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Leza Wainwright
Steve Hairston
Division of MHDDSAS
325 Salisbury St.
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June 23, 2009

Dear Leza and Steve,

I am writing to make an inquiry into the issue of the rewrite of the Prison Rules for those with mental illnesses and developmental disabilities. When I was an ex officio member of the Rules Committee of the Commission, I did ask that we focus on performing a long overdue redraft of these rules. It had been decades since they had been updated.

A little history- a work group met and worked very hard and long for probably 8 months on drafting new rules. Connie Mele, Commission member, chaired this effort, and I participated, doing much independent research into the Gains Center and the Bazelon Center best practices on prison rules. We were pushed to complete our work by Christmas, and we did so, in order to meet the demands of the Executive Leadership Team regarding sufficient time for review/comment before progressing onward. The DOC also sent very talented staff to participate, who checked their recommendations out with their superiors.

And at the last Rules Committee I had a chance to ask Steve for an update. What I learned is that the proposed draft rules are now hung up on a problem with formatting. Obviously, we all would agree that that should never have happened- if we had had staff support clear on formatting at the get-go, this could have been avoided. But we are where we are- and the way I see it, the Division has had nearly 6 months to do the tedious work of reformatting the work of the Committee.

In the meantime, people with mental illnesses are discharged from prison with an alarming recidivism rate of 72%, which could be addressed by the improvements in transition planning we recommend. There are a whole host of other examples. When can we plan to see this work go forward to the Rules Committee?

I will look forward to your reply. Thanks very much.

Sincerely,

Debra G. Dihoff, MA
Executive Director

Cc: Connie Mele
Prison Rules task force members