

# AMNESTY INTERNATIONAL PRESS RELEASE

## Public Statement

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### **USA: Pepper spray used repeatedly on Native American children Amnesty International calls for investigation**

*Amnesty International today is calling for an independent inquiry into the repeated use of pepper spray on Native American children at a Montana juvenile facility during the past two years. These incidents only became public earlier this year.*

*The organization is concerned that staff at the Pine Hills School Youth Correctional Facility frequently used the painful -- and potentially dangerous -- chemical spray, Oleoresin Capsicum (OC), to control youth who repeatedly violated rules and engaged in destructive behaviour, including breaking windows and light fixtures. A senior staff member admitted during court proceedings last year that some children had been sprayed as many as 15 times each.*

*In the letter sent today to the Montana authorities, Amnesty International has cited several cases, including:*

*\$ A boy who was sprayed with OC spray at least nine times in 19 months, including five times in one month in 1999;*

*\$ A boy who was exposed to OC spray in the confined space of his unit -- with the air conditioning turned off by staff -- for a total of 12 minutes;*

*\$ Two boys alleging that they scooped water from their toilet bowl and laid in pools of water on the floor in an attempt to alleviate the burning on their bodies caused by the spray.*

*Amnesty International believes that the use of painful, inflammatory chemical agents is not an appropriate or humane way to control disturbed children. In fact, it appears that the use of the spray may have caused some children in the facility to become more agitated or resistant.*

Furthermore, the organization is concerned not only that the authorities have failed to adequately monitor of the use of OC spray but also that documentary evidence suggests that Native American children were disproportionately sprayed.

Amnesty International is calling for the use of OC spray to be discontinued in the facility and for other, more humane, means of addressing disturbed behaviour to be explored and instituted. This includes making mental health programs available for the treatment of mentally disabled or emotionally disturbed children.

### **Background**

The incidents involving pepper spray only emerged after several boys -- charged with offences connected with disturbances in the facility -- were removed from the facility and told their stories to a minister. The minister presented a dossier to the Montana Senate Judiciary Committee in February this year.

Following the concern raised about these cases, the Senate Judiciary Committee heard testimony on a bill to ban the use of pepper spray at juvenile correctional facilities. However, the bill was postponed indefinitely. During the hearings Pine Hill staff defended the use of OC spray and Superintendent Steve Gibson dismissed the testimony as "totally inaccurate and an insult to the professional staff at Pine Hills".

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For more information please call Amnesty International's press office in London, UK, on +44 20 7413 5566

Amnesty International, 1 Easton St., London WC1X 0DW web : <http://www.amnesty.org>

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