



THE ANTI-TORTURE BILL

Prevent Correctional Abuse by Promoting Healthcare Ethics

A.04863 Kelles/S.03228 Hoylman-Sigal

From the inside...

"As our team looked in on the bloodied, agonized face of the person inside the cell, I had an awareness that far from the idealistic student I'd once been, I was now a monitor of human suffering."

-Mary B., LCSW
Former Assistant Chief of Mental Health, Rikers Island, Punitive Segregation Unit

"I never went to healthcare staff for anything. They weren't to be trusted. They weren't like doctors on the outside. They were 'one of them.'"

-Victor P.,
Formerly incarcerated person and solitary survivor

"I was not only a witness, but an accessory to human torture. I had no recourse, no one to report the abuse to, and no protection..."

-Mary G.,
Former jail employee and behavioral social worker

Brutality and abuse of incarcerated individuals inside New York State's correctional facilities is undeniable and pervasive. The physical and psychological consequences of such abuse can be severe, permanent, and potentially fatal.

Corrections-based healthcare practitioners, a quiet but critical jailhouse presence, are often witnesses to this abuse and/or its resulting injuries. When faced with such brutality, their ethical obligation to report it seems obvious and simple. Yet, all too often these doctors, nurses, pharmacists, social workers, and psychologists are subject to workplace coercion, with feelings of powerlessness and fears of reprisal compromising their ability to respond in accordance with their Codes of Ethics.

The Anti-Torture Bill addresses this dilemma by legislatively prohibiting healthcare professionals from participating in torture and improper treatment of incarcerated people; furthermore they would be required to report such abuse. This bill would provide needed workplace protection for these workers, ensuring they may safely practice in accordance with their Codes of Ethics — ultimately protecting the vulnerable patients they are committed to treating.

WHAT DOES THIS LEGISLATION DO?

- Provides a lawful means by which healthcare professionals can refuse any directives to participate in mistreatment and torture
- Strengthens New York State's newly passed HALT Act, which restricts solitary confinement to 15 days
- Protects against retaliation in and outside correctional facilities, as it would be understood by the host agency that healthcare practitioners must follow the law or potentially lose their license

WHY IS THE ANTI-TORTURE BILL IMPORTANT?

- Accounts of mistreatment inflicted on the 91,000 people incarcerated in New York are all too common
- Societal costs, both in terms of individual suffering and the dollar amounts for ensuing legal actions, are enormous
- Unfettered violence has a toxic effect on the work environment and morale of staff in correctional settings
- Removes a central ethical tension for healthcare workers, who are guided by the principle "First, do no harm"
- Protects the well-being and inherent dignity of some of society's most vulnerable citizens
- Maintains the inherent dignity of the Helping Professions

Torturous practices such as prolonged solitary confinement can only operate with the complicity of health professionals, who treat people for mental illness, assess suicide risk, and tend to the wounds resulting from the self-injurious behavior, or mistreatment, often seen in these units.

GET INVOLVED

www.antitorturebill.org

swasc999@gmail.com