

FOR IMMEDIATE RELEASE
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PEOPLE WAITING FOR PSYCHIATRIC EVALUATIONS SHOULD NOT BE WAITING IN JAIL: API NEEDS TO EXPLAIN

ALASKA – On October 9, 2018, the Department of Corrections (DOC) sent an internal email to DOC officials announcing that, due to staffing and safety concerns, API had decided to reduce bed capacity from 78 to 36 and house psychiatric patients within the Department of Corrections. The email explains that the closure is to remain in effect until API can be staffed adequately. The State has not provided the public with any information regarding its decision to house API patients alongside those serving criminal sentences. The Disability Law Center of Alaska (DLC) has grave concerns for the liberty of these patients and for the lack of public information surrounding this process.

DLC staff visited Anchorage Correctional Center this morning and verified that there are two patients at ACC who should have gone to API for evaluation but did not. A third patient has moved to another Corrections facility. A fourth person has been released to the community. Conditions at ACC are of course jail-like, even in the module for prisoners with mental health disabilities. One of the people at ACC has been there for almost a week.

The law is clear - civilly committed individuals should be housed in therapeutic environments not subjected to the same conditions of confinement as the criminally convicted. Federal courts, including the 9th Circuit, have held that detaining civilly committed individuals in jails violates the U.S. Constitution. In addition, holding such patients in jails indefinitely on the basis of an ex parte pickup order, even though there is no evaluation facility to take them to, is contrary to Alaska Statute 47.30.705.

Criminally confining individuals with mental illness is an issue of concern touching Alaskan families across our state. Yet, this decision was made without prior notice to the public and without transparency. As staff at ACC told DLC staff, at the end of last week people just started showing up. As a public institution, API owes the public information regarding this closure, including how long it will be in place and how the State plans to assure adequate staffing and safe conditions at API as well as in DOC. As an independent non-profit law firm designated to protect and advocate for the rights of Alaskans with disabilities, DLC will pursue all legal options available to ensure that the human and civil rights of Alaskans are protected.

The possible closure of more than half of the beds at API this week – we are not entirely sure whether the figure of “36” of 78 is accurate -- is indicative of a larger crisis in Alaska. API has long been plagued with problems including overcrowding, understaffing, and long waitlists. These symptoms are the result of our State’s failure to provide adequate community treatment options for individuals with mental illness. The lack of community treatment options outside of restrictive institutions such as API puts undue pressure on Alaska’s only state psychiatric hospital. This systemic pressure will persist even when API re-opens to its full capacity. For this reason, the public deserves information regarding how the State plans to provide for the needs of Alaskans with mental illnesses after the current crisis at API subsides.

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