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RE: Public Comment

February 14, 2014

To: Chairwoman MacDonald and Members of the Law & Justice Interim Committee

Dear Chairwoman MacDonald and Members,

I am sorry I am unable to present this letter in person. If possible, this letter will be read by Julie Langaker; if she is unable to attend, I would request that either Rachel Weiss read it or copies be provided to the Committee.

I am a Montana licensed clinical professional counselor, and was employed at Crossroads Correctional Center in Shelby, Montana, from November 6, 2012 through December 21, 2013. I quit due to what I saw as unethical situations/conditions and behavior within the prison by staff and other professionals. One of the issues includes witnessing the unethical and unprofessional treatment of an inmate when he went before the Parole Board several months ago. I do not have the specific date, and due to confidentiality issues would not be able to disclose the name and/or specific date unless I obtained a signed release of information from the inmate. I will contact that inmate for the release if requested to do so.

I had been at Crossroads Correctional Center for a few months, and was told by my colleague that I should sit in on a parole board hearing. I went down to observe one day, and while it was not planned, one of my clients walked into the room to go before the board. He was unaware I attended until I saw him in the hallway after the hearing. He was incarcerated on a drinking conviction.

As the gentleman, who I am assuming was the Chair of the Parole Board, was looking through the inmate's file, the Chair brought up a different charge that had occurred approximately 20 years ago. This inmate had already served his time on that crime and completed all requirements as sentenced. The Chair stated that the inmate would have to go through additional treatment for the prior crime before the Chair would feel that the inmate would be able to return to society. The inmate stated that he was incarcerated for a drinking crime, which had no connection or similarity to the prior crime. In addition, the inmate stated that he had with him an assessment from a licensed counselor stating the inmate did not meet criteria for the treatment being recommended by the Chair.

The Chair specifically stated that the assessment could not have come from the counselor at MSP, therefore the assessment was not valid in the hearing and that the inmate would have to complete the additional treatment to be eligible for parole. The inmate stated respectfully that indeed the assessment he had in his possession was provided by the counselor at MSP that the Chair had named, and that treatment was not recommended. The inmate again tried to explain that he was not in prison at this time for the prior crime, and that he felt he was being punished twice.

At that time, a female sitting at the Parole Board table stood up, shook her head and started laughing; she then said "I do not have to listen to this" and she walked away from the table. The Chair insisted that the inmate go to treatment for his prior crime or not get paroled. The inmate stated he would not do the treatment. He left the hearing very angry, but he did an excellent job not acting out after being humiliated by the Chair and the woman who laughed at him. This inmate did an excellent job while in treatment with me, and what he went through at the hands of the Parole Board was unacceptable. He later decided to go ahead and go through the treatment because that was the only way he could get parole, not because he was properly assessed for it.

With all due respect for the Parole Board and its members, regardless of the crime and person standing before them, it is unacceptable to humiliate another human being. And it was appalling to think that none of this was recorded; how could any governmental activity as critical as parole not be recorded? I try to provide excellent treatment to my clients by teaching and modeling healthy behavior. When I met with him after the hearing, I commended him for not acting out. He was treated the exact opposite of what is demanded of him—it is hard to make sense of how poorly we treat each other. Prison could be a place for inmates to take responsibility for any crime(s) they commit and make healthy change. Desire to make positive change does not come through blatant humiliation and having unnecessary and/or restrictive treatment for any disorder being recommended by unlicensed professionals. Montana has specific licensure requirements to ensure that clients are receiving necessary treatment, and it is the duty of anyone who holds power to act responsibly. Incidents such as these should never happen, and if they do, they should be recorded with visual and audio equipment to allow for accountability and a review to make necessary corrections and amends. If we are going to demand people take responsibility for their actions, we must be willing to do so ourselves.

I appreciate your time and concern for ethical treatment of all human beings.

Sincerely,
Patricia Swan-Smith, Montana LCPC