



## **Press Release**

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## **ACLU Sues State Over Inhumane, Illegal Treatment of Teenage Prisoner**

HELENA, MT — The ACLU of Montana filed a lawsuit today against the state of Montana and the Montana Department of Corrections over the illegal, inhumane and degrading treatment of a 17-year-old boy with mental illness who has been detained for almost a year in the Montana State Prison in solitary confinement.

While imprisoned, "Robert Doe" has been Tasered, pepper-sprayed, deprived of human contact while in solitary confinement and being punished by torturous "behavior modification plans," stripped naked in view of other inmates, and traumatized to the point of attempting to kill himself by biting through his wrist to puncture a vein.

"The conditions that Robert Doe has been subjected to clearly violate the U.S. Constitution's 8<sup>th</sup> Amendment prohibition against cruel and unusual punishment and the Montana Constitution's right to human dignity for any prisoner, especially a minor," said ACLU of Montana Staff Attorney Jennifer Giuttari. "Treating a child with mental illness like this goes against all laws of human decency."

Robert Doe has a history of childhood physical and mental abuse, and has been diagnosed with post-traumatic stress disorder and other mental illnesses. His incarceration in the Montana State Prison's restrictive "Special Housing Unit" began in March 2009 when he was just barely 17 years old. He is only allowed outside his solitary cell for five or six hours each week and has been forbidden phone calls or visits with his family.

"Each day Robert Doe is in solitary confinement causes him severe harm," said Andree Larose, a cooperating attorney and lead counsel on the case. "Not only is he not getting the mental health treatment he needs, but the state's actions are making him worse. The conditions he is subjected to make him relive childhood trauma. His suicide attempts are cries for help that cannot be ignored."

Not only does Robert Doe's treatment violate state and federal laws, it also violates universally recognized human rights laws and standards for the protection of children in the care of the state.

"The treatment to which Robert has been subjected is torture, cruel, inhuman and degrading, and as such banned under fundamental human rights laws," said Steven Watt, attorney with the ACLU's Human Rights Program. "The state of Montana should immediately release Robert from solitary confinement and provide him with a safe, humane and nurturing environment in which to serve the remainder of his sentence."

To read the complaint: [www.aclumontana.org](http://www.aclumontana.org)