

ACLU and SJLC File Class Action Lawsuit to End Unconstitutional Postcard-only Mail Policy at Wyandotte County Jail

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Kansas City, MO - The ACLU Foundation of Kansas and the Social Justice Law Collective (SJLC) today announced the filing of a federal class action lawsuit against the Wyandotte County Sheriff. The lawsuit challenges the constitutionality of the Sheriff's postcard-only policy for jail inmate mail. This policy severely restricts the free speech rights of inmates and their friends and family to communicate with each other.

The ACLU and SJLC are seeking a court order against Wyandotte County Sheriff Donald Ash, in order to put an end to the unconstitutional practice of limiting jail inmates and their family and friends to correspondence using only postcards. The vast majority of the people to whom the policy applies are awaiting trial and, therefore, are legally presumed to be innocent.

"Writing private letters is important to inmates and their friends and families because it allows them to stay connected and to express – at length and in detail – their private concerns about family relationships, health problems, and financial issues, among other things," said Doug Bonney, Legal Director of the ACLU Foundation of Kansas. "If this policy had been in place in Birmingham, Alabama, in 1963, Martin Luther King Jr. could not have sent his now famous letter from the Birmingham Jail. This postcard-only policy punishes inmates as well as their friends and family for no good purpose."

Communication through mail is often the only practical form of communication available to inmates. Often, family members live far away and cannot visit regularly. Moreover, telephone calls from the jail are very expensive – costing \$7.00 for a fifteen minute call -- and in-person visits are limited to one hour per week. These barriers make it all the more essential that inmates be allowed to correspond through regular letters and not be limited to sending and receiving postcards.

"Simply because a family member is in jail doesn't mean he ceases to be part of his or her family. Yet, this postcard-only policy forces them to either write everything in abbreviated form, which can be read by anyone, or write nothing at all. The Sheriff's policy effectively silences inmates if they are unwilling to risk airing personal or confidential information to the entire world," said Joshua Glickman, co-counsel with SJLC.

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