



Legislation Text

File #: Res 0416-2024, **Version:** *

Res. No. 416

Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.3103-B/A.6058-A, to require mental health services for incarcerated individuals with mental health issues related to the trauma of incarceration.

By the Public Advocate (Mr. Williams) and Council Members Restler and Cabán

Whereas, Incarcerated individuals are housed in jails and prisons where they experience overcrowding, solitary confinement, routine exposure to violence, and mental trauma while disconnected from support systems such as family, friends, and other communities; and

Whereas, According to the Prison Policy Initiative, a non-profit organization advocating against mass criminalization, exposure of incarcerated individuals to violence and other common conditions in jails and prisons can exacerbate their existing mental health disorders and lead to their development of post-traumatic stress symptoms such as anxiety, depression, hypersensitivity, hypervigilance, suicidality, flashbacks, and difficulty with emotional regulation; and

Whereas, The Prison Policy Initiative theorizes that incarceration can lead to post-incarceration syndrome, a syndrome similar to post-traumatic stress disorder whereby individuals continue to suffer mental health effects related to their incarceration after serving their official sentences; and

Whereas, The Urban Institute, a non-profit research organization advocating for upward mobility and equity, posits that women are the fastest-growing incarcerated population in the United States and that many will experience violence, abuse, and trauma during their term of incarceration; and

Whereas, According to a study conducted by the Vera Institute of Justice and Black and Pink National

from 2019 to 2022 involving transgender individuals incarcerated in state prisons, transgender people are especially at risk for contact with the criminal justice system and half of the individuals surveyed reported that their mental health deteriorated during their period of incarceration; and

Whereas, The Vera Institute of Justice argues that resources and treatment options within jails and prisons to help incarcerated individuals manage their mental health after release are woefully inadequate, even though according to the United States Department of Health and Human Services more than 600,000 incarcerated individuals are released from state and federal prisons each year while another 9 million incarcerated individuals cycle through local jails; and

Whereas, The Prison Policy Initiative reported in 2022, based on a survey conducted by the Bureau of Justice Statistics of the United States Department of Justice in 2016, that over 50 percent of individuals incarcerated in state prisons reported mental health problems but only 26 percent of these individuals received mental health treatment since entering prison; and

Whereas, The New York State Department of Corrections and Community Supervision (DOCCS) manages two prisons within New York City, Edgecombe Residential Treatment Facility in Manhattan and Queensboro Correctional Facility in Long Island City; and

Whereas, S.3103-B, introduced by New York State Senator Jabari Brisport and pending in the New York State Senate, and A.6058-A, introduced by New York State Assemblymember Michaelle C. Solages and pending in the New York State Assembly, seek to require mental health services for incarcerated individuals in DOCCS custody with mental health issues related to the trauma of incarceration, in part involving inclusion by DOCCS of mental health reentry services in the transitional accountability plan for each person within DOCCS custody and provision by DOCCS of supportive services for incarcerated individuals upon release who received trauma intervention while in DOCCS custody; and

Whereas, The New York City Council believes that the provision of adequate mental health services to individuals who have endured the traumas of incarceration is essential during and after incarceration, particularly supporting S.3103-B/A.6058-A because there are incarcerated individuals in DOCCS custody residing in state prisons located within New York City; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, S.3103-B/A.6058-A, to require mental health services for incarcerated individuals with mental health issues related to the trauma of incarceration.

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