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Thurs., Dec. 22, 2011

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ACLU Indiana Says Dept. of Correction in Contempt

Indianapolis – On behalf of four Indiana prisoners, the American Civil Liberties Union of Indiana filed a motion today asking the U.S. District Court in Indianapolis to hold the Indiana Department of Correction in contempt for not providing kosher diets to prisoners.

According to Ken Falk, legal director for the ACLU of Indiana, the DOC has failed to comply with a December 2010 decision handed down by the District Court requiring that kosher diets be provided to prisoners whose sincere religious beliefs require such a diet. The ACLU motion seeks remedies for the four prisoners themselves and on behalf of other Indiana prisoners facing similar religious interference.

“The court’s judgment in this case is clear, and the DOC is not free to disregard it,” said Falk. “The DOC does not have the right to deny these prisoners an intrinsic element of their religious beliefs.”

Falk added that the DOC lack of compliance with the 2010 decision also violates a federal statute, called the Religious freedom Restoration Act of 1993, which prohibits the imposition of unjustified burdens on the ability of prisoners to worship. The prisoners seeking enforcement of the court’s judgment have diverse religious beliefs and reside in correctional facilities in Michigan City, Pendleton and Putnamville.

The motion to intervene, *Matson Willis, et al. v. Commissioner, Indiana Department of Correction, et al*, was filed in the Indianapolis Division of the U.S. District Court, Southern District of Indiana, under cause number 1:09-cv-815 JMS-DML.

“The ACLU of Indiana is dedicated to defending the rights of all Indiana residents,” said Gilbert Holmes, ACLU of Indiana executive director. “Religious freedoms are fundamental to our rights as Americans, and even those who are incarcerated still possess a measure of these rights.”

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