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# Prison mental health on trial

## Prison culture, staff shortages blamed for problems

By [Megan Swett \(by-author-957-1.html\)](http://illinoistimes.com/author/957-1.html)



Pontiac Correctional Center

Care for the mentally ill in Illinois prisons may not be ideal, but it isn't so bad that it violates constitutional guarantees against cruel and unusual punishment, according to the Illinois Department of Corrections and the company that provides care under a state contract.

That's the crux of the state's effort to refute arguments by lawyers for inmates who claim that the state has violated terms of a 2015 settlement agreement designed to improve care for the mentally ill in state prisons.

Under federal law, the plaintiffs must prove that the state, and by extension the company that provides care to inmates, has been "deliberately indifferent" to the needs of prisoners. In layman's terms, it means that the accused knew there was an issue but didn't do much, if anything, to address it.

It's regarded as a high hurdle, which plaintiffs say they've more than met in the course of a lawsuit filed to force the state to make improvements. The state and Wexford Health Sources, which provides health care to inmates via contract, disagrees, saying that steps taken to improve substandard care shows that no one turned a blind eye to the plight of hundreds of inmates whom everyone acknowledges haven't received the care that they should.

"We only have a finite number of psychiatric providers," Elaine Gedman, executive vice president and chief administrative officer for Wexford, said last week during a Peoria hearing before U.S. District Court Judge Michael Mihm, who reserved rendering a decision until sometime after April 6, when the parties must submit summaries of legal arguments. "And in corrections, you can't just go out and grab someone. There's a clearance process."

Gedman's testimony came after the plaintiffs in December presented their case, calling witnesses who testified that mental health care in state prisons is a disaster and that seriously ill inmates are routinely kept in isolation cells, strapped down to beds. The state did not present its case at that time and was granted leeway to call its own witnesses last week.

Gedman told the court that it takes as long as six months for the "clearance process" to be completed, and so data on staff shortages documented during December's hearing could be outdated. Harold Hirshman, an attorney for inmates, leaped.

"There has not been a single year since 2014 that Wexford has provided the number of psychiatrists required, correct?" the lawyer asked.

"Correct," Gedman answered.

While focus is shifting to care and rehabilitation, Gladys Taylor, a Department of Corrections assistant director who oversees mental health services, testified that the culture of the department is old school. "Historically, the department has focused on security," she told the court.

It can be a vicious cycle, according to testimony by Sandra Funk, chief of operations for the department of corrections. Pablo Stewart, a psychologist appointed by the court to monitor care for inmates, testified in December that the prison system for mentally ill inmates is in crisis, with care so poor that inmates are suffering real harm. Mentally ill inmates who need treatment are prone to act up, which results in being placed in isolation cells where symptoms of mental illness worsen and appropriate care isn't available.

"So, when somebody acts up during treatment, their punishment is no more treatment?" Hirshman asked.

"Yes," Funk responded.

A lack of bed space for mentally ill inmates is an issue. Marcus Hardy, an assistant director to corrections director John Baldwin, said that the state is taking steps to improve facilities. Construction of treatment centers for the mentally ill are underway at three prisons, including Pontiac Correctional Center, Dixon Correctional Center and Logan Correctional Center in Lincoln. The projects, which collectively cost \$21.5 million, are scheduled for completion in May, Hardy testified.

But staffing, not buildings, is the biggest challenge in providing treatment for mentally ill inmates, according to testimony last week.

At Pontiac Correctional Center, 328 inmates with mental health issues didn't receive the care they were due within timeframes set by the settlement agreement, Amy Cantora, medical quality assurance coordinator for Wexford, testified. Some had waited longer than 60 days to see mental health care providers. Pontiac inmates had the longest lag time to see a psychiatrist or other mental health professional, according to Cantora's testimony.

Still, more than 1,000 inmates with mental health issues haven't been seen by psychiatric providers, according to testimony last week.

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