



Press Release

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ACLU Challenges Montana State Prison's "English-Only" Policy for Inmate Mail

DEER LODGE, MT — The American Civil Liberties Union of Montana has filed a complaint on behalf of a Montana State Prison inmate who has been denied the right to correspond with his family and friends in Spanish, in violation of his First Amendment right to free speech and his Fourteenth Amendment Right to equal protection.

William Diaz-Wassmer has been serving a life term at Montana State Prison since 2007. For the first two years of his incarceration, Diaz-Wassmer was able to correspond with his parents, family and friends in their native language of Spanish. But starting in May 2010 he was prohibited from receiving mail in any language but English.

Appeals through the prison's grievance procedure were denied. At first, prison officials said that the letters from Diaz-Wassmer's family could not be delivered because the employee who previously translated the letters had left. Later, prison officials said they had made an exception for Diaz-Wassmer and all future letters in Spanish would not be delivered to him.

"Inmates do not give up their constitutional rights when they enter prison," said ACLU of Montana Staff Attorney Jennifer Giuttari. "William Diaz-Wassmer still has a First Amendment right to free expression, and correspondence is part of that right."

Since the implementation of the English-only policy, Diaz-Wassmer's ability to communicate with his parents has been almost nonexistent. Much of his family can write only in Spanish. Calls, although permitted, are too costly, as are visits. Letters written in Spanish are his primary means of communication.

"Montana State Prison shouldn't deny our client the ability to communicate with his family simply because it is inconvenient for them to employ someone to translate Spanish letters," said ACLU of Montana Legal Director Betsy Griffing. "Every person in this country – whether in prison or out – has First Amendment rights."

To read the complaint: www.aclumontana.org