



Florida Press Association

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Literature Review Committee c/o Dean Peterson
Library Services Administrator Florida Department of Corrections
Allen.Peterson@fdc.myflorida.com
501 South Calhoun Street
Tallahassee, FL 32399-2500

Re: Impoundment of The Militant, Vol. 84, Issue No. 30
Allen.Peterson@fdc.myflorida.com VIA E-MAIL

Dear Literature Review Committee,

The Florida Press Association, established in 1879, represents all the daily and most of the weekly newspapers in Florida and its mission includes working to defend First Amendment rights and press access to information of concern to citizens.

We write to request that you reverse the July 31, 2010 Florida State Prison's (Raiford) ban/impoundment of Issue No. 30 of the Militant. We believe this action infringes upon the First Amendment rights of both The Militant's publisher and its incarcerated subscribers.

The subject article pertains to the protests in California calling for the release of prisoners to protect them from COVID-19 in overcrowded facilities. FDOC's rationale for the article's impoundment is that it is "dangerously inflammatory." However, the justification offered for the ban is unsupported by the article's content—we do not believe it advocates any facility disruption or violation of the law. In fact, there are similar articles in dozens if not hundreds of "mainstream" newspapers on this exact same protest.

The U.S. Supreme Court's test that there be a rational connection to safety and security (as referenced in the cases cited by the Reporters Committee regarding previous bans) has not been met. Rather, the decision appears to be arbitrary and irrational.

We, therefore, urge that the impoundment decision be overturned, and that all impounded copies of The Militant Vol. 84, Issue No. 30 be delivered to The Militant's subscribers at Florida State Prison and any other applicable facility.

Respectfully,

Samuel J. Morley, General Counsel, FPA

Cc: Jim Fogler, FPA CEO
Brian Williams, The Militant newspaper (themilitant@mac.com)