

NATIONAL COALITION AGAINST CENSORSHIP

June 7, 2019

Dean Peterson
Library Services Administrator
Florida Department of Corrections
501 South Calhoun St.
Tallahassee, FL 32399-2500

Dear Mr. Peterson,

The National Coalition Against Censorship and the other organizations signed below are writing to protest the Literature Review Committee's decision on May 15 to uphold a ban on Issue 15 of the *Militant* newsweekly. We believe this ban violates the free speech rights of Florida prisoners.

Issue 15 was banned because of an article about Albert Woodfox, a former inmate who has written a book about his imprisonment in solitary confinement for over 40 years at the Angola prison in Louisiana. According to officials at the Florida State Prison, the article "depicts, describes or encourages activities which may lead to the use of physical violence or group disruption."

However, neither the initial impoundment notice nor the LRC letter specifies any violent or disruptive activity in the article.

The absence of a detailed justification for the ban of Issue 15 creates the suspicion that it was blocked because prison officials were offended by the criticism that Mr. Woodfox and other former inmates quoted in the article made of the prison system.

We have also learned that prison officials recently impounded Issues 18 and 19 because they reported on efforts to fight the censorship of Issue 15 and published an interview with Mr. Woodfox. We believe those decisions should be overturned.

Federal courts have repeatedly affirmed that prisoners have a First Amendment right to read, and publishers and others have a right to send them reading materials. *Thornburgh v. Abbott*, 490 U.S. 401, 407-08 (1989); *King v. Federal Bureau of Prisons*, 415 F.3d 634, 638 (7th Cir. 2005) ("Freedom of speech is not merely freedom to speak; it is also freedom to read. ... Forbid a person to read and you shut him out of the marketplace of ideas and opinions that it is the purpose of the free-speech clause to protect"). While they have restricted those rights in the interest of security, it serves no penological purpose to block the free flow of ideas that makes it possible for prisoners to consider a wide variety of viewpoints in forming their opinions.

Once again, we protest the repeated, unjustified confiscations of the *Militant* by Florida prison officials. Dozens of issues have been impounded over the last two years—

NCAC PARTICIPATING ORGANIZATIONS

Actors' Equity Association
American Association of
School Administrators
American Association of
University Professors
American Association of
University Women
American Booksellers for Free Expression
American Civil Liberties Union
American Ethical Union
American Federation of Teachers
American Jewish Committee
American Library Association
American Literary Translators Association
American Orthopsychiatric Association
American Society of Journalists & Authors
Americans United for Separation of Church
& State
Association of American Publishers
Authors Guild
Catholics for Choice
Children's Literature Association
College Art Association
Comic Book Legal Defense Fund
The Creative Coalition
Directors Guild of America
The Dramatists Guild of America
Dramatists Legal Defense Fund
Educational Book & Media Association
First Amendment Lawyers Association
Free Speech Coalition
International Literacy Association
Lambda Legal
Modern Language Association
National Center for Science Education
National Communication Association
National Council for the Social Studies
National Council of the Churches
National Council of Jewish Women
National Council of Teachers of English
National Education Association
National Youth Rights Association
The Newspaper Guild/CWA
PEN American Center
People For the American Way
Planned Parenthood Federation
of America
Project Censored
SAG-AFTRA
Sexuality Information & Education Council
of the U S
Society of Children's Book Writers
& Illustrators
Student Press Law Center
Union for Reform Judaism
Union of Democratic Intellectuals
Unitarian Universalist Association
United Church of Christ
Office of Communication
United Methodist Church,
United Methodist Communications
Women's American ORT
Woodhull Sexual Freedom Alliance
Writers Guild of America. East
Writers Guild of America. West

purpose to block the free flow of ideas that makes it possible for prisoners to consider a wide variety of viewpoints in forming their opinions.

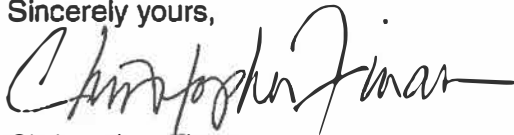
Once again, we protest the repeated, unjustified confiscations of the *Militant* by Florida prison officials. Dozens of issues have been impounded over the last two years—more than four times as many as have occurred in all the other prisons in the country over the last 10 years.

We appreciate that the LRC is not responsible for these confiscations—that they are made by officials in each prison. We also know that LRC overturns most of these decisions. But the censoring of the *Militant* continues.

We urge the LRC to inform the relevant officials that it is regularly rejecting their confiscations of the *Militant* and that prison officials in other states rarely prevent it from circulating freely.

Thank you.

Sincerely yours,



Christopher Finan
Executive Director

David Grogan, American Booksellers for Free Expression
Deborah Caldwell-Stone, American Library Association, Office for Intellectual Freedom
Sue Udry, Defending Rights & Dissent
Phil Harvey, DKT Liberty Project
Emily Knox, Freedom to Read Foundation
Julia Whitehead, Kurt Vonnegut Museum and Library
Aaron Gell, NYU Prison Education Project
James Tager, PEN America
Mickey Huff, Project Censored
Roy S. Gutterman, Tully Center for Free Speech
Ricci Joy Levy, Woodhull Freedom Foundation