

Deseret News

ACLU seeks to ban Idaho prison practices

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Associated Press

Published: Friday, Dec. 31, 2010 12:50 a.m. MST

BOISE — The American Civil Liberties Union said Thursday that practices at an Idaho prison that include guards opening the wrong cell doors and allowing inmate-on-inmate attacks have caused violence at the facility and should be immediately banned.

The ACLU also said in a motion filed Thursday in U.S. District Court that victims of the assaults at the Idaho Correctional Center are routinely written up for defending themselves during the attacks, which can jeopardize their eligibility for parole.

Attorneys for the ACLU are seeking a preliminary injunction on behalf of inmates to immediately ban both practices at the prison run by the Corrections Corporation of America.

The motion for a preliminary injunction is part of larger lawsuit over claims of violence at the prison.

"We want to try to eliminate as much suffering as quickly as we can, these two issues lent themselves to that," said Steven Pevar, an attorney for the American Civil Liberties Union.

The ACLU is representing inmates who sued CCA in March, saying the Idaho lockup is so violent it's known as "gladiator school" and prison workers used inmate-on-inmate violence as a management tool, then refused to provide x-rays to injured prisoners as part of a cover-up scheme.

CCA has denied the claims, and a company spokesman did not immediately return an e-mail from The Associated Press on Thursday.

Since July 2009, 13 assaults have resulted from prison guards opening, or "popping," the wrong cell doors in areas where violent prisoners are kept, allowing inmates to attack other prisoners, attorneys for the ACLU say in a brief supporting their motion for a preliminary injunction.

Guards either mistakenly or deliberately opened the wrong doors and allowed the assaults, the ACLU says.

The most violent of the assault occurred on Aug. 10, when a guard opened some 20 doors and released at least 20 prisoners who then assaulted four rival gang members, sending two to the hospital, according to the brief. Guards then issued disciplinary reports for the four victims of the assault, the ACLU says.

"It makes no sense to punish someone for undertaking the perfectly natural act of self-defense," attorneys for the inmates say in the court filing.

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