

From: [Rudy Stock](#)
To: [Smith, Patrick](#)
Subject: FW: MSP
Date: Monday, September 24, 2018 10:23:09 AM
Importance: Low

Good Morning Mr. Smith:

I was at visitation at MSP and learned about a Prison Issues Board meeting tomorrow. Ms. Burton asked me if I would take her letter to the meeting and present it, however after reading the meeting material I thought that it would be best to forward it to you. Rudy Stock

From: REBECCA WRENN [mailto:nurseb57@hotmail.com]
Sent: Monday, September 24, 2018 9:12 AM
To: Rudy Stock
Subject: RE: MSP
Importance: Low

Dear Montana Prisons Issues Board,

My name is Rebecca Barton. I am a nurse from Kalispell and my husband, Jerry Barton AO#3021307 is incarcerated at Deer Lodge. He is a Vietnam Era vet and has several health issues. He currently is wearing a knee brace and is on crutches. He had a left knee reconstruction at the VA hospital in Portland years ago and has been advised he likely needs a knee replacement now. His upper denture is broken in half and needs properly repaired or replaced. His glasses are also broken. After weeks of waiting, his denture was glued back together for the 2nd time, but then broke into again the day after it was glued. He needs glasses and can't see well to read.

He saw the parole board on August 1st and was told he still needs to pay nearly \$12,000 in restitution, complete SOP2, complete Drug Relapse Prevention Training and once these were completed he could request a new parole hearing and could be out in as little as 10 months.

First of all, the judge at his sentencing hearing in Saunders County wrote "NO RESTITUTION" on his sentencing order for a reason. I realize we do have to pay court fees, etc, but the judge specifically wrote that on his sentencing order after discovering the mother of the child had already sued me and my husband for \$100,000 in civil court on behalf of herself, three daughters (one who wasn't even there, and one who admitted he never touched her) and the state of Montana. The hearing was postponed for 2 weeks so the judge and prosecutor could investigate. At the sentencing hearing the judge told the single mother with eight children she could either take the proceeds from the civil suit or \$10,000 restitution from my husband—not both—it was "double dipping" and he would NOT allow it. The judge was also privy to the 7-year old's medical records from her examination at the hospital in Missoula that showed she had no injuries despite her 16-year-old brother, who also was also not there at the time, claiming she had been raped and sodomized. The physician at the hospital documented he had to give the child an anatomy lesson

because she didn't know her body parts. But the examination was not allowed to be presented in court if the case went to trial because the child had documented she had previously been physically abused and sexually assaulted. Because my husband had admitted he had kissed the child on tape and touched her leg, and since he would not be allowed to question the child, he was advised to take a plea deal or spend the rest of his life in prison. I have had to hire an attorney AGAIN to get the restitution issue straightened out because the prosecuting attorney stapled the original plea deal on the back of the judges' order amending the original agreement, but the clerk never blacked out the appropriate statements.

Secondly, the sentencing judge ordered my husband to take SOP1 And SOP2 from a community counselor while on parole. The court ordered psych sexual offender evaluation stated that evidenced based community treatment was statistically superior to prison programs at reducing reoffences and that was his recommendation for my husband. He quoted statistics in his letter to the court, so that was also hand written by the sentencing judge in his order. My husband was enrolled in SOP1 before he went to court and had been accepted in a program in Kalispell for SOP2 upon parole. This had been set up by his VA counselor prior to him ever going to court and his counselor had written a letter to the parole board stating he was in her program. He completed SOP1 in Deer Lodge last winter.

Next, there was never any mention of drug counseling in the original order and this apparently stemmed from the fact my husband suffers from PTSD, had migraines for years, as well as knee pain and was a medical marijuana patient prior to his incarceration. His only other prior offence was some 20 years ago in Oregon for growing medical marijuana where he was fined and sentenced to community service. However, my husband who is a low risk offender has cooperated completely. He has not gotten into any trouble while incarcerated, has had no write ups, has been a volunteer numerous times including being a math tutor for inmates studying for their GED while incarcerated at Shelby. He has held a prison job or gone to school throughout his incarceration at Deer Lodge and was anxious to comply with the board's recommendations to help expediate his release. He spoke to his case manager Monique Miller who informed him there was no drug relapse prevention program available and there hadn't been one for at least the past 3 years. He felt he needed to show he was doing everything possible to satisfy the board's recommendations, so he started attending AA meetings here. At an AA meeting, one of the other inmates informed him, that yes, there was a relapse prevention class here. So, my husband signed up for it and started going. His relapse prevention counselor told him that the class was exactly what the board wanted and that he would get a certificate at the completion of the class to be presented to the board. His counselor asked to please let Monique Miller know about the class, since apparently, she wasn't aware of it. When my husband stopped by Ms. Miller's office to pass on the information as requested by his other counselor, she informed him she didn't care and slammed the door in his face. Since then he has recruited three other inmates to take the relapse prevention class and he complained to me he feels like he is having to do her job.

Regarding SOP2, the parole board told me they would move my husband up to the top of the waiting list so he could get started right away. At the time of the parole hearing he was in D Block and would have to transfer to A Block to take SOP2. Two weeks after the parole hearing he was told to pack up his stuff, he was moving to A Block. After sitting and waiting for 2 hours, he was moved back to his old cell in D Block. The issue apparently being he was on crutches and he was told there was no lower level cell for him. Later, a guard tried getting him to sign a paper saying he was declining SOP2 which he said he adamantly refused to sign and got into an argument with a guard over it, despite being told to "just sign the paper and you can appeal it later." He told the guard, "Do you think I'm an idiot? Of course, I'm not signing the paper. I'm not refusing to take SOP2. I just can't walk upstairs with crutches." He told me he felt he was being discriminated against because there were empty cells on the ground level from inmates being locked in the hole and felt they could have moved someone upstairs when they got out and let him take a downstairs cell. Instead, he had to wait over another month to get transferred over to A Block and is finally going to start SOP 2 today, Monday Sept 24th. This happened only because he sent a kite to the deputy warden and things finally started to move along. He now, believe it or not, is in a single cell handicapped unit. He feels he should have complained sooner, but thought he was following proper chain of command.

I feel like my husband shouldn't even be here, but am doing the best I can under the circumstance. I am more fortunate than many prisoner families. I travel from the other side of Kalispell every other weekend to see my husband. I stay in the Travel Lodge here so I can visit him as much as I can while I am here.

I only get every other weekend off and it has been a burden on me, but I work 80 hours a week to keep things together at home. Besides the Parole Board not complying with my husband's original sentencing order, the reduced visitation is one of my greatest grievances. The other biggest concern I have is with substandard health care here—mental and physical. On parole, my husband would have already been taking SOP2 for the past 6 weeks from Michelle Puerner, had new glasses and new dentures made and be seeing his VA doctor for his knee. It is too bad that people can take animals to the vet whenever they need to go, but human beings having the misfortune to be locked up in a prison in Montana aren't treated as humanely.

Thank you for your time and listening to my complaints. I hope to see positive changes within the prison system in Montana soon and believe it is possible if everyone can work together toward positive solutions.

Sincerely,
Rebecca Barton

PS. If anyone wishes to contact me they may do so at my e-mail address:
nurseb57@hotmail.com