

In July 2015, MIM(Prisons)'s Prisoners' Legal Clinic received the following campaign from a comrade in Missouri. We have been distributing a petition to have grievances addressed across the country for a few years. We asked this comrade to rewrite the grievance petition for use in Missouri, but based on eir experience with the MDOC grievance and court system, ey suggested the following information would be more applicable. Please write in with your comments, and tell us what results (if any) you get from using this petition!

The Prisoners' Legal Clinic is an organization of prisoners in the United States who are fighting injustice in the anti-imperialist movement. The PLC is led and supported by MIM(Prisons). Fighting the injustice system is just one part of the anti-imperialist struggle, and it is important that we not lose sight of the connections to this larger battle. Many prisoners have written to MIM(Prisons) expressing interest in legal issues, or requesting legal assistance. At the same time, many comrades are facing political repression and censorship from receiving materials from MIM(Prisons). In response, we initiated the PLC in hopes of pushing our legal work forward. The PLC is a space where prisoners can contribute to the legal strategy that will push forward our anti-imperialist agenda.

*I am in receipt of the "petition" that you sent me and my first ULK. The [grievance] petition that you sent, I can't see how we Missouri prisoners can use it because RSMo Chapter 217, which is the statute governing Missouri plantations, are almost silent as to our rights to file grievances or any other paperwork for that matter.*

*However, the enclosed petition on access to the law library and due process is in a similar format, and I've been using it since 2006. It has gotten results. Normally I would have more caselaw supporting my argument, but I can't get to the law library.*

*I would mail a copy to the State Representative of my choice, and a copy to the Missouri Department of Corruptions Inspector General. Trust me it works.*

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John Brown  
Petitioner  
vs.

Robyn Combs, Librarian  
Respondent

Petition for Restoration of Civil Rights at  
Jefferson City Correctional Center

John Brown #123456  
Jefferson City Correctional Center  
8200 No More Victims Road  
Jefferson City, MO 65101

Constitutional and Statutory Provisions  
U.S.C.A. Amendment 1, 5, 14 – Enforced by Title 42  
§1983 U.S.C. and RSMo. 217

Statement of Case:

1) Denial of Access to the Courts: Librarian II Robyn Combs is directly infringing upon the rights of inmates' access to the courts by forcing inmates to have a "Qualified Legal Claim" (an active case) in order to request and receive "legal research material." (court decisions)

#### Argument in Support of Restoration of Civil Rights:

Just as people on the street, prisoners have a fundamental Constitutional right to use the court system to either complain about "prisoner abuse" or to challenge their illegal conviction and incarceration. These rights are based on and grounded in the First, Fifth, and Fourteenth Amendments to the United States Constitution.

Librarian II Robyn Combs has enforced a frivolous rule stating that "inmates must have a Qualified Legal Claim (i.e. an active case) with the State or Federal courts in order the request and receive legal research material." Without a qualified legal claim, the inmates in the Administrative Segregation Housing Units cannot receive court decisions that will support their arguments based on their Constitutional claims. For instance, I myself, am attempting to challenge my illegal incarceration by filing a Writ of Habeas Corpus pursuant to Missouri Supreme Court Rule 90 and/or a Second Writ of Habeas Corpus pursuant to §2244(b)(1) of the Antieffective Death Penalty Act. However, due to the blanket ban imposed by Robyn Combs, I cannot file the Petition with the courts because I cannot request the proper format and/or the proper legal citations that will support my argument of innocence.

The right of access to the courts are protected by the First, Fifth, and Fourteenth Amendments to the United States Constitution and is governed by the same legal standard developed in a case titled *Turner v. Safley*, 482 U.S. 78 (1987). In *Turner*, prisoners in Missouri brought a class action lawsuit challenging a regulation that limited the ability of prisoners to write letters to each other. The Unites States Supreme Court used the case to establish a four-part test for First Amendment claims. Under this test, a law that restricts prisoners' freedom is ok as long as it is "reasonably related to a legitimate penological interest."

Banning prisoners housed in the Administrative Segregation Units the right to request legal research materials is not "reasonably related to a legitimate penological interest." In fact, the "blanket ban" is imposed only to minimize the work that the librarians are compelled to do if such a ban was not imposed.

#### Conclusion:

This blanket ban imposed by Robyn Combs directly infringes on inmates right to access the courts in violation of the First, Fifth, and Fourteenth Amendments to the United States Constitution and in direct violation of *Turner v. Safley*. This ban must be removed so as to allow inmates housed in the Administrative Segregation Units to request and receive legal research materials.

Respectfully submitted,

*John Brown*  
Petitioner *pro se*

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