

53.1.23

At the 2010 Annual Meeting ALA Council adopted 2009-2010 ALA CD#19.3 Prisoners' Right to Read: An Interpretation of the *Library Bill of Rights*. To bring the *ALA Policy Manual* in agreement with this resolution, the Policy Monitoring Committee recommended at the 2011 Midwinter Meeting, in San Diego, CA, and Council adopted the inclusion of ALA Policy 53.1.23, Prisoners' Right to Read, into the *ALA Policy Manual*. The new policy reads:

53.1.23 Prisoners' Right to Read

The American Library Association asserts a compelling public interest in the preservation of intellectual freedom for individuals of any age held in jails, prisons, detention facilities, juvenile facilities, immigration facilities, prison work camps and segregated units within any facility. Those who cherish their full freedom and rights should work to guarantee that the right to intellectual freedom is extended to all incarcerated individuals. Adopted 2010.
(See Policy Reference File: Prisoners' Right to Read: An Interpretation of the *Library Bill of Rights*. 2009–2010 ALA CD#19.3)

NOTE TO READER: These interpretations are traditionally represented in the *ALA Policy Manual* by means of an abstract supplied by the originating committee, followed by a reference to the Policy Reference File, where the full text of the Interpretation resides. New interpretations are inserted in the order they are added.

Prisoners' Right to Read

An Interpretation of the *Library Bill of Rights*

The American Library Association asserts a compelling public interest in the preservation of intellectual freedom for individuals of any age held in jails, prisons, detention facilities, juvenile facilities, immigration facilities, prison work camps and segregated units within any facility. As Supreme Court Justice Thurgood Marshall wrote in *Procunier v Martinez* [416 US 428 (1974)]:

When the prison gates slam behind an inmate, he does not lose his human quality; his mind does not become closed to ideas; his intellect does not cease to feed on a free and open interchange of opinions; his yearning for self-respect does not end; nor is his quest for self-realization concluded. If anything, the needs for identity and self-respect are more compelling in the dehumanizing prison environment.

Participation in a democratic society requires unfettered access to current social, political, economic, cultural, scientific, and religious information. Information and ideas available outside the prison are essential to prisoners for a successful transition to freedom. Learning to be free requires access to a wide range of knowledge, and suppression of ideas does not prepare the incarcerated of any age for life in a free society. Even those individuals that a lawful society chooses to imprison permanently deserve access to information, to literature, and to a window on the world.

Censorship is a process of exclusion by which authority rejects specific points of view. That material contains unpopular views or even repugnant content does not provide justification for censorship. Unlike censorship, selection is a process of inclusion that involves the search for materials, regardless of format, that represent diversity and a broad spectrum of ideas. The correctional library collection should reflect the needs of its community.

Libraries and librarians serving individuals in correctional facilities may be required by federal, state, or local laws; administrative rules of parent agencies; or court decisions to prohibit material that instructs, incites, or advocates criminal action or bodily harm or is a violation of the law. Only those items that present an actual compelling and imminent risk to safety and security should be restricted. Although these limits restrict the range of material available, the extent of limitation should be minimized by adherence to the *Library Bill of Rights* and its Interpretations.

These principles should guide all library services provided to prisoners:

- Collection management should be governed by written policy, mutually agreed upon by librarians and correctional agency administrators, in accordance with the *Library Bill of Rights*, its Interpretations, and other ALA intellectual freedom documents.
- Correctional libraries should have written procedures for addressing challenges to library materials, including a policy-based description of the disqualifying features, in

accordance with “Challenged Materials” and other relevant intellectual freedom documents.

- Correctional librarians should select materials that reflect the demographic composition, information needs, interests, and diverse cultural values of the confined communities they serve.
- Correctional librarians should be allowed to purchase materials that meet written selection criteria and provide for the multi-faceted needs of their populations without prior correctional agency review. They should be allowed to acquire materials from a wide range of sources in order to ensure a broad and diverse collection. Correctional librarians should not be limited to purchasing from a list of approved materials.
- Age is not a reason for censorship. Incarcerated children and youth should have access to a wide range of fiction and nonfiction, as stated in “Free Access to Libraries for Minors.”
- Correctional librarians should make all reasonable efforts to provide sufficient materials to meet the information and recreational needs of prisoners who speak languages other than English.
- Equitable access to information should be provided for persons with disabilities as outlined in “Services to People with Disabilities.”
- Media or materials with non-traditional bindings should not be prohibited unless they present an actual compelling and imminent risk to safety and security.
- Material with sexual content should not be banned unless it violates state and federal law.
- Correctional libraries should provide access to computers and the Internet.

When free people, through judicial procedure, segregate some of their own, they incur the responsibility to provide humane treatment and essential rights. Among these is the right to read. The right to choose what to read is deeply important, and the suppression of ideas is fatal to a democratic society. The denial of the right to read, to write, and to think—to intellectual freedom—diminishes the human spirit of those segregated from society. Those who cherish their full freedom and rights should work to guarantee that the right to intellectual freedom is extended to all incarcerated individuals.