

PRESS RELEASE

Human Rights Defense Center
For Immediate Release

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Publisher Settles Censorship Suit Against For-Profit Prison Company GEO Group in Indiana

Indianapolis, IN – [Prison Legal News](#) (PLN), a monthly news publication that reports on criminal justice-related issues and a project of the [Human Rights Defense Center](#), has settled a federal lawsuit against The GEO Group, the nation’s second-largest for-profit prison company, over First Amendment violations at the New Castle Correctional Facility.

PLN filed the suit in November 2014 against GEO Group and New Castle Superintendent Keith Butts. According to the complaint, GEO had censored at least ninety issues of PLN’s monthly publication mailed to prisoners at the facility, allegedly because “*Prison Legal News* contains advertisements from companies that provide pen-pal services to prisoners,” and “The Indiana Department of Correction has a policy, applicable to New Castle, prohibiting prisoners from participating in pen-pal services.”

However, noting that state prisons in Indiana did not censor its publication, PLN argued that GEO’s policy “has no rational basis as many publications that prisoners are allowed to receive contain advertisements promoting the sale of items and/or services that the prisoners cannot access.” Additionally, GEO Group had failed to provide notice of its rejection and censorship of PLN’s monthly publication.

PLN sought monetary damages, as well as declaratory and injunctive relief plus attorney fees and costs. On January 22, 2015, the U.S. District Court entered a consent injunction after GEO agreed not to enforce the policy related to pen-pal ads while the case remained pending.

The consent injunction stated that “Defendants are enjoined from rejecting *Prison Legal News* at the New Castle Correctional Facility and from preventing prisoners at the facility from receiving the publication on the basis that it contains advertisements for goods or services, otherwise lawful, which are prohibited by DOC rules.” The consent injunction also required GEO Group to provide notice when publications sent to prisoners are rejected, to notify prisoners of the injunction and to train mailroom staff as to the terms of the injunction.

“PLN’s publication has been censored many times for a variety of reasons,” stated PLN Editor Paul Wright. “Invariably, as in this case, those reasons are a pretext. Prison officials do not like our content, which informs prisoners about their legal rights. But the government – including private government contractors such as GEO Group – cannot censor publications just because they don’t like what they say.”

GEO Group settled the lawsuit last month; as part of the settlement, the company agreed to pay \$50,000 in damages, attorney fees and costs within 15 days. In its order of dismissal, the district court said that pursuant to the settlement agreement, it would continue to retain jurisdiction over the consent injunction entered in January 2015.

PLN was ably represented by attorneys Kenneth J. Falk and Gavin M. Rose with the ACLU of Indiana, as well as HRDC general counsel Lance Weber and staff attorney Sabarish Neelakanta. The case is *Prison Legal News v. The GEO Group*, U.S. District Court for the Southern District of Indiana, Case No. 1:14-cv-01957-JMS-DKL.

The Human Rights Defense Center, founded in 1990 and based in Lake Worth, Florida, is a non-profit organization dedicated to protecting human rights in U.S. detention facilities. HRDC publishes *Prison Legal News* (PLN), a monthly magazine that includes reports, reviews and analysis of court rulings and news related to prisoners' rights and criminal justice issues. PLN has around 9,000 subscribers nationwide and 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.

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