

Bill: HB-2: General Appropriations Act 2021-02-03 08:00 AM - (H) JAS on Judicial Branch, Law Enforcement, and Justice

Position: Opponent

Representing an Entity/Another Person: Yes

Organization: Opening Doors

Name: Josh Butterfly

Email: butterflyjosh4@gmail.com

Phone: (406) 217-6518

City, State: Great falls

Written Statement: please view video news coverage from NBC montana at this link;

<https://nbcmontana.com/news/working-for-you/montana-doc-sees-surge-in-covid-19-cases>

Bill: HB-2: General Appropriations Act 2021-02-04 08:00 AM - (H) JAS on Judicial Branch, Law Enforcement, and Justice

Position: Opponent

Representing an Entity/Another Person: Yes

Organization: Opening Doors

Name: Josh Butterfly

Email: butterflyjosh4@gmail.com

Phone: (406) 217-6518

City, State: Great falls

Written Statement: I did not see this with the list of lawsuits that the committee requested from The Department of Corrections https://missoulain.com/news/state-and-regional/crime-and-courts/lawsuit-probation-officer-broke-great-falls-womans-arm-evidence-vanishes/article_4292518c-ebbc-5bc4-9168-fdc57a6d7140.html

https://missoulia.com/news/state-and-regional/crime-and-courts/lawsuit-probation-officer-broke-great-falls-womans-arm-evidence-vanishes/article_4292518c-ebbc-5bc4-9168-fdc57a6d7140.html

EDITOR'S PICK

TOPICAL

ALERT

GREAT FALLS

Lawsuit: Probation officer broke Great Falls woman's arm, evidence vanishes

Seaborn Larson

Jun 23, 2020



Seaborn Larson

A lawsuit filed Friday in U.S. District Court in Montana alleges a Great Falls probation officer broke a woman's elbow last month during her arrest, then lost the surveillance footage that captured the incident outside the probation and parole office.

The lawsuit also alleges prosecutors were initially going to bring charges against the woman, Carrie Gregory, based on law enforcement's claims she injured the probation officer, although the case was dropped when the video footage vanished.

The lawsuit names as defendants the State of Montana; City of Great Falls; Probation and Parole Deputy Chief Wayne Bye; Officer Tomeka Williams, the probation officer who allegedly fractured Gregory's elbow; and Scott Fisher, the Great Falls police officer who assisted with Gregory's arrest.

Bye did not return a voicemail left Tuesday morning seeking comment on the lawsuit's allegations, nor did a public information officer with the Great Falls Police Department. Gregory's attorney, Daniel Flaherty, also declined to comment for this story.

It's unclear whether the Great Falls Probation and Parole Office has conducted an internal investigation into the incident that left Gregory's elbow broken, or asked an outside agency to investigate the use of force, as is common for local law enforcement agencies around the state. The Montana Department of Corrections, which administers probation and parole through 23 field offices, declined to comment on matters related to ongoing litigation.

The filing states Gregory was standing by in the probation and parole office parking lot as her son, Daniel Gregory, was arrested on parole violations. Carrie Gregory, a background investigator employed by a security firm in Great Falls, was "not interfering with law enforcement" when probation officer Williams arrived on scene. Williams then "performed some sort of aggressive maneuver on (Gregory's) arm and forced her head onto the hood of a vehicle," the lawsuit states.

The maneuver fractured Gregory's left elbow and sprained her right wrist, the filing alleges.

After the Great Falls police officer handcuffed Gregory and put her in a police cruiser, she was charged with obstructing a police officer, according to the lawsuit. Later, the Cascade County Attorney's Office informed Gregory it was pursuing felony charges on

allegations that Gregory had actually injured the officer.

The surveillance cameras that captured the incident all belong to the Great Falls Division of Parole and Probation, and Gregory's criminal defense attorney sent several requests to preserve the video, the lawsuit states. In late May, Deputy Chief Bye had made a second-hand copy of one of the videos, although attorneys for Gregory described the quality as "subpar."

On June 10, Cascade County prosecutors told Gregory's defense attorneys they were dropping the charges, saying the Great Falls probation and parole office "was unable to secure a copy of the video," according to the lawsuit. The next day, Bye told Gregory's attorneys the video was "long gone."

The lawsuit alleges the initial police reports stated Gregory had suffered no injuries during the encounter, while her medical records list a fractured elbow, sprained left wrist, bruising to her ribs and an injury to her knee.

Montana Public Safety Officer Standards and Training Council Executive Director Perry Johnson told the Missoulian on Tuesday the agency had not received any reports on Williams or Bye about the encounter last month. The POST Council oversees law enforcement training and certifications, and often relies on local agencies to report allegations of officer misconduct within their own office. Excessive use-of-force cases have resulted in additional training to certifications being surrendered, according to the POST Council's integrity report posted online.

Seaborn Larson

State Reporter

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Written Statement: https://billingsgazette.com/news/state-and-regional/montana-prisoner-rights-lawsuit-is-back-in-play/article_fc052674-845e-5a60-bc6d-f7e7e06491f9.html

https://billingsgazette.com/news/state-and-regional/montana-prisoner-rights-lawsuit-is-back-in-play/article_fc052674-845e-5a60-bc6d-f7e7e06491f9.html

TOPICAL

Montana prisoner rights lawsuit is back in play

Phoebe Tollefson

Jul 19, 2019

A federal appeals court has ruled in favor of a Montana prisoner rights complaint, reviving the case and bumping the original judge.

The complaint alleges the Montana State Prison fails to provide adequate mental health care and puts prisoners in conditions, like solitary confinement, that exacerbate mental health problems.

The Montana Department of Corrections violated the constitutional rights of nine inmates, the plaintiffs allege, through imposing cruel and unusual punishment.

According to the lawsuit, that includes 24-hour isolation and cells with no toilet or running water.

ACLU of Montana and Disability Rights Montana filed the complaint in federal court in 2015 but it was soon dismissed. The plaintiffs then appealed.

In the Friday order, an appellate panel reversed U.S. District Court Judge Sam Haddon's decision to dismiss the case. It remanded the case and assigned a new judge.

The three-judge panel with the Ninth U.S. Circuit Court of Appeals also chastised Haddon for the dismissal.

"The panel noted that the district court had mistaken this case for another case brought by plaintiff against a different defendant and upon being advised of its mistake, had declined to revisit its decision, thereby letting an obviously incorrect decision stand," the ruling read.

The ACLU and Disability Rights Montana cheered the ruling in a press release, with the ACLU calling on the state to end its "barbaric" practices inside the prison.

The Department of Corrections first declined to comment and later issued a statement saying it recognized the need to improve conditions for mentally ill inmates.

"The department and its leadership have worked in good faith with stakeholders — including the advocacy groups pursuing this case — to update its housing policy for mentally ill inmates under recently passed legislation," read an emailed statement.

"The department believes that these collaborative approaches will better serve inmates and the public than costly, protracted litigation."

Phoebe Tollefson

Justice Reporter

Justice reporter for the Billings Gazette.

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Written Statement: Crystal Foster Thompson unit sergeant promoted to lieutenant after incident. Still employed at the Montana State Prison https://missoulian.com/news/state-and-regional/montana-state-prison-has-2-suspects-in-murder-of-inmate/article_022e5a34-1179-11e2-9b7c-001a4bcf887a.html

https://missoulia.com/news/state-and-regional/montana-state-prison-has-2-suspects-in-murder-of-inmate/article_022e5a34-1179-11e2-9b7c-001a4bcf887a.html

Montana State Prison has 2 suspects in murder of inmate

By JOHN GRANT EMEIGH Montana Standard

Oct 8, 2012



Danny Lee Hartford

Montana Department of Corrections

By JOHN GRANT EMEIGH Montana Standard

DEER LODGE – An inmate at the Montana State Prison in Deer Lodge was found murdered Sunday evening, authorities reported Monday.

Investigators have two suspects in connection with the death of Danny Lee Hartford. Hartford, 53, was found dead in a cell of a housing unit in the high-security portion of the prison at about 8:10 p.m.

Investigators didn't release how Hartford was killed, because the investigation continued, according to Linda Moodry of the Montana Department of Corrections.

Hartford was last seen alive during a head count Sunday at about 6 p.m., Moodry said. The two suspects in Hartford's death are fellow inmates in the prison.

Moodry didn't release the identities or the status of the suspects.

Moodry described the block of the prison where Hartford was killed as housing offenders at various levels. It's between the maximum-security and low-security blocks, she said. It houses some general population prisoners and those transferring to the lower-level security block of the prison, she said.

The unit where Hartford was killed is monitored by prison staff and security cameras. However, Moodry said the prison doesn't have cameras in all the cells at the prison.

"They (the prisoners) are monitored and watched, but unfortunately things like this can happen," Moodry said.

The last homicide reported at the prison was in September 2011. Shaun Morrison, 30, is accused of beating, choking and cutting another inmate with a weapon fashioned from razor blades. Morrison has pleaded not guilty to deliberate homicide and is scheduled for trial in November.

Hartford was serving 30 years probation from 1997 on two counts of sexual assault out of Lewis and Clark County. He violated the terms of his probation and was ordered to prison in 2010.

The investigation is being handled by the Montana Department of Corrections, the Powell County sheriff's office and the county attorney's office.

Reporter John Grant Emeigh can be reached at **john.emeigh@lee.net**, or (406) 496-5511. Follow him at **Twitter.com/@johnemeigh**.

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Written Statement: <https://newstalkkgvo.com/montana-state-prison-inmate-dies-of-apparent-suicide/>



Q



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SUICIDE



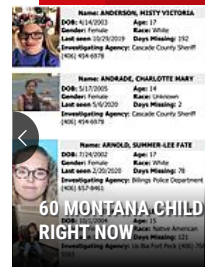
ASSOCIATED PRESS | Published: June 26, 2012



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The department issued a news release Monday saying Weis' death is under investigation and a coroner's inquest is planned.



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Weis was sentenced last summer to two years with the Department of Corrections for violating his probation on a criminal mischief conviction for vandalizing buildings and vehicles in Billings in June 2008.

Officials say the violations included drug use, failure to pay restitution, not reporting to his probation officer as required and not paying supervision fees.

Filed Under: suicide

Categories: Montana News

Comments

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RECOMMENDED FOR YOU



The Real Truth About Donald and Melania Trump's Only Son



Jill Biden's Ex-Husband Just Made a Bold Accusation

by Zi

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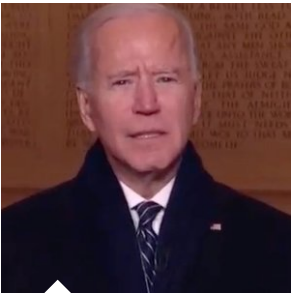
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When You Start Sleeping Naked, This Is What Happens



Stars Who Passed Away And You Sadly Didn't Know It



How President Biden Described The Letter Left To Him By Trump



There Are Some Things You Don't Know About Dippin' Dots



The Real Truth About Martha and Snoop is Now Out



Netflix Is Making A Movie About The GameStop Short Squeeze

BACK TO TOP



NATIONAL AND MONTANA SUICIDE PREVENTION WEEK IS SEPTEMBER 6 -12

PETER CHRISTIAN | Published: August 31, 2020



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National and Montana Suicide Prevention Week comes at just the right time for those in Missoula who are troubled by thoughts of suicide, especially during the COVID 19 shutdown and being isolated from friends, family and work.

Nancy Hobbins is the Suicide Prevention Coordinator with the Missoula City County Health Department, and said the actual number of suicides has declined.

"We are taking a really close look at what's happening and how this situation of social isolation is affecting people because isolation is a major risk factor for suicide," said Hobbins. "While we're all trying to isolate to keep ourselves healthy, we're taking a look at what kind of effects that's having on mental health and we know that's raising anxiety for people. We are talking to our fellow community members and we have not seen increased numbers of suicide in Missoula County."



Hobbins detailed the problems people are experiencing that have been exacerbated by COVID 19.

"We are seeing more people kind of fall off the wagon in terms of substance use," she said. "There are those who are who are doing well and then kind of getting back into bad habits to maybe ease anxiety, but and we've seen more people reaching out for mental health resources. So our job here in our intervention in our prevention world is really to strengthen the safety net for people in mental health crises."

“ We are talking to our fellow community members and we have not seen increased numbers of suicide in Missoula County. ”

Hobbins outlined some of the events coming up during Suicide Prevention Week.

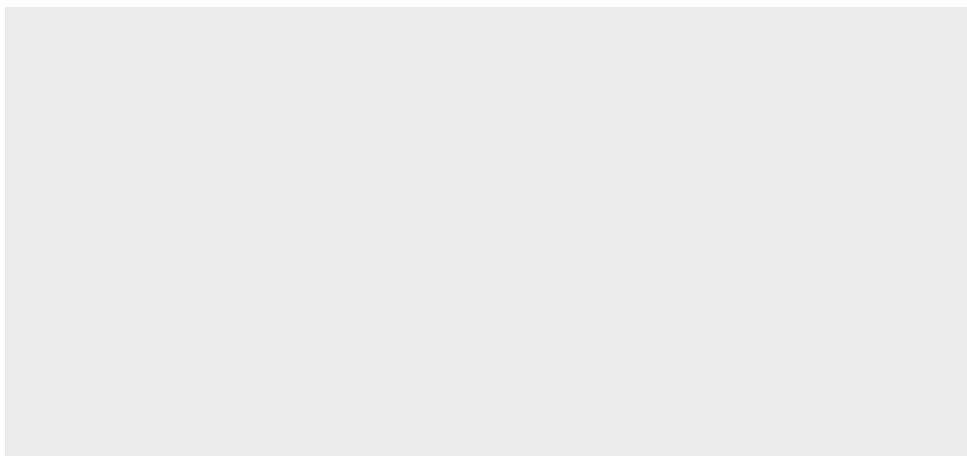
"We have a lot of events packed into that one week starting off with a kind of a performance that's geared toward middle school students that we have at the Missoula Paddleheads stadium at the beginning of the week, and then ending with the Out of the Darkness walk on September 12."

Hobbins provided important contact numbers for anyone who may need help.

"My office is 258-3881, and the National Suicide Prevention Lifeline number is 1-800-273-8255, that's 1-800-273-TALK," she said. "The Western Montana Mental Health Clinic has a walk in service that's over on their campus near Russell and Wyoming Street, their number is 542-8994."

[Read More](#)

READ MORE: HERE ARE 50 WAYS YOU CAN IMPROVE YOUR WORK FROM HOME LIFESTYLE



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Written Statement: https://missoulain.com/news/state-and-regional/warden-resigned-over-confrontational-working-conditions/article_6ac86a0a-d3e0-57d1-bfda-3590c7f257e9.html

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EDITOR'S PICK

TOPICAL

ALERT

Warden resigned over confrontational working conditions

Seaborn Larson

Aug 10, 2020



Montana State Prison Warden Lynn Guyer submitted his letter of resignation on July 16.

Seaborn Larson

Former Montana State Prison Warden Lynn Guyer left the state corrections agency last month after he said working conditions proved insufferable: officials in the agency's clinical department were resistant to install evidence-based

programming for sex offenders, as well as drug and alcohol addicts, and the director often belittled him in front of subordinates, he told the Missoulian in a phone interview on Friday.

Guyer **submitted his letter of resignation** to the Montana Department of Corrections on July 16, less than two years after he was selected as warden of the state men's prison in Deer Lodge, which houses 1,600 inmates. Guyer, a 30-year veteran of the Idaho correctional system, has moved back to Idaho since leaving the Montana prison system on his own terms.

“I am leaving with my dignity,” Guyer said. “I’m not putting up with this bulls—t. This is just, you guys (the Montana corrections department) are wrong.”

On Wednesday, the Missoulian received Guyer's exit questionnaire from an anonymous source. Guyer on Friday confirmed the authenticity of the document; as he was making his exit from the agency, he said he sent the exit questionnaire to the governor's office and staff so they would know the truth about why he left.

Friday, Guyer explained the frustrations he poured into it, to the Missoulian. A long-standing point of contention, he said, was the lack of evidence-based practices — ones proven to work — was hurting the ability of offenders to get appropriate treatment and succeed.

A Montana Department of Corrections spokesperson on Friday said the department “is committed to evidence-based programming as an integral part of its justice reinvestment efforts.”

“We are making solid advancements toward breaking the cycle of incarceration and are dedicated to ensuring this progress continues,” department spokesperson Carolynn Bright said in an email.

Guyer’s resignation comes at a critical time for the corrections department, for which a legislative oversight committee has continuously requested updates to policies in place to help prevent the spread of COVID-19 in secure facilities as the pandemic shows no sign of slowing.

Guyer said his reasons for leaving included the apathetic pace in which Clinical Services Division Administrator Connie Winner implemented evidence-based programming for sex offenders, as well as drug and alcohol treatment in secure facilities. Bright did not directly respond to a question about claims Winner had slowed the pace of implementing such programming thus far.

This programming was supposed to move into place as part of a 2017 justice reinvestment package passed by the Montana Legislature earlier that year. The DOC's quality assurance office was tasked by the legislation to measure program effectiveness and adherence to evidence-based standards. That legislation was championed by then-state Sen. Cynthia Wolken, D-Missoula, now deputy director of the corrections department. Wolken did not return a call seeking comment on Friday.

“We continued to tell them that through the leadership, that there is no (evidence-based) treatment for sex offenders or alcohol or drug addiction,” Guyer said. “Since January 2019, that never moved forward.”

The Montana Department of Corrections lists online its approved evidence-based programs. Sex offender programs, along with specific drug and alcohol programs, are not among them.

“So if you have alcohol or drug addiction, and you’re not getting the appropriate treatment, then it affects your success rate,” Guyer said.

On July 7, the Department of Corrections presented a document to the state Law and Justice Interim Committee, which oversees the agency, highlighting its programming. The state prison does offer three levels of sex offender programming, as well as substance use disorder treatment, both intensive treatment and relapse prevention, while additional facilities, including Pine Hills Correctional Facility, Crossroads Correctional Center, Dawson County Correctional facility and the Great Falls Regional Prison offer some of the same programming. None of the programs are detailed as "evidence based."

Because Montana State Prison does not have evidence-based treatment programming, contracted facilities, such as Crossroads Correctional Center in Shelby, also do not have the proper programming, Guyer said.

Pre-release facilities and community entry programs, however, are using evidence-based programming, he said.

Also chief among Guyer's reasons for resigning from the warden's office was his relationship with Montana Department of Corrections Director Reginald Michael. Guyer described Michael degrading him on conference calls with subordinates and peers.

The most recent tirade, according to Guyer, was over mask use at the prison. Officials in clinical services had accused "95%" of prison staff of not wearing masks.

"We have issues with staff not wearing the masks but 95%, that's pretty much everybody," Guyer said. "I said, 'That's not true.'"

Guyer said there were a few issues regarding mask use among staff, but wholly disputed the claim that nearly all staff worked without them. As of Saturday, no COVID-19 cases have been confirmed in the state men's prison.

Guyer said Michael responded by going on a rant against the warden and getting personal in some of his remarks. It wasn't only Guyer who suffered these diatribes, he said; others in "field leadership" would hear the same thing.

"You never knew what topic was going to set him off," Guyer said.

Through an email with DOC spokesperson Bright, the director did not answer a question about Guyer's claims he degraded field staff; Bright cited personnel policy.

Michael fired Guyer's predecessor, Michael Fletcher, in January 2018. Fletcher and Michael had been in their respective positions less than a year. Fletcher, **according to a report by Lee Newspapers in August 2018**, had been accused of several

instances of misconduct. Fletcher denied the claims then and contended others in the department had sought his ouster. The warden previous to Fletcher, Leyor Kirkegard, retired in 2017 after five years in the warden's office.

Guyer was hired in October 2018.

While he was in the moving phases of returning to Idaho, a week after tendering his resignation, he received a call from agency officials asking if it would be easier for him to return to Idaho immediately, rather than the Aug. 30 date he had set.

Seaborn Larson

State Reporter

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Written Statement: <https://www.prisonlegalnews.org/news/2010/nov/15/investigation-reveals-montana-prisoner-had-relationships-with-five-female-staff/>

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✿ (</subscribe/digital/>) Investigation Reveals Montana Prisoner Had Relationships with Five Female Staff

Loaded on NOV. 15, 2010 published in Prison Legal News November, 2010 (</news/issue/21/11/>), page 21

Filed under: Sexual Assault (/search/?selected_facets=tags:Sexual%20Assault), Staff-Prisoner Assault (/search/?selected_facets=tags:Staff-Prisoner%20Assault), Guard Misconduct (/search/?selected_facets=tags:Guard%20Misconduct).

Location: Montana (/search/?selected_facets=locations:1499).

In both state and federal prisons it is illegal for staff members to have sex with prisoners. Five female employees of the Montana Department of Corrections, however, reportedly had personal relationships with prisoner Michael Murphy, 36.

Documents obtained by the Associated Press following a public records suit revealed that in 2003, two female staff members at the state prison in Deer Lodge were disciplined for having undisclosed relationships with Murphy. Prison officials were shocked to learn in 2008 that he had been involved with three other female employees, too. [See: PLN, May 2009, p.1].

One was his therapist, Killian L. Thomas. She told investigators that Murphy “kissed me one day in my office and I just thought what the fuck did I just do.” Although she said she felt manipulated and compromised, she engaged in mutual oral sex with Murphy in her office on multiple occasions and gave him about \$400.

Prison guard Lisa Mantz admitted to “swapping spit” with “Murph,” and wrote him a love letter detailing how she couldn’t wait to have sex with him. Shannon Davies, another guard, said she developed a “limited emotional attachment” to Murphy, sending him a greeting card that said “I’m in love with you.”

Murphy, who is serving 25 years for theft, forgery, burglary and criminal endangerment, wrote letters to newspapers and the ACLU of Montana claiming he had been sexually assaulted by some of the women. He was not charged in connection with having sex with prison employees, though one staff member was reportedly prosecuted.

The former director of New York City’s corrections department, Martin Horn, now a professor at the John Jay College of Criminal Justice, has little sympathy for female guards who feel victimized. He believes an atmosphere that treats women staff members caught in sexual acts with prisoners less severely than male employees promotes such illicit relationships.

“As long as we have a double standard, we are going to see these kinds of behaviors,” said Horn. “It is a very slippery slope we go down if we say we are not going to hold female officers to the same standard.”

According to Montana State Prison Warden Mike Mahoney, 41% of the prison system’s employees are women. A 2007 U.S. Department of Justice study that analyzed the prevalence of sexual assaults in state and federal prisons found that 58% of perpetrators of staff sexual misconduct were female.

Killian Thomas faced disciplinary action by the Board of Social Work Examiners and Professional Counselors due to her sexual relationship with Murphy; she was fined \$500 and her license was suspended for at least one year on July 31, 2009.

Sources: Associated Press, www.thesmokinggun.com, www.salon.com, <https://app.mt.gov/lookup>
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Written Statement: Mr. Swanson death hold a lot off question regarding the process of death and the footage of that time need to be reviewed.

<https://www.greatfalls Tribune.com/story/news/2020/06/24/cascade-county-detention-center-reports-custody-death-inmate/3250699001/>

Great Falls Tribune

NEWS

Death of inmate reported at Cascade County Detention Center

Skylar Rispens Great Falls Tribune

Published 10:30 a.m. MT Jun. 24, 2020 | Updated 1:47 p.m. MT Jun. 24, 2020

The Cascade County Detention Center reported that an inmate died Tuesday morning.

Cascade County Sheriff Jesse Slaughter on Wednesday identified the in-custody death to be 30-year-old Zachary Swanson.

The incident is being investigated by the Montana Criminal Division of Investigations and the Petroleum County Coroner's Office, according to a news release from the Cascade County Sheriff's Office.

No further information was provided from the sheriff's office.

According to the Montana Department of Corrections Offender Network Search, Swanson was a resident at the Great Falls Transition Center.

He was sentenced in 2018 to five years for criminal possession of dangerous drugs.

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https://missoulian.com/news/state-and-regional/crime-and-courts/man-dies-in-montana-prison-amid-harassment-suit/article_a23b4006-c31a-543b-9bc6-7fc0f185bc24.html

EDITOR'S PICK

TOPICAL

ALERT

Man dies in Montana prison amid harassment suit

Seaborn Larson

Jul 2, 2020

A 33-year-old man sentenced to life without parole in Montana State Prison and who took his complaints about sexual harassment by a corrections officer to the Montana Supreme Court has died, revealed by court documents filed this week in his case.

Attorneys filed a motion with the state high court to dismiss Laurence Alan Stewart II's case on June 2 after learning "by way of background" that Stewart was deceased.

Supreme Court Justices responded in a filing on June 5 by ordering the case dismissed on July 1 if an estate representative did not appear on Stewart's behalf.

Amy Barton, a spokeswoman for the state prison told the Missoulian on Thursday Stewart died on April 30 due to an apparent hanging. Family and victims were notified as per policy, Barton said, adding the prison no longer issues press releases when an inmate dies as part of a new policy.

Stewart, of Virginia, was **sentenced to life in prison without the possibility of parole** in 2013 by a Cascade County District Judge after he was convicted of trying to kill seven Montana law enforcement officers a year earlier by throwing pipe bombs at them during a 40-mile chase that ended outside Belt.

In November, the Montana Human Rights Commission found the Montana Department of Corrections and Montana State Prison owed Stewart \$3,000 for discriminating against him on the basis of sex in 2017. According to hearing officer

Caroline Holien's **report** dated Nov. 27, 2019, state prison officials admitted liability for sexual harassment discrimination before it got to the hearing stage.

The admission was a concession that led Stewart to forego additional allegations, including claims that he was retaliated against for reporting the sexual harassment, according to Holien's report.

The report includes the following uncontested facts:

- On Dec. 3, 2017, Corrections Officer Lucas Griswold sexually harassed Stewart, which included an "over-the-clothing pat search" with Stewart while making sexual comments.
- Griswold stated that he would perform pat-downs of entire blocks or units "in response to inmates calling him a racist or other insults." Pat-downs of entire units returning from the chow hall are not normally performed. When pat-downs of entire units are performed, they are not normally performed by one officer alone.
- A sergeant at the prison and "other correctional officers were aware of past sexual and/or inappropriate behaviors by Griswold, but did not report it."
- Stewart and at least 14 others filed informal grievances ("informals") on the incident. These informals were allegedly lost or misplaced until June 2018, when they were found in a locked office of a prison rape elimination compliance officer who had left the job.

After Stewart had received no response to his informal grievance, he filed a formal one in January 2018, according to the Human Rights Bureau filing. The following February, the Prison Rape Elimination Act compliance officer requested an investigation with the prison's human resources department, documents state. A human resources staffer found the claims to be substantiated and on March 6, 2018, the prison suspended Griswold.

Later that month, Stewart filed another formal grievance regarding the prison's failure to refer him for a mental health evaluation as required by the the Prison Rape Elimination Act. A security technician noted Stewart had said during a previous

interview that he did not need to see a mental health specialist, and an interview with a psychiatrist several months earlier made no reference to suicidal or homicidal ideation. But on April 1, 2018, Stewart filed a mental health request reporting his "patience/stability is gone ..." that he had thoughts about killing his cell mates and other thoughts that were not normal, according to Human Rights Bureau documents. Additionally interviews showed Stewart suffered emotional distress as a result of Griswold's discriminatory conduct, including anger, depression, anxiety, suicidal and homicidal thoughts.

"Stewart's biggest emotions since the incident is anger and hopelessness, which is reasonable given that his life is effectively within the sole control of MSP and its staff," Holien, the Human Rights Bureau hearing officer, wrote in her November 2019 report.

Stewart had requested \$30,000 for suffering sexual harassment and for the prison's failure to quickly investigate his claim. The Human Rights Commission ultimately decided he was entitled to \$3,000, which accounts for the approximate six months between his informal grievance filed Dec. 4, 2017, and staff addressing his complaint in accordance with the Prison Rape Elimination Act.

The hearing officer also ordered the Montana Department of Corrections, and Montana State Prison consult with the Human Rights Bureau, which is within the Department of Labor and Industry, to ensure its policies and procedures are sufficient to identify, investigate and resolve inmate complaints of discrimination. Barton, the prison spokeswoman, was unsure whether the stipulation had been completed by Thursday and said she would have to check with legal staff. A spokeswoman for the Department of Labor and Industry said the Department of Corrections had been in contact with the Human Rights Bureau, starting in January, and met in February regarding its harassment policies and procedures. Additional information would be available next week, spokeswoman Lauren Lewis said.

In May 2019, before the hearing officer's decision, Stewart — representing himself — brought a lawsuit in Powell County District Court against the prison and corrections officers with his claims of sexual assault, sexual harassment, assault, intimidation, mistreating prisoners and violations of his constitutional rights. In

March 2020, a Powell County District Court judge granted the defendants' motion to dismiss, ruling the District Court did not have jurisdiction over the case or claims that played out in the Human Rights Bureau.

On April 2, Stewart appealed the dismissal to the Montana Supreme Court. Two weeks later, a mediator was arranged. The case did not settle during a mediation session on April 28, according to the mediators report to the court. On April 30, Stewart was found dead by apparent suicide.

Barton said the investigation into Stewart's death has been turned over to the Powell County Attorney's Office, which will make a determination of whether to conduct a coroner's inquest, which determines whether a person died as the unjustified fault of law enforcement.

Barton said the new policy to not issue press releases upon an inmate's death was a direction from the governor's office. Voicemails left for comment at the governor's office were not immediately returned Thursday afternoon.

Barton was also not immediately aware whether Griswold, the correctional officer involved in Stewart's sexual harassment case, was still employed at the state prison.



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