

**Testimony before the Judiciary Committee on**

**Raised Bill No. 6987: An Act Concerning the Rights of Inmates with Mental Illness**

By Roger C. Vann, ACLU of Connecticut  
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Thank you Senator McDonald, Representative Lawlor, and members of the Judiciary Committee. My name is Roger Vann. I am the Executive Director of the ACLU of Connecticut.

The ACLU of Connecticut generally supports Raised Bill No. 6987 except for any portions that conflict with settlement agreements that resolved cases we brought in federal court. There are currently agreements in two cases involving mental health care in Connecticut prisons.

The consent judgment in West v. Manson was entered by the court in 1987 – twenty years ago. It is a lengthy judgment setting forth basic standards for mental health care of inmates at what was at the time the Connecticut Correctional Institution at Niantic. It provides for periodic monitoring of compliance with the judgment by independent mental health experts. The judgment continues to apply to the Janet S. York Correctional Institution. In fact, the monitoring panel filed its most recent report with the Court last month. This judgment is still effective because the Court has never been satisfied that its terms have been met for any appreciable length of time. The state of mental health care at York CI is currently at a particularly low point.

The settlement agreement resolving the case of Office of Protection & Advocacy et al. v. Choinski was approved by the General Assembly in 2004. It is also a lengthy agreement that sets forth a standard of mental health care and disciplinary treatment of inmates at Northern and Garner Correctional Institutions. It also provides for monitoring by outside mental health experts. The Raised Bill contains many of the provisions from this settlement agreement.

From this vantage point, we see that the state of mental health care in our prisons is deteriorating. Thus, we support any law that provides adequate mental health care for people housed in Connecticut prisons. However, we are unable to support any parts of the Raised Bill that conflict with the West consent judgment or the OP&A settlement agreement. As written, there is one possible conflict. The West consent judgment provides that psychotropic medication can be initiated, discontinued and changed only by order of a psychiatrist. Therefore, we do not support the part of the Raised Bill that provides for a prescription for psychotropic medication upon an interview by an advanced practice registered nurse.

The ACLU of Connecticut supports Raised Bill No. 6987 except for any portions of the Bill that conflict with the consent judgment in West v. Manson or the settlement agreement in Office of Protection & Advocacy, et al. v. Choinski.