

PRESS RELEASE

Human Rights Defense Center
For Immediate Release



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Publisher Files Censorship Suit Against Jail in Sherburne County, Minnesota

Elk River, MN – On Thursday, the non-profit organization Human Rights Defense Center (HRDC) filed suit in the U.S. District Court of Minnesota to challenge censorship in violation of the First Amendment by the Sherburne County Jail (the “Jail”) in Elk River, Minnesota. The complaint names the county, Sheriff Joel Brott and various jail employees as defendants.

HRDC publishes two monthly educational publications, *Prison Legal News* (PLN) and *Criminal Legal News*, which were mailed to prisoners at the jail along with legal books and other educational materials. According to the complaint, the Jail maintains mail policies and practices that prohibit newspapers and magazines, and has failed to provide HRDC notice and an opportunity to appeal the broad and unconstitutional censorship.

Since June 2019, PLN has mailed its publications and other items to prisoners at the Jail. The complaint alleges that Jail officials improperly censored HRDC’s magazines, and failed to provide HRDC with an opportunity to appeal the Jail’s unfounded censorship decisions.

In the complaint, HRDC alleges violations of its constitutional rights under the free speech clause of the First Amendment and under the Fourteenth Amendment’s right to due process. As a result of these rejections, HRDC claims that it has and continues to suffer irreparable harm and damages including “the suppression of HRDC’s speech; the impediment of HRDC’s ability to disseminate its political message;” and “frustration of HRDC’s non-profit organizational mission.”

“HRDC’s publications inform prisoners about educational opportunities, their constitutional rights, and means for self-improvement while incarcerated,” noted HRDC General Counsel Daniel Marshall. “Banning these publications from reaching those who are in jail is an affront to the First Amendment, as well as counterproductive to the goals of security and rehabilitation.”

The lawsuit seeks injunctive relief, declaratory relief and damages against the defendants, as well as attorney fees and costs.

HRDC is represented by attorneys R.J. Zayed, Alex Hontos, and Donna Reuter with the Minneapolis law firm of Dorsey & Whitney, LLP, and by HRDC General Counsel Daniel Marshall and staff attorney Eric Taylor. The case is *Human Rights Defense Center v. Sherburne County, Minnesota; et al*, D. Minn. Case No. 0:20-cv-01817.

The complaint is available here: <https://buff.ly/3l68e8E>

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