

NEWS RELEASE

Human Rights Defense Center
Mississippi Center for Justice

For Immediate Release



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HRDC and MCJ File Suit Against Mississippi Jail that Only Allows Religious Reading Materials

Jackson, MS – Today, the Human Rights Defense Center (HRDC), a non-profit organization that advocates for criminal justice reform, and the Mississippi Center for Justice filed suit on behalf of HRDC in federal court against Forrest County, Sheriff Billy McGee and staff members at the Forrest County Jail. The complaint notes that “most books and most publications are banned” at the facility, and states, “For the most part, prisoners are allowed to read only the Bible and sometimes other Christian publications.”

Due to the jail’s policies and practices, mail sent by HRDC to prisoners, including its award-winning monthly publication *Prison Legal News*, as well as books and copies of court rulings, were banned by jail officials and returned undelivered. The lawsuit contends that these policies and practices unreasonably censor books and publications in violation of the First Amendment’s Free Speech Clause, limit reading material on religious grounds in violation of the First Amendment’s Establishment Clause, and fail to provide HRDC with notice of the censorship or an opportunity to appeal in violation of the Fourteenth Amendment’s Due Process Clause.

HRDC distributes its publications and books, including *Prison Legal News*, to thousands of federal and state prisons nationwide. It has published *PLN* for over 28 years and recently launched another publication, *Criminal Legal News*.

According to HRDC’s complaint, “The only books and publications that the Defendants permit prisoners to read are the Bible and, on occasion, other Christian reading material. The Defendants ban publications and mail sent by HRDC to prisoners at the Jail.”

Beginning in August 2018, HRDC mailed dozens of publications to prisoners at the Forrest County Jail, including issues of *Prison Legal News* and *Criminal Legal News*; several books, including the *Prisoners’ Guerilla Handbook: A Guide to Correspondence Programs in the United States and Canada* and *The Habeas Citebook: Ineffective Assistance of Counsel*; printed court rulings; and informational brochures.

The jail censored at least 77 pieces of mail sent by HRDC between August and October 2018, including 19 books, 15 court rulings and 29 issues of *PLN* and *CLN*. Those mailings were sent back to HRDC marked “Return to Sender.” The jail did not provide HRDC with notice of the censorship, nor provide an opportunity to appeal or challenge the mail rejections.

“Government officials, including Sheriff McGee and his employees at the jail, cannot restrict what prisoners can or cannot read without violating the First Amendment,” said HRDC executive director Paul Wright. “Whether prisoners have been convicted or if they are awaiting trial, and are therefore innocent until proven guilty, limiting their reading options to religious materials is an egregious abuse of government power that has no legitimate purpose.”

“The Bible is very important for those who choose to read it, but so are books of other religious faiths and books that are not about religion,” said Rob McDuff, one of the attorneys who brought suit on behalf of MCJ and HRDC. “Whether in prison or out of prison, people have a right to read stories, history books, educational materials, and a wide range of books and publications that should be available to everyone. Prisons and jails should be encouraging prisoners to read, not limiting them.”

The lawsuit seeks a federal court injunction requiring the jail to comply with the First and Fourteenth Amendments and also requests nominal, compensatory and punitive damages as well as declaratory relief and attorneys’ fees and costs. “The conduct of Defendants was objectively unreasonable and was undertaken recklessly, intentionally, willfully, with malice, and with deliberate indifference to the rights of others,” the lawsuit states.

The case is *Human Rights Defense Center v. Forrest County, Mississippi*, filed in the United States District Court for the Southern District of Mississippi, Case No. 2:18-cv-00184. HRDC is represented by attorney Beth L. Orlansky, Advocacy Director with the Mississippi Center for Justice, and Jackson attorney Rob McDuff, who directs MCJ’s George Riley Impact Litigation Initiative. HRDC general counsel Sabarish Neelakanta and staff attorneys Masimba Mutamba and Daniel Marshall will also be counsel in the case.

A copy of the complaint is posted [here](#).

The Human Rights Defense Center, founded in 1990 and based in Lake Worth, Florida, is a non-profit organization dedicated to protecting human rights in U.S. detention facilities. In addition to advocating on behalf of prisoners and publishing books and magazines concerning the criminal justice system, HRDC engages in state and federal court litigation on prisoner rights issues, including wrongful deaths, public records, class actions and Section 1983 civil rights cases. HRDC publishes [Prison Legal News](#) and [Criminal Legal News](#).

The Mississippi Center for Justice is a nonprofit, public interest law firm committed to advancing racial and economic justice. Supported and staffed by attorneys, community leaders and volunteers, the Center develops and pursues strategies to combat discrimination and poverty statewide.

For further information, please contact:

Paul Wright, Executive Director
Human Rights Defense Center
(802) 275-8594
pwright@prisonlegalnews.org

Sabarish Neelakanta, General Counsel
Human Rights Defense Center
(561) 360-2523
sneelakanta@humanrightsdefensecenter.org

Rob McDuff, Attorney
(601) 259-8484
rbm@mcdufflaw.com

Beth Orlansky, Advocacy Director
Mississippi Center for Justice
(769) 230-2838