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The Urgent Issue of Suicide in NYC Jails

Half of the people currently detained in New York City jails have a mental health diagnosis.[1] Since 2020, the number of incarcerated people with a serious mental illness in New York City jails has nearly doubled—from 672 to 1,207 people.[2] The medical support offered to those in jail suffering from mental illness, however, has not seen corresponding growth.[3] The number of medical appointments missed by those incarcerated in New York City is staggering: “the monthly number of missed medical visits has spiked by 21%, from 9,259 in August 2022 to 11,176 in June 2023, outpacing growth in the jail population.”[4] There is a clear need for adequate mental health care in New York City’s jails that has been going unmet, and people are dying in the meantime.[5] In an article for the New York State Bar Association, Patricia Warth, director of the New York State Office of Indigent Legal Services, noted that “[t]he suicide rate in New York’s prisons is now at historically high levels, and often higher than the national prison suicide rate.”[6]

Being incarcerated while mentally ill, especially without proper medical supervision, can be a death sentence for some individuals.[7] Dashawn Carter’s tragic death provides a telling example.[8] Carter, a 25-year-old from Staten Island, had been incarcerated at Rikers Island for charges relating to three separate burglaries dating back to 2018.[9] While incarcerated at Rikers, he missed a total of 92 medical appointments; he also struggled to get his psychiatric medication while awaiting trial.[10] On May 7, 2022, Carter took his own life while at Rikers just two days after he returned from a state psychiatric hospital.[11] He hanged himself with his bedsheets from bars in a cell designed for the general population—even though he had a history of mental illness.[12] Carter’s story is unfortunately common; he was one of 19 people in total who died in New York City jails in 2022.[13]

Even with proper medical care, it would be difficult for someone with a significant mental health issue to get healthy while in jail.[14] Bronx Defenders’ senior policy social worker Julia Solomons commented that for people with a mental health issue, “[t]heir conditions are made worse while they’re incarcerated . . . [a]nd they’re not only not receiving the medical and mental health services that they need, but they’re also confined, they’re surrounded by conflict and violence.”[15] Looking more specifically at Rikers, New York City Councilmember Carlina Rivera stated that there are “historical levels of violence and death on Rikers.”[16] Judge Laura Taylor Swain—who is presiding over a case that could strip New York City of its authority over Rikers—wrote that “[t]he people incarcerated at Rikers are at a grave risk of immediate harm.”[17] There were 479 fights recorded in just one month at Rikers in 2023.[18] When people struggling with their mental health are surrounded by violence and stripped of medical support, it is hard to imagine any incarcerated individual with a mental health issue making any sort of improvement while in jail.

Currently, there is a big question about who will be responsible for the health and safety of the people incarcerated on Rikers Island. Recently, the Legal Aid Society sued New York City Health and Hospitals, “asking Correctional Health Services (CHS) to disclose how often it cancels medical appointments due to the Department of Correction not delivering a detainee.”[19] Judge Laura Taylor Swain, the chief judge for the Southern District of New York who is presiding over the case, has started the process of shifting control over Rikers away from City Hall and into federal control.[20] Judge Swain stated, “Although some progress is being made, it is not being made at a rate that is commensurate with the perils that are presented.”[21] The outcome of this case will impact the 1200+ individuals struggling with mental health issues while behind bars at Rikers; hopefully, it will provide a path forward toward more effective mental health care for the incarcerated.

- [1] OFFICE OF THE NEW YORK CITY COMPTROLLER, *THE STATE OF NEW YORK CITY JAILS 2* (2023), available at <https://comptroller.nyc.gov/reports/the-state-of-new-york-city-jails/>.
- [2] *Id.* at 3.
- [3] Reuven Blau, Demand Grows to Make Rikers Island Death Reports Public, *THE CITY* (Aug. 28, 2023), <https://www.thecity.nyc/2023/08/28/demand-rikers-death-reports-public-rivera/>.
- [4] *Id.*
- [5] Jan Ranson & Jonah E. Bromwich, *Tracking Deaths in New York City's Jail System in 2022*, *N.Y. TIMES* (Nov. 4, 2022), <https://www.nytimes.com/article/rikers-deaths-jail.html>.
- [6] Patricia Warth, *Unjust Punishment: The Impact of Incarceration on Mental Health*, *N.Y. STATE BAR ASS'N* (Dec. 5, 2022), <https://nysba.org/unjust-punishment-the-impact-of-incarceration-on-mental-health/>.
- [7] *See infra* note 8.
- [8] Reuven Blau & Rosa Goldensohn, *Dashawn Carter Missed Nearly 100 Clinic Appointments at Rikers Before Dying, Records Show*, *THE CITY* (July 24, 2022), <https://www.thecity.nyc/2022/07/24/dashawn-carter-missed-clinic-rikers-island/>.
- [9] *Id.*
- [10] *Id.*
- [11] *Id.*
- [12] *Id.*
- [13] Jay Ransom & Jonah E. Bromwich, *Tracking the Deaths in New York City's Jail System*, *N.Y. TIMES* (Oct. 19, 2023), <https://www.nytimes.com/article/rikers-deaths-jail.html>.
- [14] Blau & Goldensohn, *supra* note 8.
- [15] *Id.*
- [16] Blau, *supra* note 3.
- [17] Reuven Blau, *Judge Says 'Transformative Change' Needed, Laying Groundwork for Possible Rikers Takeover*, *THE CITY* (Aug. 10, 2023), <https://www.thecity.nyc/2023/08/10/rikers-takeover-judge-receiver/>.
- [18] *THE STATE OF NEW YORK CITY JAILS*, *supra* note 1.
- [19] Reuven Blau, Legal Aid Sues to See Canceled Jail Medical Visits Info, *THE CITY* (Sept. 6, 2023), <https://www.thecity.nyc/2023/09/06/legal-aid-sues-over-jail-medical-visits/>.
- [20] Reuven Blau, *Judge Says 'Transformative Change' Needed, Laying Groundwork for a Possible Rikers Takeover*, *THE CITY* (Aug. 10, 2023), <https://www.thecity.nyc/2023/08/10/rikers-takeover-judge-receiver/>.
- [21] *Id.*