

# Equal Justice Initiative

## Criminal Justice Issues and Prisoners' Rights

<https://eji.org/news/eji-sues-after-alabama-prison-bans-mark-melvin-from-reading-slavery-by-another-name/>

## Policy Issue Resources

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09.26.11

Slavery by Another Name details the history of convict leasing in Alabama and other Southern states.

Kilby Correctional Facility in Mt. Meigs, Alabama, has violated the civil rights of an inmate by prohibiting him from receiving *Slavery by Another Name: The Re-Enslavement of Black Americans from the Civil War to World War II*, EJI has charged in a civil rights lawsuit filed in the U.S. District Court for the Middle District of Alabama.

The [Pulitzer Prize-winning book](#) by Douglas Blackmon, an award-winning journalist and Senior National Correspondent for the Wall Street Journal, documents how African Americans in Alabama and throughout the South were re-enslaved in the years following the Civil War, due in part to laws specifically written to facilitate the arbitrary arrest of African Americans. Unable to pay the resulting fines, in addition to the costs for their own arrests, they were sold as forced labor to mines, railroads, farms, and quarries.

The era of racial violence, lynching, and convict leasing in the South following Reconstruction is a deeply disturbing part of our country's racial history that is important and must be understood if we are to make progress overcoming the legacy of slavery and racial subordination, said Director Bryan Stevenson, who filed the civil rights action. We can't cope with the racial history of this country by banning books or preventing people from reading about it even incarcerated people, who retain basic rights and protections that were violated in this case.

On September 21, 2010, *Slavery by Another Name* was mailed to Kilby inmate and plaintiff Mark Melvin. Captain Victor Napier told Mr. Melvin, You know you can't have [this book] here, according to the complaint. Mr. Melvin then filed a grievance stating he believed the book was a work of history and he should not be denied access to it based on its content.

Kilby Deputy Warden Willie Rowell informed Mr. Melvin that the decision to exclude the book was made by Warden John Cummins and Captain Napier, noting that the book was denied pursuant to Alabama Department of Corrections (ADOC) regulations that allow officials to withhold mail if the Warden thinks it could be an attempt to incite violence based on race, religion, sex, creed or nationality.

The complaint names as defendants Rowell, Napier, Cummins, current ADOC Commissioner Kim Thomas, former Commissioner Richard Allen, and current Kilby Warden Bobby Barrett.

*Slavery by Another Name* is a Pulitzer Prize-winning historical account of racial oppression and racial bias in the Southern United States, wrote Mr. Stevenson in the complaint. It does not advocate violence or a violent ideology, nor does it attempt to incite violence based on race. The Georgia Center for the Book, the largest non-profit literary organization in the Southeast and an affiliate of the Library of Congress, named *Slavery by Another Name* one of 25 Books All Georgians Should Read.

The complaint outlines how the defendants intentionally denied Mr. Melvin, who worked in the prison library, access to the book based on its political and historical content pertaining to racism in the Southern United States.

The need for more informed thinking about race and discrimination is especially critical in prisons, which are disproportionately filled with people of color, said Mr. Stevenson. Banning an award-winning book about racial history in the South is not only misguided, but its injurious to anyone who is trying to advance our society on issues of race.

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