

Solitary Watch

Criminal Justice Issues and Prisoners' Rights

<https://solitarywatch.org/2019/09/26/book-bans-reveal-what-prison-officials-ignore-and-what-they-fear/>

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by [Vaidya Gullapalli](#) | September 26, 2019

Books and other reading materials are of special value to people held in solitary confinement. They provide an opening to the world beyond their four gray walls, a connection to the thoughts, words, ideas, feelings, experiences, and insights of other human beings that, for a time, can relieve the endless isolation and boredom of solitary. In supermax prisons and solitary confinement units, books are coveted, treasured, and shared with others on the cell blocks sometimes by being torn into pieces and passed through the cracks beneath cell doors using the common solitary practice of fishing with makeshift lines. All this is confirmed by the letters we receive from people in solitary confinement, and was described in detail in this [piece by Joseph Stanwick](#), published in our Voices from Solitary series in 2012. (In 2016, Joseph Stanwick, a voracious reader and gifted writer, [died in a prison hospice](#) in Texas at the age of 65 after more than two decades in solitary.)

To mark this year's Banned Books Week, we have received kind permission from The Appeal to republish this informative and eloquent piece by Vaidya Gullapalli (who happens to be a former contributing writer for Solitary Watch). We often receive requests for books from people in solitary, and do our best to fulfill them; if you would like to help, please consider [supporting our work](#). Jean Casella

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This story first appeared on [The Appeal](#), a nonprofit criminal justice news site.

This week is Banned Books Week, which started [in 1982](#) as a way to highlight and challenge censorship in libraries, schools, and bookstores. This year, several organizations and individuals have highlighted that the most extensive censorship in the United States happens in carceral institutions. At any given time, book bans affect [the almost 2.3 million people](#) in prisons and jails on any given day. (In a single year, there are [over 10 million admissions](#) to jails, where people encounter severely restricted access to books.)

[A report](#) published yesterday by PEN America looks at the state of book bans in prisons. (The report pays less attention to the problems in jails, which are run at the individual county level.)

Bans can be of different kinds. They can be tied to a book's content or they can be content-neutral, targeting the ways in which incarcerated people obtain books. They can also come about in different ways. Every prison system has its own list of banned titles. Individual prisons may decide to keep additional books from reaching people inside. Individual corrections officers, scrutinizing packages, may deem a certain book suspicious and keep it from reaching the intended recipient.

The Human Rights Defense Center (HRDC), which publishes *Prison Legal News*, [depicted](#) a worsening situation to the *Washington Post* this month, describing an accelerating clampdown over the last 30 years. HRDC compiled partial or full banned books [lists](#) from at least 20 state prison systems this year. The organization found that two of the worst states were [Texas](#), with over 10,000 books on its list, and Florida, with a list of over 20,000 banned books.

Arizona's book censorship was in the news recently when the state corrections system [banned](#) *Chokehold: Policing Black Men* by the law professor [Paul Butler](#). The department reversed the ban after the [threat of a lawsuit](#) by the ACLU and [extensive media coverage](#).

Books banned by prison departments routinely include those on the history of slavery, or about mass criminalization and incarceration, such as Michelle Alexander's *The New Jim Crow*, or books about Black liberation movements. As the *Washington Post* reported, in a country where, according to the federal Bureau of Justice Statistics, black men serve prison sentences at nearly six times the rate of white men, books like Howard O. Lindsay's *A History of Black America* and Henry Louis Gates Jr.'s *Finding Oprah's Roots* have repeatedly run afoul of censors. The PEN report found that prison officials banned books on grounds such as alleged racial supremacy, racial content, or the racial stuff in them.

Too often, though, prison departments have little need to offer any justification. The Supreme Court, in upholding prison book bans, required that there be an administrative appeals process. These exist but routinely fall short of meaningful review. As PEN found, there is no requirement that this reviewer be independent of the prison system, nor are there any other meaningful criteria regarding the reviewers' qualifications. The result is a review system that fails to operate as a serious check on prison censorship.

People in prison have little opportunity to challenge book bans. Fighting for their First Amendment rights would require exhausting administrative remedies as required under the Prison Litigation Reform Act of 1996a requirement that puts litigation out of the reach of the vast majority of incarcerated people. Those best placed to challenge these bans are publishers but few choose to.

An exception is the [Human Rights Defense Center](#), whose publications are focused on incarcerated readers. HRDC's *Prison Legal News* has [faced bans](#) in multiple state systems but the organization's mission and [access to legal resources](#) have allowed it to [challenge](#) these bans, though not always successfully.

Another kind of ban that has become common in prison systems is that of books from all, or nearly all, sources outside of a department's preferred vendors. These bans eliminate access to used books, books from nonprofits dedicated to sending books into prisons, or books from family and friends, and require incarcerated people, who earn pennies an hour if they are able to work, to buy books instead.

Many of these bans came to light because of the work of organizations dedicated to sending books to people in prison. For instance, in Washington State, the Seattle-based [Books To Prisoners](#) learned in March of the state's decision to eliminate access to used books, like those sent by the group. Organizing and media coverage got the decision rescinded. These rescissions have occurred in other states, including [New York](#), [Pennsylvania](#), and [Maryland](#). But the PEN report urges against relying on these kinds of outcomes. Too often, it says, these bans will not come to light, or may come to light long after they have taken effect. For this reason, the organization is instead [urging Congress](#) to convene hearings on book banning practices in American prisons, with the goal of illuminating the control of incarcerated people's access to literature.

The decisions to limit book access to purchases from preferred vendors are offered as [responses](#) to the problem of contraband in jails and prisons. Yet there is little reason to think that books are the major source of contraband or that clamping down on books will address contraband concerns. Despite this, too many states have turned to book bans and restrictions as a solution, which David Fathi of the ACLU described to PEN as the idiocy du jour.

(In an example from Washington State, the state said it had found 17 instances in which books were the source of contraband. It later came to light that prison officials had searched an internal database for the keywords book and contraband. The 17 results included examples such as an incident report when a person held in the prison was booked for contraband and another in which an Officer Booker discovered contraband.)

There are, in short, two strands of book bans. The content-neutral bans, with their blanket restrictions on books from sources other than preferred vendors along with the effect of sharply limiting access, demonstrate a deep indifference to what access to books can mean for incarcerated people. These restrictions deny people opportunities to learn, to train their minds, to enrich their inner lives, to ease their loneliness, to study alongside people who may be on the other side of a wall from them. They deny opportunities for knowledge and growth and intellectual companionship and in doing so, deny the basic humanity of incarcerated people.

The other strand, bans of books based on their content (or perceived or assumed content sometimes deduced from a glimpse at a single page), seem to stem from an awareness that an understanding of history, oppression, and liberation can alter a person. When prison officials target books about slavery, about race and racism, about mass incarceration and its politics, they reveal [a fear of what that knowledge can awaken](#), and a belief that their own institutions are indebted to that knowledge being suppressed.

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Accurate information and authentic storytelling can serve as powerful antidotes to ignorance and injustice. We have helped generate public awareness, mainstream media attention, and informed policymaking on what was once an invisible domestic human rights crisis.

Only with your support can we continue this groundbreaking work, shining light into the darkest corners of the U.S. criminal punishment system.

by [Juan Moreno Haines](#)

October 25, 2022

by [Solitary Watch Guest Author](#)

October 13, 2022

by [Vaidya Gullapalli](#)

September 29, 2022

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