in Custody Data

DEATH SENTENCE

Why 4,998 died in U.S. jails without getting their day in court

The U.S. government collects detailed data on who's dying in which jails around the country – but won't let anyone see it. So, Reuters conducted its own tally of fatalities in America's biggest jails, pinpointing where suicide, botched healthcare and bad jailkeeping are claiming lives in a system with scant oversight.

By [PETER EISLER](#), [LINDA SO](#), [JASON SZEP](#), [GRANT SMITH](#) and [NED PARKER](#)

Filed Oct. 16, 2020, 11 a.m. GMT



Congress passed the Death in Custody Reporting Act to lift the veil of secrecy on a pattern of deaths in prisons and jails.

Biden's Justice Department should be committed to transparency, not relying on far-fetched arguments about why they shouldn't have to hand over public records critical to understanding how deep this problem goes.



Ethan Corey @EthanSCorey · Mar 18

The U.S. Department of Justice just filed a motion for summary judgment opposing @USATODAY's efforts to obtain prison death data submitted by state governments under the Death in Custody Reporting Act (DCRA), arguing that the public has no right to access this information. 📄

[Show this thread](#)

10:19 AM · Mar 19, 2024 · 52.7K Views



“Prisoners are persons whom most of us would rather not think about. Banished from everyday sight, they exist in a shadow world that only dimly enters our awareness.... When prisoners emerge from the shadows to press a constitutional claim, they invoke no alien set of principles drawn from a distant culture. Rather they speak the language of the charter upon which all of us rely to hold official power accountable. They ask us to acknowledge that power exercised in the shadows must be restrained at least as diligently as power that acts in the sunlight.”

O’Lone v. Shabazz, 482 U.S. 342, 354 (1987) (Brennan, J., dissenting).

“A visit to most prisons will make you a zealot for prison reform.”

Pell v. Procunier, 417 U.S. 817, 830 n.7 (1974) (quoting Burger, C.J.)

“While there is a soul in prison, I am not free.”

Eugene V. Debs, Statement to the Court, Sept. 18, 1918