



HUY

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Pronounced "hoyt," Huy means "see you again/we never say goodbye" in the Coast Salish language.

April 10, 2019

VIA EMAIL

Steve Sinclair
Secretary
Washington State Department of Corrections

Dear Secretary Sinclair:

As you know, we are a Seattle-based non-profit that provides economic, educational, rehabilitative, and religious support for Native American, Alaska Native and Native Hawaiian prisoners. We write to encourage the Department of Corrections to reconsider its March 12, 2019, ban on used book programs in Washington State prisons.

Evidence overwhelmingly shows that prisoners benefit when they have access to books and education. Books provide prisoners a means of entertainment and escape while incarcerated, and they serve to reduce recidivism upon prisoners' release. Studies have shown that inmates who receive some education while incarcerated are significantly more likely to find employment upon release, than those who do not receive such opportunities. For Natives, who statistically have less access to education than the national average, the availability of books in prisons can result in life-reforming opportunities.

Used book programs provide a cheap and effective means for prisoners to receive education. The current ban, which prevents acceptance into prison facilities of used books from any non-profit vendors, will limit the volume and variety of books available to prisoners. Removing access to books will only further disadvantage Native American prisoners, in violation of their constitutional and human rights.

Restrictions on prisoners' First Amendment rights to access books are invalid when they are not reasonably related to legitimate penological interests. See *Thornburgh v. Abbott*, 490 U.S. 401, 413 (1989) (citing *Turner v. Safley*, 482 U.S. 78 (1987)). Although we recognize that excluding contraband is important in the prison context—as you know, we have zero tolerance for contraband—"[i]t is not clear that ensuring efficient mailroom operations is a legitimate penological objective." *Ashker v. Cal. Dept. of Corrections*, 224 F.Supp.2d 1253, 1260 (N.D. Cal. 2002). Further, it is far from clear that prohibiting contributions from non-profit groups with long histories of successfully and safely providing prisoners with used books is a reasonable way to ensure prison safety in Department of Corrections prisons.

We note that just last year, New York, Maryland, Pennsylvania, and the Federal Bureau of Prisons rescinded similar used book restrictions, opting instead to find ways to accommodate prisoners' First Amendment rights. We hope that you will do the same—and as always we stand ready and willing to collaborate with you to honor both prison safety and prisoner book access.

Thank you for your time and consideration of our viewpoint.

Very truly yours,

Gabriel S. Galanda
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