



Since 1996, every U.S. Circuit Court of Appeals and every state court of last resort ruling on the issue of choice in recovery has agreed that under the First Amendment of the U.S. Constitution, the government and its agents, including contractors, may not coerce or compel a person to participate in Alcoholics Anonymous, Narcotics Anonymous, or any other religious-based substance abuse treatment program as a condition of parole. Failure of those agencies to offer alternative secular treatment and support options can result in significant monetary damages.

Simply put, offering choice in recovery is the law.

As you consider this important issue, we invite you to do an internet search and read about the August 2013 Ninth Circuit Court of Appeals ruling in Hazle v. Crofoot.

LifeRing Secular Recovery is an abstinence-based, worldwide network of individuals seeking to live in recovery from substance use disorder to alcohol or to other non-medically indicated drugs.

In LifeRing, we offer each other peer-to-peer support in ways that encourage personal growth and continued learning through personal empowerment.

Our approach is based on developing, refining, and sharing our own personal strategies for continued abstinence and crafting a rewarding life in recovery. In short, we are sober, secular, and self directed.

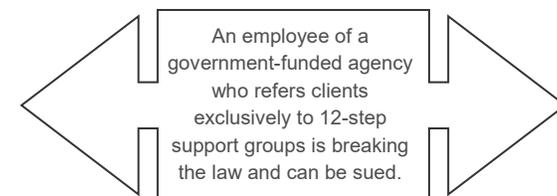
There are as many ways to live free of drugs and alcohol as there are stories of successful sober people.

LifeRing respectfully embraces what works for each individual.

To find out more about LifeRing:
Browse www.lifering.org, the Internet voice of LifeRing Secular Recovery. Join LifeRing's email groups and chat meetings.



Choice in Recovery It's the Law!



You can find a LifeRing meeting at:

LifeRing Secular Recovery
www.lifering.org
service@lifering.org
1-800-811-4142

The Case

After his conviction in California on drug charges, Barry Hazle, Jr. was imprisoned and served his time.

Upon his release and as a condition of his parole, he was mandated by the state-assigned contractor, Westcare, into a 90-day residential program that uses a twelve-step approach to treatment, an approach based on the principles of Alcoholics Anonymous and Narcotics Anonymous.

He immediately objected and requested to his parole officer and Westcare that he be placed in a secular treatment program, stating he was committed to “a full and lasting secular recovery and complete abstinence from illegal drugs.” Mr. Hazle was then expelled from the treatment center due to his being, “disruptive, though in a congenial way,” arrested, and subsequently sent back to prison for violating the terms of his parole.

Mr. Hazle sued the parties involved, charging infringement of his First Amendment rights. He also sought injunctive relief from the state for continuing the practice of placing parolees into non-secular substance abuse programs, even if they object on religious grounds, in violation of established law. The Federal Court for the Eastern District of California ruled that Mr. Hazle’s First Amendment rights had indeed been violated but awarded zero damages. Mr. Hazle appealed.

August 2013 Ninth Circuit Court of Appeals ruling in Hazle v. Crofoot.

The Ruling

In August 2013, the Federal Ninth Circuit Court of Appeals in San Francisco ruled in favor of Mr. Hazle. In that ruling, the court held that twelve-step programs are “religious” under the First Amendment of the U.S. Constitution, meaning that a criminal justice officer (or, by extension, any agent of the federal, state or local government, or an employee of a government-funded agency within the bounds of the Ninth Judicial Circuit) can be sued if they ignore a client’s religious objections and mandate the client to attend twelve-step based treatment programs or to attend twelve-step meetings without providing a secular alternative.

The Court of Appeals also held that an award of no monetary damages for a violation of one’s constitutional rights was impermissible and remanded that issue back to the trial court, which resulted in a settlement award of nearly \$2,000,000 to compensate Mr. Hazle for the one hundred days he spent wrongfully imprisoned.

Because courts in other jurisdictions have made similar rulings, choice in recovery is now the law in federal courts in the 2nd Circuit (CT, NY, VT), the 7th Circuit (IL, IN, WI), and the 9th Circuit (AL, AZ, CA, HI, ID, MT, NE, OR, WA, GU, MP), as well as all state courts in New York and Tennessee. These decisions also stand as strong legal precedent in all other jurisdictions that have yet to rule on this issue.

Why is this is important to you

If you are an official in the criminal justice system or serve in a related position of authority over offenders with substance abuse issues, you can help avoid the risk of lawsuits by offering your clients a choice of both religious and secular treatment programs and support groups for substance use disorders. You help yourself, your employer, and your clients by working with treatment service providers to ensure their programs contain a secular track in addition to a twelve-step track. Furthermore, information you share with clients about secular recovery support programs like LifeRing should be offered in ways that provide a level playing field when it comes to the availability of meeting rooms, publicity, literature, referrals and other resources.

If you are a prisoner, parolee or other type of government client who objects to the religious content of faith-based programs, stand up for your beliefs and make sure your objections are communicated and documented, clearly and immediately. In the case of Hazle v. Crofoot, the plaintiff won in part because he wrote letters and filed suit promptly after he was compelled to attend twelve-step recovery programs without being given a secular alternative. As a prisoner or parolee, if you earnestly want to remain clean and sober by actively participating in secular, non-religious substance treatment programs and support groups, make sure your preference is known by those who represent you and your interests in the legal system.

