



## Media Release

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# ACLU of Montana Sues Department of Corrections Over Discriminatory Treatment of Women Prisoners

BILLINGS, MT — The American Civil Liberties Union is suing the Montana Department of Corrections and officials at the Montana Women's Prison over illegal and discriminatory treatment of women's prisoners. Unlike male prisoners at Montana State Prison, female prisoners are forced to participate in a mandatory "treatment" program entitled "Right Living Community" or to serve their time in solitary confinement. In addition, female prisoners are deprived of the opportunity to attend boot camp, an intensive program that provides male prisoners with educational and training opportunities and the chance for a reduced sentence.

Until 2006, female inmates, like male inmates, were able to voluntarily attend a corrections boot camp, either by being sentenced to it by a judge or by applying and being accepted for entry. Voluntary boot camp was replaced with the "Right Living Community," a system in which female prisoners are forced to live in "therapeutic" communities where privileges are based upon their participation in meetings and homework and can be taken away by other prisoners who are ranked higher in their pod's hierarchy. This system inappropriately and unlawfully gives prisoners power over other prisoners. Those who refuse to participate are placed in solitary confinement with no work opportunities and limited educational opportunities.

"Prison officials touted orientation into the Right Living Community as a substitute for boot camp, but in reality it is nothing of the sort and constitutes gender discrimination," said ACLU of Montana Staff Attorney Anna Conley. "We are suing to have this discrimination declared unconstitutional. Ultimately, we are seeking an order prohibiting the Department of Corrections from requiring participation in the Right Living Community and giving female prisoners access to boot camp."

Unlike boot camp, mandatory Right Living Community provides little in the way of education or training, forces female prisoners to engage in degrading activities like singing children's songs or talking about their favorite color, and opens them up to retaliation from other inmates. Furthermore, there is no defined timeline for the program. It does not provide female inmates an opportunity for a reduced sentence or probation.

"One of the plaintiffs in our case was convicted at the same time as a male co-defendant in the same incident. He successfully completed boot camp and was released on probation in October 2011," said Kyle Gray, a cooperating attorney on the case. "Our female client, however, could not attend boot camp and has no opportunity for a reduced sentence. She will be incarcerated until September 2013. This is gender discrimination, plain and simple."

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