

Lois DeMott 3938 Hunters Ridge Drive Lansing, MI 48911 269-986-2437
Co-Founder, Citizens for Prison Reform P.O. Box 80414 Lansing, MI 48909
Association for Children's Mental Health, Administrative Assistant

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Dear Chairman Durbin and Ranking Member Graham,

I thank you for holding this hearing on the matter of solitary confinement within the U.S. My name is Lois DeMott. I am the mother of a 20-year old son, who has had significant mental illness that became prevalent around age 4. Kevin entered adult prison at the age of 15. I have attached documents and articles to back my testimony.

The judge stated at sentencing that our son "would get the mental health help he needed" in prison. Kevin has received anything but the mental health help he has needed within this system. He has acquired severe Post Traumatic Stress Disorder, among many other new challenges. His minimum sentence was five months to one year. Now, five years later, he remains in prison, due to his mental illness and inability to cope or conform within this system.

Kevin's crime was attempted armed robbery. He had a toy gun and was threatened by drug dealers at the age of 13 to hold up a pizza joint. He ran out scared and took no money, but he was the only one sought out and caught for this crime.

Within seven months of his time in prison he had deteriorated and was waived into the psychiatric prison with the most mentally ill adults. There, because of his age, my lack of knowledge as to his rights, and to my legal rights as his guardian, he spent months caged like an animal. This is what the Michigan Department of Corrections considers "sight and sound protection," yet he could hear and see the adults around him. He was kept in cell for 24 hours a day, including meals, and was frequently without time outside for fresh air or yard break. When he got phone time, he would cry and relay what he was seeing. It was devastating. There was little I had control over but to advocate the best I could.

In this segregated, supposedly safe environment what he and other youth saw was most horrendous. He saw adults who were chained to beds 24/7 for months, allowed up only to use the bathroom. He saw men who had cut open their stomachs and were playing with their intestines, and many other horrendous sights. What he saw and experienced, no 15-year old should ever be exposed to. Nor should this be the treatment of our mentally ill in the United States, nor of any human being, for that matter.

In Michigan, age 17 is the age at which one is considered an adult criminally, but as you well know, children may be sentenced at a much younger age, even to life in prison without the chance of parole. Children are not adults. We need to mandate nationwide change.

The prison where all youthful offenders go in Michigan now has created a "Behavior Modification Unit" for young prisoners. In this unit they are kept in solitary confinement for 30, 60, 90 or more days at a time. They are not allowed a phone, radio, or any positive outlets to cope except for limited materials from their property. They are not allowed contact visits with loved ones. They still are operating under adult policy and procedures, and no consideration is given to their brain development or need for mental health treatment as children. I classify this as cruel and unusual punishment.

Kevin had an extreme breakdown, and was then sentenced into administrative segregation, or long-term solitary confinement. I have his records. He repeatedly states to mental health workers that he is becoming more depressed. The psychologist states he is not coping with solitary confinement. He has severe depression and is suicidal, and cutting himself. Yet it is continually recommended he remain in solitary. His treatment plan states that being kept in isolation is a major stressor for him. Further, it recommends participation in mental health groups. Despite this, he was kept in his cell all but for **three 10 minute showers per week.**

We arrived for one visit to find him suicidal and telling us he could not go on living. He had been "hog-tied" numerous times - on one occasion for 18 hours. He defecated and urinated on the cell floor because he could not get on the toilet. His electricity was shut off, he had no mattress, and he had not gotten his mail in weeks. The list of violations goes on, documented by

the Recipient Right's Specialist. Kevin was punished for banging his head on the wall after going stir-crazy, chained to a cement slab, and was written three tickets from which he is currently serving months of loss of privileges. Prisoners are often given tickets or misconducts for attempting suicide or for hurting themselves. *Would you call this treatment for mental illness?* I question how this method of correcting behavior is making our public any safer upon a prisoner's release back to our communities after receipt of such abuse and neglect.

My son has spent a total of 13 months in solitary in the last 2 years. Because this system is so "walled off" and misuse of power is rampant within - particularly even more so in these segregation units - prisoners are subjected to heaped on abuse and punishment. They frequently go weeks without showers, or a change of clothes (if they even get clothes). Meals are often withheld, and this is proven by my son's 20-25 pound weight loss during both periods of solitary confinement. He is thin. Prisoners are taunted and treated as subhuman. They are denied medical care, necessary medications, live in total darkness and often either in extreme cold or extreme heat with no window, and food slots are kept shut on their steel doors. One of my son's hardest adjustments was to the level of noise around him. He had to be medicated to sleep at times. If they are fortunate, they get three allotted 10-minute showers per week. This is the only other environment they experience. Again, they have no phone contact, and shortened visits through glass talking on a telephone - that is, if they are lucky enough to have anyone visit them at all.

Our family recently experienced having to drive seven hours one way for such a two hour visit, and the phones did not work well. We made sure he got all of his four visits a month, because it was our only way to give him hope, and to learn of his mental state and treatment. I truly believe far too many are dying in these conditions, and it is kept hidden, as they have no one watching out for them. I ask, *how is this system being punished for the way it has dealt with the children and numerous adult prisoners kept in solitary confinement?* As my brother states, "If I were found treating my cattle like this, I would be prosecuted and put in prison."

Recently I had a profound thought cross my mind: "I committed a crime, so you locked me up and then you committed crimes against me."

After seeing my son and many others languish in horrific conditions in solitary confinement for months, family, friends and prisoner families formed Michigan Citizens for Prison Reform in January of 2011. We are working to break the stigma of loving a prisoner, and to get prison families to stand up and be heard, considered and respected. We are working to educate, support and unify families and citizens as to why these methods of treatment are a waste of our tax dollars, and of highest cost within these systems in numerous ways. We are working diligently to bring an end to solitary confinement with our state as it is being used today.

I would like to make a few recommendations:

- Juvenile laws need to be changed, enacted and upheld to protect young children from being put in adult jails and prisons. The recent PREA Act is a step in the right direction, but how will it be implemented and how will accountability brought?
- Restorative Justice practices should be enacted on the forefront, and within the prison system nationwide.
- Prisons should be overseen by commissions, and communities need to be given access to prisons to bring necessary oversight and accountability.
- States need to be required to provide rehabilitation to all prisoners. Warehousing these people at the expense of taxpayers does not make our public any safer upon their release, nor does it help them become successful contributing citizens.
- We must find an appropriate way to care for the mentally ill and severe medically ill, and it is *not* within the prison system.

Thank you for allowing me to share my personal experiences and story of how I learned of this system, and what I have gleaned from this horrific experience. My hope is you will work diligently to bring change to the issue of mass incarceration, and immediately work to bring changes to the use of solitary confinement in the U.S. I thank you for your work and service.

Lois DeMott

Prison Mother and Advocate

Co-Founder Citizens for Prison Reform