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# Information and the Incarcerated: Information Access, Censorship, and Services within Prison Libraries

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## ABSTRACT

Incarcerated individuals in the United States of America continue to be one of the most underserved communities, despite policies set in place by the American Library Association. Incarcerated people are often denied information access or face challenges to meet their information needs. The incarcerated also face arbitrary censorship in various forms as a way to limit their information access. Within this literature review, the difficulties and absurd policies that incarcerated individuals face will be discussed as well as the American Library Association's policies for carceral facilities, and direct and indirect library services that are available.

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## INTRODUCTION

As of December 2022, the United States prison population reached 1,230,100 individuals (Carson, 2023). Every Federal Bureau of Prisons institution is mandated to maintain both a leisure and a law library for those incarcerated. Incarcerated individuals represent one of the most underserved communities, despite the policies set forth by the American Library Association (ALA) that outline the right to intellectual freedom and minimal censorship. Prisons play a calamitous role in facilitating access to information and reading materials for incarcerated individuals. Librarians must put aside personal ethics and abide by the facility's arbitrary policies of censorship and limit information access to incarcerated individuals.

This literary review will touch base on the various strategies for accessing information in prison, the impact of censorship, and the role of librarians in protecting the rights of incarcerated individuals.

## LITERATURE REVIEW

### ALA Standards

The ALA enacted the *Library Bill of Rights* in 1939 with the latest amendments made in 2019. These Articles detail basic policies that should guide the services libraries provide. To help elaborate on the application of these policies, the ALA published the *Interpretations of the Library Bill of Rights*. Within this document, the ALA expresses its commitment to intellectual freedom, defined as “the rights of library users to read, seek information, and speak freely as guaranteed by the First Amendment... A publicly supported library provides free, equitable, and confidential access to information for all people of its community” (American Library Association, 2019b). These core values extend to almost every community, with the exception of incarcerated individuals.

In 1992, the ALA published *Library Standards for Adult Correctional Institutions*, a document outlining what rights and services librarians could provide to those incarcerated. While this edition has a few preceding variations dating back to 1944, these standards have not been revised for the past thirty-one years. The only update to ALA's policies regarding prisoners occurred in 2010 when they adopted the *Prisoners' Right to Read: An Interpretation of the Library Bill of Rights*. In this document, the ALA states “information and ideas available outside the prison are essential to people who are incarcerated for a successful transition to freedom... Even those individuals who are incarcerated for life require access to information, to literature, and to a window on the world” (American Library Association, 2019). They also claim that materials should not be censored or restricted unless it “instructs, incites, or advocates criminal action or bodily harm or is a violation of the law” (American Library Association, 2019). With so many noble, if not outdated, policies set in place, one would assume that prison libraries impact the incarcerated rehabilitation and address their informational and recreational needs. The reality is that access to information is a constant battle plagued by limited funds, arbitrary censorship, unregulated practices of book banning, and restricted access to resources. Austin et al. (2020) explain that many

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carceral libraries are small, lack funding, face restrictions on their collection development, and are either not staffed by a librarian, or staffed by a librarian with no formal training (p.177).

Despite the substandard reality of America's prison libraries, there are numerous benefits and purposes to having a library in a correctional institution. Conrad (2012) describes the purpose of a correctional library as a way to support the incarcerated person's education, aid in rehabilitation, and provide legal references. Correctional libraries have an immense impact in strengthening family bonds, reducing recidivism, and providing the incarcerated with a sense of humanity. Chris Wilson (2018), a formerly incarcerated person who is now an advocate for recently released citizens, wrote, "I didn't just live *for* that library. I lived *because* of that library. The Patuxent prison library saved me from crushing despair. It saved hundreds of other guys, too" (as cited in Austin, 2022, p.71). Wilson is not the only individual, formerly or currently incarcerated, who has testified as to how prison libraries impacted their lives. However, it is not just access to any book that matters, but being able to access books and information desired and needed that can impact their lives.

### **Information Access**

One of the main challenges the incarcerated face is access to information. The carceral facility has the authority to determine the type of information accessible, as well as the difficulties faced to gain that access (Austin, 2022). Dixen and Thorson (2001) explain that there has been a cultural shift in perspective regarding criminal justice from rehabilitation to punishment (p.50). Over the years, the idea of punishing prisoners has taken root in many prisons, as reflected by the lack of funding for their libraries and an emphasis on providing only the basics required by law.

Incarcerated individuals deal with rapidly expanding information poverty. Not only do incarcerated individuals have minimal access to information, but incarceration itself creates information needs that are often unmet. Using extensive involvement in answering reference-by-mail requests, Drabinski and Rabina (2015) established three main categories of information needs of the incarcerated: re-entry, self-help, and reference. The re-entry category concerns questions about the necessary arrangements upon release, such as "half-way houses, social security benefits, and other practical matters" (Drabinski & Rabina, 2015, p.45). The self-help category answers questions on improving their circumstances, such as "rights to medical services, opportunities for studying while in prison, and information that will help letter writers aid in their own defense" (Drabinski & Rabina, 2015, p.45). The reference category includes all other queries that did not relate to re-entry or self-help. Drabinski and Rabina (2015) found that many of the reference questions had a wide range and indicated that many people who are incarcerated "have general information needs whose purpose may be to satisfy curiosity, help start a business, expand knowledge about a philosophical or religious situation, or any of the other myriad reasons humans seek out information" (p.46).

Prisons also influence the information needs of those incarcerated. Austin (2022) discloses that many requests for information pertain to the facility's living conditions, health dangers, diseases, medication, and issues related to vision and access to prescription glasses. Dixen and Thorson (2001) reported that

an incarcerated person wanted information about the “scientific requirements for heating food,” fearing their meals were inadequately prepared (p.51).

Information access is highly regulated in carceral facilities. The barriers put in place to control what information comes in or out are not infallible. Austin (2022) explains the various ways for incarcerated people to share and discover information, such as television and radio broadcasts, newly admitted prisoners, phone calls, visitations, etc. (p.69). The flow of information inside a prison may be stagnant, but it will inspire the incarcerated to seek out information.

Information seeking is not encouraged by prison authorities. Austin et al. (2020) state that books are a valuable tool for prison authorities, allowing them to influence and instill desired behaviors within the incarcerated population (p.175). Austin et al. (2020) continue to explain that prison authorities attempt to modify behavior by limiting access to information and perpetuating the ideology that the incarcerated aren’t “sophisticated readers” and must be guided to “more constructive reading patterns” (p.176). Doyle (2013) continues this point by arguing that when prison officials define what books are considered “good” or “intelligent,” they are contributing to the idea that education and literacy are the only paths to redemption and prison officials are the only authority on what inmates should be reading. Doyle (2013) maintains that prison libraries unwittingly craft the ideology that an inmate can be “transformed and reformed by education, by literacy” (p.3). Doyle argues that this ideology can be dangerous to those incarcerated because it will modify their behavior in such a way that they will work hard to produce for the prison to preserve their privileges, such as time spent in the library. As Jones (2013) states, “prison authorities like docile, uninformed masses of people because they’re easier to control and dominate” (as cited by Austin et al., 2020, p.175).

Attempts to modify prisoner behavior through information access have led to several formal practices involving the U.S. Supreme Court. In the 1987 case of *Turner v. Safley*, the court attempted to establish a uniform banning procedure and created the Turner Test, a four-part standard of review to aid prison officials in their censorship decisions (Cauley, 2020). This framework places the responsibility of establishing security concerns on prison officials without needing evidence to substantiate such determinations. This practice frequently led to inconsistencies across institutions, eventually leading to the 2006 case of *Beard v. Banks* when an inmate challenged the Secretary of the Pennsylvania Department of Corrections on his ban determination (Cauley, 2020). This case addressed restrictions placed on inmates in disciplinary sections of the prison, such as solitary confinement or long-term segregation units, to deny access to newspapers, magazines, and photographs. The court justified this policy by claiming that the restrictions would “motivate better behavior” and incentivize inmates to modify their behavior to move out of solitary confinement (Tager, 2019, p.16).

### **Censorship**

If book access is a means of control utilized by prison authorities, regulating the content becomes crucial. Book restrictions in carceral facilities represent America’s most significant book ban policy (Tager, 2019). Analyzing censorship policies and sweeping bans is challenging due to little to no public

visibility and no set regulations regarding how prisons document and implement policies. Since there are no official standards of what books are deemed appropriate, rules are often inconsistent and vary by state and even by institution (Cauley, 2020). Due to this lack of formal policies, prison authorities are frequently allowed to censor materials at their discretion that reflect the biases and prejudices upheld by that specific institution (Cauley, 2020).

There are two significant types of censorship: content-based bans and content-neutral bans (Tager, 2019). Content-based bans restrict individual books based on their content. The most common justifications for censoring content are: “depictions of sexual content, nudity, or obscenity; depictions of violence or language perceived to encourage it; depictions of criminal activity or language perceived to encourage it; depictions of escape of language perceived to encourage it; encouragement of ‘group disruption’ or anti-authority attitudes or actions; racial animus or language perceived to encourage hatred” (Tager, 2019, p.3). Prison authorities can go beyond these categories and simply state that a book is “detrimental to the security, good order, rehabilitation, or discipline of the institution” to justify the ban (Tager, 2019, p.3). Essentially, with a bit of time and creative thinking, prison authorities can imagine how a book, in any obscure way, can pose a danger to the prison. Some imaginative content-based bans include Ohio’s ban of a biology textbook, as the anatomical drawings were considered nudity; Arizona’s ban of *Dragonology: The Complete Book of Dragons and Sketching Basics*, no justification provided; Colorado’s ban of Barack Obama’s *Dreams from my Father* and *The Audacity of Hope*, as they were potentially detrimental to national security; New York’s ban of maps of the moon, as they present risk of escape; Florida’s ban of Klingon dictionaries and a coloring book about chickens, no justification was provided (Tager, 2019).

These censorship decisions are arbitrary, overzealous, and subject to little meaningful review. Content-based censorship can occur at an individual, prison-wide, or state-wide level. The individual level is described by Tager (2019) as happening in the prison mailroom. Prison authorities determine if a book will reach its intended recipient or not, often allowing their personal beliefs to guide their judgment. Prison-wide level censorship happens when a carceral facility implements its own policies, leading prisons to have vastly different standards. State-wide level censorship occurs when a state department of corrections provides a list of banned books (Tager, 2019).

The second type of censorship is content-neutral bans. This occurs when a prison restricts book deliveries or only allows books to be bought from pre-approved vendors (Tager, 2019). Content-neutral bans are detrimental to the incarcerated because they are exploitative and can isolate them from their friends and family. Some institutions have ceased all book deliveries and implemented an e-book-only policy, forcing the inmates to purchase tablets for \$149 and, subsequently, each title at an above-market price (Tager, 2019). Some institutes provide the tablet for free, but they are charged a flat fee or a per-minute rate, costing an average of \$19.99 per title (Birc, 2022). These policies were revised after public outcry.

### Library Services

Prison libraries often face budget constraints, limited resources, insufficient staffing, and inadequate inventory (Tager, 2019). Librarians find themselves mired between wanting to provide access to information and needing to comply with the decisions made by the prison (Austin et al., 2020). With so many constraints, carceral librarians continue to speak out on the barriers to access and possible solutions to ensure the incarcerated maintain their rights.

Prison librarians can provide many direct and indirect services. Despite censorship and security justifications, Austin (2022) explains that prison librarians should turn to needs assessments and engage in patron-driven collection development to ensure the incarcerated can access the books they desire. Many prison library collections depend solely on community donations, retired public library circulation materials, and Books to Prisoners organizations. Facing a limited budget, librarians rely on interpersonal communication with other prison librarians and the surrounding community as they develop and sustain their services. Austin (2022) contacted librarians about collaborative services and collection development policies. Since policies are institution specific, responses vary depending on what works for their facility. One respondent shared that they collaborate with a local public library's seasonal reading program to create a way for inmates to request books (Austin, 2022, p.102). Another respondent stated that they acquire legal texts from local law firms updating their collection (Austin, 2022, p.102). More extensive public libraries, such as Washington State Library and New York Public Library, have collaboration efforts with facilities to provide re-entry information and ensure those preparing for release have a library card (Austin, 2022, p.102).

Indirect services librarians can provide include regularly sharing information about programs and resources with prison librarians, providing distance reference, and supporting collection development with access to reliable resources and scholarly materials (Austin, 2022). Drabinski and Rabina (2015) worked intimately with the New York Public Library to answer mail-in reference requests. They volunteered their LIS students to respond to these letters to teach them general reference services and to transform their perspectives of reference services as "urgent" and "critical," even in the age of Google (Drabinski & Rabina, 2015, p.48). Jordan-Makely and Austin (2021) speak highly of reference by mail, stating that the requests represent the limited access available, especially as "information is increasingly born digital" and many resources are being moved online (p.4).

The carceral system conflicts with core values upheld by librarians, such as intellectual freedom, confidentiality, democracy, and the right to free, uncensored information. There are many ways for librarians to get involved. Librarians should educate themselves on the incarcerated and their experiences, as well as invest in programs and organizations that provide support and resources. No one is unaffected by America's prison system, so we must continue to defend the right to access information and to read in prison.

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