



NEWS from the ACLU of Indiana

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ACLU of Indiana Suit Seeks to Restore Access to Award-Winning Human Rights Publication

Indianapolis—The publishers of an award-winning magazine that reports on the rights of prisoners and criminal justice issues is seeking to restore access to its publication to residents of a privately run prison in New Castle, Indiana.

The American Civil Liberties Union of Indiana, along with attorneys from the organization publishing the magazine and attorneys from the Chicago law firm of Loevy and Loevy, brought the case on behalf of Prison Legal News, a project of the Human Rights Defense Center, against The GEO Group, a Florida company that runs the New Castle Correctional Facility, and the facility's superintendent.

The suit contends that the prison is violating the plaintiff's First and Fourteenth Amendment rights by preventing distribution of the magazine without showing a valid reason to withhold it from prisoners and by failing to afford the project notice and an opportunity to be heard when the publication is denied. Prison Legal News wants distribution of the magazine to resume and seeks an award for damages.

"There is no rational constitutional basis for the prison to deny access to this publication, which is distributed across the country and is a vital resource for those who are incarcerated," said Ken Falk, ACLU of Indiana Legal Director. "The denial violates the most fundamental of rights – the right to engage in speech on matters of public concern and the right of due process."

"It is alarming that a private, for-profit prison corporation is using Indiana tax dollars to censor publications that critically report on criminal justice news," said PLN Editor Paul Wright. "The State of Indiana has hired GEO Group to imprison its citizens and now GEO is violating the First Amendment constitutional rights of PLN with that authority and with no oversight by the state."

Prison Legal News received the 2013 First Amendment Award from the Society of Professional Journalists. The publication covers a wide range of topics that help prisoners with the adversities of life behind bars, focusing on rights and jail-related civil litigation.

Prison Legal News is represented by Ken Falk, ACLU of Indiana; Lance Weber and Sabarish Neelakanta, Human Rights Defense Center, Lake Worth, FL and Jon Loevy and Matt Topic, Loevy and Loevy, Chicago, Illinois. The case, *Prison Legal News v. The GEO Group, Inc.*, **1:14-cv-01957-JMS-DKL** was filed on Nov. 26, 2014 in the U.S. District Court for the Southern District of Indiana, Indianapolis Division.

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