

Inmates at CIW fight for library

By Ann Griffith
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CHINO — A plan to cut spending on a law library at the California Institution for Women has pitted state officials against activists eager to preserve inmates' rights to fight for justice from behind bars.

Women prisoners in Chino use the library for research before filing appeals, seeking child custody or guardianship, or even suing the state over poor prison conditions.

The legal books department at CIW is one of 33 law libraries at state prisons which are updated at a cost of more than \$1 million a year. Shelves behind stacks of Cosmopolitan magazines, romance novels and newspapers are 47 federally mandated sets of penal codes, law books and legal journals.

Since the 1970s, California has kept these shelves stocked according to a court order. All prisoners at state facilities have this access, as do inmates nationwide.

A new Supreme Court ruling, however, limits states' requirements to "provide access to the courts," and California and other areas have plans to either pull law books from libraries or to stop updating them. State officials are still reviewing the 1996 decision and deciding how save money and still follow the law.

"It will severely restrict the number of books that are purchased," California Department of Corrections spokeswoman Christine May said.

The most popular books at CIW are Deering's California Code and the California Department of Corrections Operations Manual, said CIW law clerk Gloria Killian, who is serving time in Chino for robbery. Women are more timid than men about taking advantage of the courts, she said.

"Women are not litigious enough, and there are very few financial

lawsuits coming out of women's institutions," said Killian, who has published articles in USC's Southern California Review of Law and Women's Studies.

It costs \$11 million a year to defend California from lawsuits filed by prisoners, some of whom begin their cases with research here or in other prison libraries.

Many of the suits filed are deemed "frivolous" by the courts, said Staci Turner, deputy press secretary for the state Department of Justice.

For example, one male prisoner sued California more than three dozen times over problems such as a soggy sandwich and a broken cookie.

None of the top frivolous filers are women, but female inmates tend to file complaints about health care and other issues, which are similar to those filed by men, Turner said.

Women inmates are different from men in ways other than just gender. Most are in for nonviolent crimes, and many lifers are there for killing their abusers, according to state statistics.

Women are more likely to use

because of wheelchairs, or women are losing their babies because of poor health care," Shain said. "It's really not about cookies."

In her group's lawsuit against the state, the most prominent victim was a woman who complained about lumps in her breast for 10 years before she was finally treated. A tumor had grown so large that it broke through her skin and eventually she had a double mastectomy, according to the lawsuit settled this year. Jenni Gainsborough, a spokeswoman with the ACLU National Prison Project, said that information about the law, either through a well-stocked library or prison lawyers with office hours for inmates, is essential to preserving the health and lives of inmates.

Legal books quickly become outdated as laws change. The books then become ineffective and misleading, Gainsborough said.

The ACLU National Prison Project believes states are interpreting the ruling incorrectly.

The Supreme Court decision states that an inmate's rights are not violated when denied access to law books unless he or she can prove harm in a court of law.



Tom Zasadzinski/Daily Bulletin

California Institution for Women inmate Janice Preston, left, talks about her appeal with law clerk Pamela Martinez in the prison's library.

the courts for family law, said Karen Shain, office manager at Legal Services for Prisoners with Children.

Prisoners at CIW used the law library to help fight the state in a class-action lawsuit that was settled this year over inadequate health care at CIW and another women's prison.

"There are hard things. People are getting shot in the yard. Prisoners can't get into their cells

Gainsborough and the ACLU are monitoring cases and plan to force states to continue providing adequate legal information to inmates. Shain argues that the state will lose money in lawsuits by trying to cut library costs.

"The expense of not following their civil rights is going to cost (the state) more money," Shain said.