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Plan Would Limit Prison Chapel Books

By [SOLOMON MOORE](#)

A broad swath of religious organizations and civil liberties groups — often on opposite sides of contentious issues — have joined together to condemn a proposed rule that they say would prohibit some religious texts in federal penitentiary libraries.

The Bureau of Prisons in January proposed that “materials that could incite, promote, or otherwise suggest the commission of violence or criminal activity” may be excluded from chapel libraries. An alliance of groups — Christian, Muslim and Jewish, conservative and liberal — opposed the rule during the open comments period, which ended Tuesday.

The word “could” is at the center of a two-year dispute between the agency and these groups over which religious texts should be banned from prison libraries.

The [American Civil Liberties Union](#) and several other civil rights and religious groups argue that the agency is going beyond the provision of the Second Chance Act of 2007, which included a restriction on materials that “seek” to incite violence.

They argue that the act was meant to prohibit only books that intend to suggest violence, and that the agency’s new rule would expand that ban to all books that could possibly lead to violence.

“Those one or two words have incredibly broad significance because of what they do to the scope of what books can be taken away,” said David Shapiro, an A.C.L.U. lawyer. “They could remove texts that are critical to prisoners’ ability to practice their religion.”

Bureau officials did not respond Tuesday to calls or e-mail messages seeking comment.

In its proposal, the agency cited a 2004 report on prison religious services by the Justice Department inspector general that suggested censoring certain materials to prevent the radicalization of inmates.

In 2005, the authorities in Los Angeles uncovered a plot by three Muslim men, at least one of whom was believed to have been radicalized in a California state penitentiary, to carry out attacks on National Guard recruitment centers in the state.

Afterward, bureau officials compiled a list of about 150 books for each of about 20 religious categories in a plan called the Standardized Chapel Library Project.

At the time, critics of the plan said it omitted important religious texts and violated the First Amendment

rights of prisoners. The bureau scrapped the list.

Tuesday was the second time in two years that civil liberties and religious groups joined in opposition to officials' plans to restrict prison library books.

The Alliance Defense Fund, a group of Christian lawyers who litigate religious rights cases, joined its arch foe, the A.C.L.U., in opposing the new rule. The groups are usually on opposite sides of thorny issues like the role of religious expression in schools and [same-sex marriage](#).

The [A.D.F.'s Web site](#) is promoting a publication called "The A.C.L.U. vs. America." The A.D.F. accuses the group of "attacking religious expression" and "protecting child pornographers and pedophiles."

On the matter of religious texts in prison libraries, however, Kevin Theriot, a lawyer with the A.D.F., said the group had little disagreement with its rival.

"We're with the A.C.L.U. on this particular issue because it's very important for religious freedom that these texts be available," Mr. Theriot said. "Somebody could take offense with the Bible, which teaches that Jesus is the only way to the Father. That's an offensive idea to people who are not Christians. They could say that's inciting trouble."

Other groups opposing the rule change include Muslim Advocates, the Seventh-day Adventists and various Jewish organizations.

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