



October 18, 2016

Dear Honorable Members of the House Health, Human Services and Elderly Affairs Committee:

We write to express our opposition to the continued transfer of civilly committed patients from New Hampshire Hospital to the Secure Psychiatric Unit in the New Hampshire State Prison. New Hampshire has an obligation to provide care in a therapeutic environment for those in its custody who have committed no crime and who have a serious mental illness. The prison structure and security practices of the SPU significantly undermine the therapeutic environment. Housing such individuals in a prison under the control of the Department of Corrections is bad policy. Being the only state in the United States engaging in this practice is an embarrassment.

Instead, the legislature should ensure that New Hampshire Hospital is equipped to treat these individuals. The delegated resources should be tailored to accommodate the approximately 10 civilly committed patients held at the State Prison at any given time. By providing care at New Hampshire Hospital, the State can ensure these patients are treated in an appropriate therapeutic environment, within our State, where they can benefit from the access to family and community members that is so critical to transitioning out of institutional care.

To help free up the resources needed to care for this population at New Hampshire Hospital, we urge the State's continued and renewed commitment to improve community mental health services under the New Hampshire Community Mental Health Agreement in the case of *Amanda D. v. Hassan*, *United States v. New Hampshire*, No. 1:12-cv- 53-SM. F. Improving services in the community will ultimately lessen the demands on New Hampshire Hospital by reducing the number of individuals who require institutional care.

The stigma associated with mental illness runs deep in our society and creates significant barriers to people seeking the care they need. Housing people with mental illness in prison only serves to exacerbate this stigma for patients and their families. That is why New Hampshire should end this practice and treat patients as patients, with the dignity and care they deserve.

Sincerely,

Devon Chaffee  
Executive Director  
American Civil Liberties Union of NH

Michael Skibbie  
Policy Director  
Disability Rights Center -- NH

Elliot Berry  
Managing Attorney  
New Hampshire Legal Assistance

Kenneth Norton LICSW  
Executive Director  
NAMI NH-The National Alliance on Mental Illness