



ACLU says youth tortured at state prison

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A 17-year-old boy suffering from mental illnesses was so traumatized by his deplorable treatment in the Montana State Prison that he twice attempted to kill himself by biting through the skin on his wrist to puncture a vein, a lawsuit filed Wednesday by the American Civil Liberties Union of Montana alleges.

The lawsuit filed in Lewis and Clark County District Court claims that the boy, "Robert Doe," has been treated illegally and inhumanely and has been detained for about 10 months in solitary confinement. Doe was Tasered as part of a "behavior modification plan," pepper-sprayed and stripped naked in view of other inmates, the complaint states.

The lawsuit was filed against the state of Montana, the Department of Corrections, MDC Director Michael Ferriter, Warden Michael Mahoney and Dr. David Shaefer, who was chief psychiatrist at the prison.

Doe's treatment while in prison has violated state and federal laws in addition to human rights laws and standards, the ACLU maintains.

Prison officials say they will answer the allegations in court.

"At this point, we have to go through the legal process," Montana State Prison spokeswoman Linda Moodry said.

Jennifer Giuttari, ACLU of Montana staff attorney, said she heard about the boy's plight in letters from his fellow inmates saying they had heard the teen crying out for help and were concerned. His mother and aunt also wrote to the ACLU asking for help.

The young man has exhausted all prison grievance procedures to no avail, according to the lawsuit.

"We believe if these conditions continue, he will only get worse," Giuttari said. "This is defined as torture."

The young man, whose name was not released, has been at the prison since February 2008 after he pleaded guilty to two counts of assault on a peace officer stemming from a physical altercation with two correctional officers at Pine Hills Correctional Facility for juveniles. The ACLU wouldn't say why he was sent to Pine Hills, because he was in juvenile court at the time. After the altercation, he was sentenced to five years under the supervision of the Department of Corrections.

The lawsuit alleges the young man has been treated in a cruel and degrading manner at the prison that has exacerbated his mental illness and is causing him to deteriorate psychologically and physically.

He has been diagnosed with post-traumatic stress disorder and major depressive disorder, among other illnesses, according to the lawsuit.

During childhood, the boy suffered physical and emotional abuse and neglect. The documents say he was beaten by family members with wire hangers, belt buckles and baseball bats.

His available mental health treatment consists of a prison staff member knocking on his door once a week and asking if he has any concerns, according to documents, and then he must answer by yelling within earshot of other inmates.

Since March, he has been locked in a solitary cell all but five to six hours a week, and he is not allowed personal visits or telephone calls. According to the lawsuit, he was placed in solitary confinement after damaging a fence in the prison's maximum-security area.

When allowed outdoors for exercise, the young man is given access to a caged pen resembling a dog kennel, the documents state.

Andree Larose, Helena attorney and lead counsel on the case, said the young man is not getting the mental health treatment he needs.

"This (lawsuit) was a last resort," she said.

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