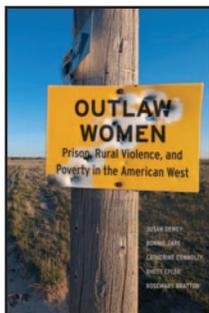


BOOK REVIEWS

Outlaw Women

Prison, Rural Violence, and Poverty in the American West

By Susan Dewey, Bonnie Zare, Catherine Connolly, Rhett Epler, and Rosemary Bratton
NYU Press (2019)
Reviewed by Laura Reed



Outlaw Women: Prison, Rural Violence, and Poverty in the American West examines the experiences of women prisoners in predominantly white, rural, Western states. The book grew out of interviews with

women in Wyoming's state prison. The authors argue that women in the criminal justice system in rural Western states face unique challenges and obstacles that have not been addressed in academic research focusing on urban male prisoners.

The book debunks myths about the American West as a place where individuals can pull themselves up by their bootstraps, free of government interference. Instead, it shows how the choices of women in the Wyoming prison system have been constrained by addiction, intimate partner violence, and poverty.

Chapter One, "Hitting Rock Bottom," introduces Tammi, who works in a strip club in Rock Springs (aka Rock Bottom) and is addicted to heroin. She is a product of the foster care system and belongs to an "outlaw family" with an intergenerational history of drug abuse and imprisonment. The authors juxtapose Tammi's story with research showing that rural communities suffer from a dearth of mental health and addiction services. Often prison offers women like Tammi their first opportunity to receive drug treatment.

Chapter Two, the ironically titled "A Productive Member of Society," discusses the economic pressures that lead some women to choose to commit financial crimes. It tells the story of Dakota, who stole money from a business where she worked as a low-paid accountant, in a failed effort to save her family's ranch from foreclosure.

The saddest chapter, "Violence Has Flow," begins with the story of Janea, a woman with two children and no real work opportunities, who lives in an isolated trailer with an oil industry worker who beats her repeatedly. After she kills him, she is sentenced to life without parole. This chapter outlines research on the high prevalence of violence and sexual abuse in the lives of incarcerated women. In the rural West, women are vulnerable to domestic violence because social services can be sparse, and limited job opportunities can make some highly dependent on abusive partners.

"On the Radar," the final chapter, outlines some of the challenges rural women prisoners face after they are released on parole. These challenges include limited socioeconomic opportunities, isolation, and heightened social stigma in small communities. The authors describe how women parolees prioritize relationships over economic success, in contrast with many male parolees. They criticize the correctional industry's focus on individual choice and free will and "male" definitions of success.

The book concludes with suggestions for reform. These include the following: making addiction treatment available prior to involvement in the criminal justice system, expanding centers supporting victims of domestic violence, providing job training, and changing legislation that requires disclosure of parolees' criminal history to employers.

One would hope that a book like this would inspire community and leg-



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islative action. After completing the research for it, Susan Dewey initiated Wyoming Pathways from Prison, a program in which prisoners can earn college credit through the University of Wyoming online at no cost. The program was recently selected to participate in the Second Chance Pell Grant Experiment, a U.S. Department of Education program that provides funding to enable prisoners to obtain four-year bachelor's degrees while incarcerated.

While it is unclear whether red state legislatures will adopt this book's recommendations, it does provide research useful for sentencing arguments on behalf of criminal defendants in rural Western courtrooms. *Outlaw Women* makes a compelling case that lawbreaking is not solely an individual choice. It is also a community problem. ■

About the Reviewer

Laura Reed is an attorney in Montana who represents indigent criminal defendants.

The opinions expressed in reviews are those of the reviewers and do not necessarily reflect the opinion of NACDL.

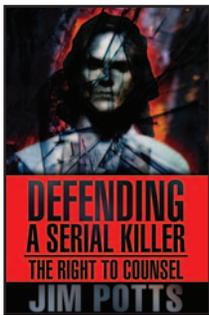
Defending a Serial Killer

The Right to Counsel

By Jim Potts

Vesuvian Books (2021)

Reviewed by James W. Carroll Jr.



Any attorney who practices a substantial amount of criminal defense almost inevitably will be asked, "How can you represent those people?" The answer to this question is always that a person charged with serious crimes is entitled to be represented by competent counsel.

Defending a Serial Killer is a practical study of the moral and ethical questions faced by criminal defense lawyers who represent our country's worst criminals. The author, Jim Potts, worked for 20 years in the Los Angeles County Sheriff's Department before he went to law school. In 1982, Mr. Potts was honored when one of his professors recruited him to assist in researching and writing an appeal to the California Supreme Court on behalf of a serial killer who had been convicted and sentenced to death.

The background for the appeal is a disturbing history of unspeakable crimes. Michael Dee Mattson was born on July 23, 1953, in Suffolk City, Utah. His father and stepfather abused him when he was a child. Mr. Mattson was a bully as a child, and as a teenager he began to abuse both drugs and alcohol.

Mr. Mattson eventually enlisted in the army but went absent without leave shortly after his enlistment. During the late 1970s, Mr. Mattson committed a series of horrific crimes. Authorities eventually accused Mr. Mattson of abducting, raping, and murdering a number of young girls in both California and Nevada.

Authorities originally arrested Mr. Mattson in Nevada and advised him of his right to remain silent and to have counsel. When initially advised of his rights, Mattson replied that he did not want to speak to the police and that he wanted an attorney. Over the next several months, Mattson was questioned on multiple occasions by police in both Nevada and California. On each occasion, Mattson would be advised of his rights, and he would agree to waive them. Mattson then made numerous statements implicating himself in a number of the abductions, rapes, and

murders that were introduced by the prosecution at trial. After hearing all the evidence, a jury convicted Mr. Mattson and imposed the death penalty.

Mr. Potts, at the time he worked on the Mattson appeal, was married, had a young child, and his wife was pregnant with a second child. When the author shares his excitement with his wife about the opportunity to work on a real case before the California Supreme Court, she immediately expresses her misgivings to her husband about him being involved on behalf of such a horrendous criminal. The author is immediately faced with a real dilemma of whether to accede to his wife's request that he not do this work or to continue his research, believing not only that it would be good for his legal career but also it would uphold the highest ideals of the criminal justice system. The author's wife tells him that if he succeeds in having his client freed, their marriage would be over. After struggling with this question, the author decides that he needs to continue with his work on the appeal.

After exhaustive research, the author uncovers an issue that might allow his client's conviction to be reversed. The author discusses his research with his professor and the professor agrees that

the issue he has identified should be included among a number of other issues in the appeal to the California Supreme Court. The beauty of *Defending a Serial Killer* is that it takes an abstract principal of criminal law and makes it very real. Not only does the author have real misgivings about working to reverse the conviction of someone who clearly deserved to be convicted, but his wife tells him that if he does this work it will jeopardize their relationship.

The author concludes that if the right to counsel means anything, it is a right that protects even the worst serial killer that one can imagine. The author's struggles with these issues are real and presented in a way that can be understood by both lawyers and nonlawyers. In the final analysis, the author teaches us that his decision to work on this appeal is the right one and one that upholds the highest traditions of the system of criminal justice. ■

About the Reviewer

James W. Carroll Jr. is a labor and employment litigation lawyer at Rothman Gordon, P.C. in Pittsburgh, Pennsylvania.

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