

## **Landmark federal court settlement ensures prisoners with mental illnesses will have increased care, reduced time in solitary confinement**

**CHICAGO, (December 23, 2015)** — Dentons, Uptown People's Law Center, Equip for Equality and Mayer Brown have secured a major pro bono victory in a seven-year legal battle to improve the treatment of thousands of prisoners with mental illnesses currently incarcerated throughout the Illinois state correctional system. Under the terms of a groundbreaking settlement delivered yesterday in Federal District Court for the Central District of Illinois, the Illinois Department of Corrections (IDOC) will be required to provide specialized healthcare and services for approximately 11,000 mentally ill people as well as create facilities and hire staff to treat this fragile segment of the prison population.

Harold C. Hirshman, a partner with Dentons, led the legal team representing the plaintiffs in the class action lawsuit [\*Rasho v. Walker\*](#). "This truly is a humane and monumental settlement that will have a lasting impact on the people of this state," said Hirshman. "For too long, we have ignored and mistreated the mentally ill population of our correctional institutions due to a systemic failure to recognize their unique circumstances. I believe this settlement will redress and protect the Constitutional rights of these members of our society."

As part of the settlement:

- For the first time ever, Illinois will provide both long-term and acute care for prisoners who are so seriously mentally ill that they require hospitalization. Previously, these very ill people were either relegated to solitary confinement, or left for months in "crisis cells," where they are stripped of all possessions, left totally isolated from other prisoners, and watched 24 hours a day to ensure they do not commit suicide.
- More than 300 new clinical staff will be hired to treat prisoners with serious mental illnesses, along with over 400 new security staff to work at the new residential treatment units. This will allow IDOC to provide group therapy and one-on-one therapy for prisoners, which was virtually unheard of previously.
- The IDOC will construct four residential treatment units (at Logan, Pontiac, and Dixon Correctional Centers, and the now-closed Illinois Youth Center in Joliet). This will allow the release of many people currently held in long-term solitary confinement into more appropriate, treatment-oriented housing.
- IDOC will review the mental health of all prisoners with more than 60 days left in solitary, to determine if they should be given early release. IDOC will also release from solitary all prisoners with serious mental illnesses who are confined there for minor, non-violent offenses, and in the future will consider mental health before sentencing someone to segregation.
- Prisoners with mental illnesses who are in solitary confinement for over 60 days will have their out-of-cell time increased from less than an hour a day to 20 hours a week.

- Construction costs for the new facilities are estimated to be \$40 million and the new personnel costs are expected to be approximately \$40 million annually. This spending will be a part of the appropriations process.

“I’ll never forget a man I saw at Menard who had suffered severe childhood trauma, and had serious mental illness,” said Alan Mills, Executive Director of Uptown People’s Law Center. “He was involuntarily injected with powerful anti-psychotic drugs, but was left otherwise untreated. He was locked in a tiny airless solitary cell 24 hours a day, with 30 more years to do there. He had developed bedsores, as he literally did nothing but lie in bed, zoned out on drugs 24/7. This agreement will end horrors like his. People will get treatment, be allowed out of their cells, and the use of solitary confinement will be reduced. We look forward to working with the IDOC to make this agreement a reality for our clients.”

“Just because people with mental illness are in prison doesn’t mean they lose their rights under the Constitution and the Americans with Disabilities Act,” said Barry Taylor, Vice President for Civil Rights and Systemic Litigation at Equip for Equality. “This agreement will ensure that people with serious mental illness will be given critical treatment they are entitled to under the law.”

"Consistent with our Firm's core values, we are deeply committed to making a positive impact on the communities in which we live and serve," said Mike McNamara, Dentons' US managing partner. "This resolution, after nearly seven years and countless hours of hard work, truly embodies that spirit and we are proud of our colleagues for their leadership in attending to these important social issues."

#### About Dentons

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#### About Equip for Equality

Equip for Equality is a private, not-for-profit legal advocacy organization and is the federally mandated Protection & Advocacy System designated to safeguard the rights of people with physical and mental disabilities. More information is available at: [www.equipforequality.org](http://www.equipforequality.org)

### About Mayer Brown

Mayer Brown is one of the largest global law firms both by number of lawyers and revenue. The firm has lawyers in key business centers across the Americas, Asia and Europe. Mayer Brown serves many of the world's largest companies and financial services organizations, including a significant proportion of the Fortune 100, FTSE 100, DAX and Hang Seng Index companies and most of the major investment banks. Mayer Brown provides legal services in areas such as Supreme Court and appellate; litigation; corporate and securities; finance; real estate; tax; intellectual property; government and global trade; restructuring, bankruptcy and insolvency; and environmental.

### About Uptown People's Law Center

Uptown People's Law Center (UPLC) is a nonprofit legal services organization specializing in prisoners' rights, Social Security disability, and tenants' rights and eviction defense. UPLC currently has nine pending class action lawsuits regarding jail and prison conditions.

[www.uplcchicago.org](http://www.uplcchicago.org)

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### Contacts:

Bennett Kleinberg, Dentons

212-398-5811, [bennett.kleinberg@dentons.com](mailto:bennett.kleinberg@dentons.com)

Alan Mills, Uptown People's Law Center

773-769-1411 (office), 773-316-8838 (cell) [alan@uplcchicago.org](mailto:alan@uplcchicago.org)