



Media Release

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Settlement Secures Women Prisoners Access to Boot Camp Discriminatory, Forced "Right Living" Community Eliminated

BILLINGS, MT — Gender discrimination against prisoners at Montana Women's Prison will be resolved thanks to a settlement between the ACLU of Montana and the Montana Department of Corrections. The settlement will end forced participation in a "treatment" program entitled "Right Living Community" and will give female prisoners 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.

"The 'Right Living Community' was touted as a substitute for boot camp, but was discriminatory, rather than rehabilitative," said ACLU of Montana Staff Attorney Anna Conley. "Not only did it not give the same opportunities for training and sentence reduction provided by boot camp, but it gave female prisoners power over other prisoners, and forced female prisoners to engage in degrading activities such as children's songs and games."

Until 2006, female prisoners could attend corrections boot camp designed to restructure criminal thinking and provide life skills, either by being sentenced to it by a judge or by applying and being accepted for entry. While boot camp remained available for men, for women it was replaced with the "Right Living Community," a forced system of "therapeutic" communities where privileges are based upon participation in meetings and homework. Higher ranking prisoners could take privileges away from prisoners in their pod. Those who refused to participate were placed in solitary confinement with no work opportunities and limited educational resources.

"Not only was it mandatory, instead of voluntary, but such programs are designed for drug treatment specifically, not a "one size fits all" model for all prisoners," said cooperating attorney Ron Waterman. "Furthermore, such programs are only intended to last a few months, not years. The program at Montana Women's Prison likely did more harm than good."

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. Our female client, however, could not attend boot camp and had no opportunity for a reduced sentence. She ended up serving almost two years more in prison than her male co-defendant. Thanks to this settlement, prisoners like our plaintiff will now have the opportunity to attend boot camp.

"The state has a constitutional obligation to provide female prisoners equal treatment to male prisoners," said Kyle Gray, cooperating attorney with Holland and Hart, LLP. "The addition of women's boot camp and the elimination of the right living community were necessary to meet that requirement. We are pleased this settlement achieved this"

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