

The Death Of Timothy Souders

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(CBS) You wouldn't imagine these days that a mental patient could be chained to a concrete slab by prison guards until he died of thirst, but that's how Timothy Souders died and he is not the only one.

Souders suffered from manic depression. And like a lot of mental patients in this country, he got into trouble and ended up not in a hospital, but in jail. It was a shoplifting case and he paid with his life.

As **correspondent Scott Pelley** reports, no one would have been the wiser, but a medical investigator working for a federal judge caught wind of Souders' death and discovered his torturous end was recorded on videotape. The tapes, which are hard to watch, open a horrifying window on mental illness behind bars.

Six months ago, Tim Souders was in solitary at the Southern Michigan Correctional Center. He was 21, serving three to five years. Though an investigation would show he needed urgent psychiatric care, Souders was chained down, hands, feet and waist, up to 17 hours at a time. By prison rules, all of it was recorded on a 24-hour surveillance camera and by the guards themselves.

The tape records a rapid descent: he started apparently healthy, but in four days Souders could barely walk. In the shower, he fell over. The guards brought him back in a wheelchair, but then chained him down again. On Aug. 6th, he was released from restraints and fell for the last time. Souders had died of dehydration and only the surveillance camera took notice.

His short life began in Adrian, Mich. Souders was a kid whose troubles didn't start until late in his teenage years. It was then, his mother, Theresa Vaughn, told **60 Minutes** that he began acting strangely.

"It was January in the wintertime. And you know, he was running around outside with his clothes off, thinking he was a knight, fighting dragons. You know, it's...you lose touch with reality," Vaughn remembers.

"So, he went to the hospital and what did the doctors tell you?" Pelley asks.

"They then diagnosed him with bipolar, and put him on several different medications," Vaughn says.

Still, he was troubled by anxiety and depression, often in and out of the hospital. After one hospital stay, he was caught shoplifting two paintball guns. He grabbed a pocket knife, threatened employees, and then begged a cop to shoot him. Instead, he was stunned with a Taser.

No one was hurt.

"He was trying to get money to pay his rent, so that he would not be evicted from his apartment," says Vaughn. "He had gotten to the point where his thinking wasn't straight, and he was suicidal. And he should've never went to jail."

In jail, Souders tried to kill himself three times. He pled to resisting arrest and assault, for waving the pocketknife, and ended up in a Jackson County prison complex, with 5,000 inmates. It's a troubled place—prisoners filed suit there in the 1980's and since then, their welfare has been monitored by a federal judge.

When Souders arrived he was part of a national trend: there are 300,000 mental patients behind bars nationwide. That's because starting in the 1960's many mental hospitals have been closing. And as patients ended up in jail, prisons became the new asylums.

"They became de facto mental hospitals and the prisons are ill equipped to handle it," says Robert Walsh, a clinical psychologist working inside Michigan prisons for the past 25 years.

Walsh is an insider. He was a deputy warden and director of psychological services at the prison where Souders died. He retired six years before Souders arrived.

"Given what you see in the Souders videotape, what should have been happening?" Pelley asks.

"What should have been happening was right away, mental health staff should have been consulted and reported to the scene, and they should have intervened. Given that he wasn't assaultive against anybody," says Walsh.

But there was no mental health staff to consult—the psychiatrist was on a seven-week leave.

"Then he should have been replaced. It's too critical a situation," Walsh remarks.

This situation started when Souders took a shower without permission. That landed him in solitary. When he broke a stool and used his sink to flood his cell, the chains came out—what the prison calls "top of bed" restraints.

"Approximately 15 minutes ago, the prisoner began flooding his cell. His water is being shut off even as we speak. And we're going to place the prisoner in top-of-bed restraints," an officer could be heard on the videotape.

Walsh did an extensive study of Michigan prisons and found that the staff often tries to punish psychotic inmates into better behavior.

Incredibly, he found in a number of cases, the staff insists inmates are not mentally ill, despite profound insanity.

"One man, he enucleated his eyes, cut 'em out, because he felt they were offending God. These were men that were, claimed to be manipulative, malingerers and non-mentally ill," says Walsh.

"Wait a minute. Did I just understand you to say that the department of corrections declared those men not mentally ill?" Pelley asks.

"The staff did. That's correct. The psychiatric and psychological staff considered, considered them to be malingerers and manipulators that went to extremes," Walsh says.

"Now can that be? You have a man who gouges his eyes out?" Pelley asks.

"Exactly," Walsh says.

"And he's not mentally ill?" Pelley asks.

"Or a man that disembowels himself," says Walsh. "Yes. Yeah. He's manipulating."

After his arrest, a state psychologist said Souders was trying to manipulate the staff when he stabbed himself seven times in the stomach in a suicide attempt. Months later, in solitary, there was no psychiatric intervention, even when Souders was raving.

A social worker wanted him transferred to a hospital, but the paperwork never got done. The guards resorted again to chains, which the federal judge overseeing the prison criticized as "punitive restraints."

"We do not actually use punitive restraints. We use restraints," says Patricia Caruso, the director of Michigan's prison system. "Punitive implies restraints for punishment. Restraints are never used for punishment. Restraints are used for protection. They are used for the protection of the prisoner of harming himself, or for the protection of others who are being harmed by the prisoner."

But Tim Souders wasn't harming anyone and a prison report shows it was his attempt to break the stool and flood his cell that led to the authorization to put him in top-of-bed restraints.

"It depends on you how long you're in these, okay? Can't flood your cell, can't do that type of stuff. We put you in restraints to kind of control your behavior," an officer told Tim.

"We've seen cases where people have been in restraints on and off, day after day after day. And I have not found a mental health expert who has told me that that's a good idea," Pelley tells Caruso.

"It is on and off. People are removed from restraints. Even prior to that, people [are] removed from restraints at a maximum of every two hours. And would get up and walk around," she replies.

Two hours? **60 Minutes** checked the surveillance tape. Souders was up some of the time, but **60 Minutes** found he was restrained for stretches of 12 hours, 16 hours, and 17 hours.

Tim Souders had bed sores and on the third day in restraints, he resisted for the first and only time, complaining bitterly about the hours in chains.

"I'm tired of this. Eighteen hours is not justified," Souders could be heard saying on the videotape.

Recently, Michigan's corrections director Patricia Caruso suggested limiting the total time in restraints to six hours.

"Federal judge describe that as trading six hours of evil for unlimited evil. Evil is evil, he's saying. You're smiling," Pelley remarks.

"No. I'm...I don't—," says Caruso.

"Surely you take that seriously," Pelley asks.

"I absolutely take that seriously. Prison is a difficult environment. I have correctional officers, who become accustomed to having urine and feces thrown on them by prisoners, who have prisoners who are so injurious that they will open their bodies to remove organs from others. And so we have to rely on our responsibility to keep people safe," says Caruso.

But Michigan prisons have not been safe for mentally ill prisoners who have died needlessly. At least one starved to death, and others died of dehydration like Souders. Jeffrey Clark, a paranoid schizophrenic serving time for robbery, died of thirst in solitary. His sister, Bonita Clark-Murphy, pored over investigative reports of his death.

"There are reports that he had his mouth up against the plexiglas window, begging and pleading for water and air, and for someone again, to turn a deaf ear and a blind eye to that, that's why I say Jeffrey was tortured," she says.

Clark-Murphy filed suit against the state; she claims the warden told the family that her brother died of an infection.

"We buried Jeff, not even knowing what happened," says Clark Murphy.

"It seems that the prison officials expected to tell you that this was natural causes, and that you'd just leave it alone," Pelley asks.

"Absolutely. And they were so wrong," she replies.

Jeffrey Clark was locked in solitary in the heat of the summer with his water turned off. And four years later, the heat index in solitary was over

100. Souder's was also water turned off.

"That is steam, I'm afraid," one officer said. "Oh yeah, because it's so hot in here," another officer remarked.

He became delusional, refusing water when offered. But not even that was a medical emergency to the staff. "Souders has refused. Officer asked him if he needed water. He replied, 'No,'" an officer could be heard on the tape.

After Souders' death, federal Judge Richard Enslen, who oversees the prison, wrote that inmates are exposed to an "unauthorized death penalty at the hands of a callous and dysfunctional health care system that regularly fails to treat life-threatening illness."

"I understand that it's easy to take individual cases and to sensationalize them, and you know, relentlessly replay the facts of an individual case. But I also think it's unfair," argues Caruso.

"But director, fair to say, people starve to death and die of thirst in your prisons?" Pelley asks.

"Any death, any incident like that in our custody is a tragedy. I will not deny that. It is not...that certainly isn't something that, you know, we set out...I mean, we have people come to us dying," she replies.

"They don't come to you dying of thirst and dying of starvation. How can that happen under your custody?" Pelley asks.

"I'm not gonna address cases that are under litigation. I cannot do that," the prison system director replies.

The Souders case is under litigation. His mother, Theresa Vaughn, is suing. She says the prison never told her how her son died. She found out in the "Detroit Free Press."

Vaughn has seen the videotapes of her son's last days and says they give her nightmares. "I cannot believe anyone would treat another human being that way at all. That they can watch over a four day period, slowly declining, slowly dying before their eyes," she says.

Asked if she thinks the guards meant to kill her son, Vaughn tells Pelley, "I don't believe anybody meant to kill Tim. I don't believe that they meant to hurt Tim. But they did. They did hurt him. And he did die. He's not comin' home. He's not comin' back. And he is gone. And he was only 21 years old."

After Souders died, a prison nurse was fired for failing to recognize his condition was becoming critical. In November, Judge Enslen used the word "torture" to describe those restraints and banned them. The state is appealing his decision.

In part because of the death of Timothy Souders, a federal judge in the case of Hadix v. Caruso ordered wide-ranging reforms in the prison mental health care, including an end to the in-cell use of mechanical restraints in most circumstances. Hadix is a federal civil rights class action involving the medical care, mental health care, fire safety and protection from excessive heat at three prisons in Jackson, Mich., the Egeler Correctional Facility, the Southern Michigan Correctional Facility (JMF), and the Parnall Correctional Facility. These three prisons contain thousands of prisoners, including a concentrated population of medically fragile prisoners at JMF.

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