



# Social Death While Holding onto One's Human Rights in New York City's Streets

Kathryn Burrows · Awilda Hernandez

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New York City Mayor Eric Adams increased his efforts to remove those with serious, untreated mental illness off the streets and subways in 2023. Eliminating homeless camps, citing a succession of high-profile crimes involving homeless persons, some of whom had significant mental illness became a priority. The effort involuntarily will hospitalize people who appeared to have a mental illness, even if they posed no risk of harm to others. The initiative allows persons with significant untreated severe trauma, unawareness or delusional misapprehension of surroundings, or unawareness of physical condition or health to be kept against their will.

The city has a “moral obligation” to help mentally ill street and subway dwellers [1]. In December 2022, Adams’ action was upheld despite a court challenge from mental health organizations [2]. Law enforcement will have the power to remove mentally ill people who cannot meet basic living needs. However, police have little experience dealing with presumed mentally ill people who may be brutally detained and violently imprisoned. Mentally ill individuals,

including homeless people, will be handled by police without proper training. The criminal justice system will treat homeless and mentally ill persons disproportionately if they fall into one of the three categories in the initiative. Involuntary commitment violates human rights. Police personnel are taught to do chest compressions, rescue breaths and chest thrusts, and contact an ambulance. But police officers are neither medical experts nor mental health providers, and they are not educated to recognize the indicators of a mental health crisis or emotional distress. Police and law enforcement get limited training in handling individuals with serious mental illness, except for crisis intervention. Except for crisis intervention training, police and law enforcement professionals receive little training in working with people with severe mental illness. A civil commitment by the police looks a lot like an arrest: people are handcuffed or restrained while in transport to treatment facilities or courthouses for commitment hearings [3]. Involuntary civil commitment on public city streets might scare and stigmatize the victim and loved ones [3]. The Stop, Question, and Frisk (SQF) program in New York City impacts Black New Yorkers three times more than non-Hispanic Whites, resulting in a 2.72% increase in forced psychiatric hospitalization [4].

Police-mentally ill relations are poor. Law enforcement officials seldom provide mental health patients with medical care. Unfortunately, these exchanges often result in violence, imprisonment, term of imprisonment, and death in police custody. Since

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K. Burrows (✉) · A. Hernandez  
NCIS: National Coalition of Independent Scholars,  
Brattleboro, VT, USA  
e-mail: kateburrows1975@gmail.com

2021, New York City police have killed 104 people [5] due to erratic behaviors or mental health crises, according to Mapping Police Violence. The most alarming aspect of police-enabled involuntary hospitalization is the harm or death of mentally ill persons detained by law enforcement, particularly as people of color are more likely to get mental health care by involuntary commitment [3].

All US states allow involuntary psychiatric holds, although their length, justifications, and categories of persons may vary [6]. Several jurisdictions allow involuntary commitments for “inability to meet basic needs” or “grave disability” in addition to alleged mental illness [6]. Furthermore, 38 states allow police officers to initiate a hold, and in two states, Kansas and Wisconsin, police officers are the only professional authorized to initiate a hold [7]. Mayor Adams’ new mandate in New York City requires police to involuntarily commit people who become violent due to mental or emotional crises to psychiatric holds for up to 15 days. It is necessary to consider options other than the police if we are serious about assisting those who are going through a mental health crisis.

Advocacy organizations representing New York City’s homeless and mentally ill residents are opposing Mayor Adams’ proposal to forcefully hospitalize them, which is backed by some provisions of the Mental Hygiene Code and the Mental Involuntary Removal Act. The removals are enforced by a number of authorities, including the police department, social services, fire department, emergency medical technicians, transportation authority, and health and mental hygiene department. Other experts, however, believe that mobile crisis teams with mental health professionals or programs including people who have lived experience with mental illness may be better

helpful in de-escalating crises and reducing civil commitment by law enforcement.

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