

PRESS RELEASE

Human Rights Defense Center
For Immediate Release

August 10, 2021



Publisher Again Challenges Censorship of Publications by Florida DOC

FLORIDA – The Human Rights Defense Center (HRDC) has filed suit in the United States Southern District of Florida to challenge censorship by the Florida Department of Corrections (FDOC) and Secretary Mark S. Inch, as well as Jose Colon, warden of the Everglades Correctional Institution. The lawsuit alleges ongoing censorship of three publications sent to prisoners at FDOC prisons, in violation of the First Amendment and the Fourteenth Amendment.

HRDC publishes two monthly educational publications, *Prison Legal News* and *Criminal Legal News*, which were mailed to prisoners at prisons throughout the state. FDOC routinely, although inconsistently, censors these magazines. In addition, a book entitled the *Disciplinary Self-Help Litigation Manual* has also been routinely rejected by FDOC prisons and is on FDOC’s list of banned publications. According to the complaint, FDOC has arbitrarily censored these publications produced by Plaintiff, all of which provide inmates information regarding their legal rights, wellbeing, and safety. FDOC has also failed to provide HRDC notice and an opportunity to appeal the broad and unconstitutional censorship.

HRDC has twice before sued FDOC for its censorship practices, and, in fact, there is a 20-year history of HRDC fighting FDOC’s violations of their constitutional rights to free speech and due process. HRDC claims that it continues to suffer damages including the suppression of HRDC’s speech, the impediment of HRDC’s ability to disseminate its political message, and frustration of HRDC’s non-profit organizational mission.

“HRDC’s books and magazines inform prisoners about educational opportunities, their constitutional rights, and means for self-improvement while incarcerated,” noted HRDC General Counsel Daniel Marshall. “Banning these publications from reaching those who are in jail is an affront to the First Amendment, as well as counterproductive to the goals of security and rehabilitation.”

HRDC is seeking declaratory relief, injunctive relief to prohibit defendants from refusing to deliver mail from HRDC and other publishers, compensatory and punitive damages, and attorneys’ fees and costs.

HRDC is represented by attorneys Michael H. McGinley, Eric D. Hageman, and Casey Norman with the law firm of Dechert LLP, as well as HRDC General Counsel Daniel Marshall and Staff Attorney Jesse Isom.

The case is [*Human Rights Defense Center v. Mark S. Inch et al.*, S.D. Fla. Case No. 9:21-cv-81391.](#)

The Human Rights Defense Center, founded in 1990 and based in Lake Worth Beach, Florida, is a non-profit organization dedicated to protecting human rights in U.S. detention facilities. HRDC publishes *Prison Legal News* and *Criminal Legal News*, two monthly magazines that provide reports, reviews and analysis of court rulings and news related to prisoners' rights and criminal justice issues. HRDC's magazines have thousands of subscribers nationwide, and HRDC operates a website (www.prisonlegalnews.org) that includes a comprehensive database of prison and jail-related articles, news reports, court rulings, verdicts, settlements, and related documents.

For further information, please contact:

Paul Wright, Executive Director
Human Rights Defense Center
(516) 360-2523
pwright@prisonlegalnews.org

Daniel Marshall, General Counsel
Human Rights Defense Center
(561) 360-2523
dmarshall@humanrightsdefensecenter.org