

Aug. 12, 2020

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

Re: **THE MILITANT**



3 West Garden St., Suite 712
Pensacola, FL 32502
(786) 363-2738 (Direct)
bstevenson@acluf.org
acluf.org

Benjamin Stevenson
Staff Attorney

Dear Mr. Peterson,

We understand that Florida State Prison has recently impounded a single edition of *The Militant*, Vol. 84, No. 30 (publication date: Aug. 3, 2020). This impoundment will be appealed to the Literature Review Committee for consideration at its next meeting. We urge the Committee to reverse the impoundment at its next meeting and permit Florida prisoners to receive this issue of *The Militant*.

Florida State Prison cited a concern that the *Prisoners demand release from overcrowded jails* article would encourage a riot or a disruption. However, impoundment notice does not explain why the article would cause a riot and common-sense suggests this is farfetched. It's nothing new to Florida prisoners that prison conditions have deteriorated during the COVID-19 pandemic and that other prisoners are naturally upset about this. Instead, the censorship appears to be a pretext to ban *The Militant*.

Furthermore, prison wardens and the Literature Review Committee have a constitutional duty to detail the reason(s) for denying a prisoner's access to *The Militant*. *Goldberg v. Kelly*, 397 U.S. 254 (1970). However, far too often, the warden simply checks the may-cause-a-riot box or the catch-all box that the issue "otherwise presents a threat to security." If the Committee decides to reject this edition, we request that it detail its reasons.

Sincerely,

s/Benjamin Stevenson
Benjamin Stevenson